

Care, Protection, and Abuse Prevention

Policy and procedure

1.0 PURPOSE

This section describes the Care, Protection and Abuse Prevention Policy for Purapura Whetu Trust.

2.0 SCOPE

All PW Board members, Te Kaiwhakahaere, employees, clients, their family/whanau and relevant stakeholders.

3.0 RATIONALE

Kia Rangatira Te Tu

The philosophies in Kia Rangatira Te Tu are inherent in all aspects of the work of Purapura Whetu Trust and form the foundation for this Code of Ethics under the following: Tapu; Mana; Mauri; Whanaungatanga; Wairuatanga; Hinengaro; Tinana; Ukaipo; and Matauranga Maori.

PW is committed to the prevention of abuse and to the protection, safety and wellbeing of all children and young people and shall ensure its policies and practices emphasise this paramount consideration.

4.0 REFERENCES

- A. Children, Young Persons, and Their Families Act 1989
- B. Domestic Violence Act 1995
- C. Vulnerable Children Act 2014

5.0 ABBREVIATIONS

PW	Purapura Whetu
TK	Te Kaiwhakahaere
TKi	Te Kaitiaki
WP	Whanau Practitioner

6.0 PROCEDURES

PRINCIPLES - *The following principles are designed to shape the philosophy of this Policy:*

Paramourncy Principle = “Where, in all matters relating to the administration or application of this Act, any conflict of principles or interests arises, the welfare and interests of the child or young person shall be the deciding factor” - Section 6, Children, Young Persons and Their Families Act 1989. This principle shall guide all policies and practices at PW, especially in relation to the prevention of child abuse and where there are any concerns about the wellbeing or safety of children and/or young people arise.

Children and young people are “taonga” and have a right to full emotional, spiritual and physical well-being and to develop their own potential in an environment that is nurturing, protective and in which they are free from abuse.

This policy aims to protect and encourage the primary role of the family/whānau in their decision making, regarding the protection and nurturing of their children and young persons. The family/whānau primary role in providing for the care, welfare and safety of children and young people will be valued, maintained and strengthened, where possible. The child’s health and safety must be the top priority.

Protect children from abuse. The protection of children from abuse is the responsibility of adults. The prevention of abuse is also an adult responsibility. Children may be vulnerable, dependent and are unable to advocate for themselves. They are not responsible for abuse inflicted on them by others. Child abuse involves health, welfare, cultural, spiritual, social, moral and ethical issues.

Neglect is as potentially fatal as physical abuse. It may also be a precursor to or alongside other forms of abuse. It must be treated seriously.

Child abuse is recognised as harmful and has on-going health consequences. All services provided by PW will contribute to the nurturing and protection of children, young people and their families/whānau and advocate for them as part of our role to promote, protect and conserve public health and wellbeing.

All PW services provided for the care and protection of children and young persons will be supplied on the principle of partnership in accordance with the Te Tiriti o Waitangi.

All PW services will adhere to the legal requirements outlined in the Children, Young Persons and Their Families Act 1989

PW provides clear procedures for dealing with physical, sexual, emotional abuse and neglect in accordance with both the particular circumstances of this organisation and case-by-case dynamics.

PW will respond to child abuse in ways which protect children from further abuse. Effective child protection strategies require active liaison between professional disciplines, statutory agencies, non-government organisations and the community. Services provided must work in co-operation with the range of services and groups from all cultures and communities in which our children and young people live.

All children and their families/whānau have the right to high quality services that are safe, accessible, and culturally appropriate and minimise disruption. This requires that staff have specialised training and that services are evaluated and monitored regularly. Staff training and professional support will be provided.

Child protection work is recognised as stressful therefore clear protocols and procedures must be in place to reduce stress on PW staff.

A consultative, team approach, must be in place in order to provide both an effective and caring service with adequate support for workers. No person should work in isolation in child protection

Management will review the allocation of resources to services involved in Child Protection regularly.

AIMS

To ensure that all children and young people are treated with dignity and respect, whilst being free from physical, emotional and sexual abuse and neglect.

To ensure that the welfare and interests of the child or young person are the first and paramount consideration.

To ensure that the family/whanau have the primary role in caring for and protecting children and young people and unless this poses further risk to the child or young person, family/whanau should be involved in all decision making.

DEFINITIONS

Care and Protection = the philosophy and practices that encompass a professional response to alleged and/or suspected child abuse.

Child Abuse = means harming (whether physically, sexually or emotionally), ill-treatment, abuse, neglect or deprivation of any child or young person.

Family Violence = violence or abuse of any type, perpetrated by one family member against another family member. It includes child abuse, partner abuse and elder abuse. Family Violence

Represents a serious abuse of power with family, trust or dependency relationships. It undermines the basic rights of people who, because of their gender, age, disability or dependence, are most vulnerable to abuse.

The Domestic Violence Act 1995, provides for the safety of children by defining violence in relation to a child as follows: "A person psychologically abuses a child if a person causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship or puts the child, or allows the child to be put at real risk of seeing or hearing the abuse occurring."

Partner abuse (also called intimate partner violence) = physical or sexual violence, psychological/emotional abuse, or threat of physical or sexual violence which occurs between intimate partners. Intimate partner include: current spouses (including de facto spouses); current non-marital partner including dating partners; heterosexual or same sex; former marital partner or former non-marital partner.

RESPONSIBILITIES

The PW Board is responsible for ensuring that all PW policies are consistent with this policy. TKi is specifically responsible for ensuring that all PW staff are aware of, and supported to implement, practices that are consistent with this policy.

Staff responsibilities involve being familiar with this policy, including:

- Attending relevant induction and ongoing training regarding the identification and reporting of child abuse.
- The ability to detect early the existence of child abuse and neglect.
- Having an understanding of their obligations to take all necessary steps to ensure the immediate safety of any child or young person about whom they are concerned.
- Having an understanding and of, and commitment to, the wellbeing of children and young people being paramount.
- Having an understanding and of, and commitment to, the prevention of child abuse and neglect.

ESSENTIAL PRACTICE

No decisions or actions in respect of child abuse or suspected or potential child abuse are to be made by any PW staff member in isolation.

Whenever child abuse is identified or suspected, it is to be given top priority.

The initial contact person should not attempt an in depth interview of a child especially regarding sexual abuse. The child would almost certainly need to be re-interviewed, causing further distress and legal/procedural difficulties with the Child, Youth and Family Service and/or Police. These two agencies have a statutory responsibility for the investigation of child abuse. The appropriate person(s) to interview and investigate will be identified through consultation. However, information volunteered by the child should be fully and accurately recorded.

A child is entitled to have or to nominate a supportive adult to be present during a medical examination and/or interview.

While Child, Youth and Family Service will normally be notified, not all situations will require statutory intervention Please see Referral Form below (Appendix 1)

It is advised that in all cases of sexual abuse the Police are to be notified.

Release of information without normal confidentiality and informed consent will occur if there is a concern for a child's immediate safety and/or if a client is at risk of abuse or neglect.

Notification of Abuse

The Children Young Persons and Their families Act 1989 provides for voluntary reporting of suspected cases of child abuse by anyone in the community. Section 15 (CYPF Act 1989) states:

“Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, neglected, or deprived, may report the matter to a Social Worker or a member of the Police” and Section 16 (CYPF Act 1989)

Provides legal protection from civil, criminal or disciplinary proceedings to anyone making such a report in good faith.

Child, Youth and Family Service must undertake or arrange for the undertaking of an investigation as soon as practicable where necessary or desirable. Workers involved with families about whom a notification is made, may be asked to assist with investigation if appropriate.

Where any member of the staff is concerned that a child or young person is at risk of harm from abuse or neglect, or receives information from another person, such as a family member that a child or young person may be at risk, the following procedures are to be followed:

The information shall be entered into a Child Abuse Register Form (Appendix 3) with one copy placed in the client file and a copy placed in the Child Abuse Register File

The information shall be passed immediately to TKi/TK. If those people are not available, consult with Supervisor/colleagues and/or the Board Chairperson.

TKi, in conjunction with the WP who raised the concern, assess the information to ascertain whether the child or young person is currently at risk.

If the child or young person is currently on PW premises, the assessment must occur before they leave.

If the child or young person is not on PW premises, this assessment must occur within 24 hours.

Factors to be considered in the assessment include:

- The nature and severity of abuse
- The child's immediate safety whether abuse has been observed/ disclosed, or is suspected/ indicated
- The severity of the indicators
- The family/Whānau situation and the appropriate timing for making contact
- The total well-being of the child
- The need for statutory intervention
- The contact person's initial assessment

If immediate risk is identified, steps are to be taken to ensure the safety of the child or young person. If the child or young person is on the PW premises, the WP will:

- Prevent the child or young person from leaving.
- Contact Child, Youth & Family Service (by phone on 0508 FAMILY) and report the concern and seek advice and assistance,
- Where appropriate, contact a member of the child or young person's family/whanau, inform them of the concern and the action that has been taken and request that they come to support the child or young person.

If the child or young person is not on PW premises, the WP will contact the Child Youth and Family service (by phone on 0508 FAMILY) and make a referral under the provisions of section 15 (refer below) of the CYP&F Act. The referral is to be made the same day on the form below (Appendix 1). Attach reports and/or diagrams for details as necessary.

Mark the envelope confidential. Every precaution should be taken to ensure the safety of the information

Where the child or young person is not currently at risk but a concern exists because of past abuse or the potential for further harm, the WP will:

- Gather information in order to make a full assessment of the situation
- Where appropriate, contact the current caregivers of the child or young person and discuss the concern and ways in which the child or young person may be protected from future harm.
- Where the CW either does not believe it is appropriate to contact the caregiver, or where, after discussion, they are not confident the caregiver will adequately protect the child or young person from future harm, a referral is to be made to Child, Youth and Family Service.
- If the WP assesses that no current or potential risk exists, no further action is required, although the WP may choose to set a date to reassess the situation.

All information, action taken and outcomes are recorded on the individual file and signed by both the WP who raised the concern and TKi.

A summary of the information and the outcome is recorded in the Child Abuse Register (Appendix 3). TKi must sign off all information recorded in the Register. The records should distinguish between objective observable facts and subjective opinion. Under the Children, Young Persons and their Families Act (CYP&F Act), the Department of Child, Youth & Family and/or the Courts can require reports to be produced to assist in the investigation of child abuse. There is a provision in the Act that overrides the Privilege and Confidentiality Section 59-66, of the CYPF Act 1989

Where a section 15 referral is made to Child, Youth & Family, TK (or Board Chairperson, or other designated person) is to be informed of the action and advised of case progress.

Where a section 15 referral is made to Child, Youth & Family, PW, if appropriate, maintains contact with the family/Whanau and offers support and any follow action as agreed with Child, Youth and Family Service.

Please refer to the flow chart (Appendix 2) for an overview of the process.

THESE CONTACTS TO BE INCLUDED IN THE PW STAFF PROCEDURE MANUAL FOR CARE, PROTECTION AND ABUSE PREVENTION

Emergency Contacts

- Extreme Emergency Calls – phone **111 and** ask for the Police
- Non-Emergency Calls for the Police – 363 7400 and ask to speak to Control or the Child Abuse Unit
- Child, Youth and Family (Child Abuse notifications – 24 hours)
Ph. 0508 FAMILY (0508 326 459)
- CYFS Te Oranga-Care and Protection South – 961 5520. Residential – 961 5547
- Cambridge Clinic - DSAC (Doctors for Sexual Abuse Care) – ph. (03) 366 0067

Non-Emergency Contacts

- Otautahi Women's Refuge – 24 hour crisis line – 0800 117 474 or ph. 364 7706
- Christchurch Women's Refuge – 364 7306
- Christchurch West Women's Refuge – 379 0575
- Battered Women's Trust – 364 8900

