

3.1 National Family Works Policy : Child Protection

3.1.1 Policy Statements

The safety and wellbeing of tamariki and rangatahi is the primary concern in all work undertaken by Family Works.

As specified under the Oranga Tamariki Act (1989) services will have regard to mana tamaiti, whakapapa and whanaungatanga to address the safety and wellbeing of tamariki and rangatahi. Services are delivered in accordance with the partnership, participation and protection principles inherent in Te Tiriti o Waitangi.

This Child Protection Policy outlines our commitment to tamariki and rangatahi safety and protection, and Family Works' legal responsibilities.

The Policy also provides protocols for recognising and responding to actual and suspected cases of abuse (including neglect).

Family Works regions will have their own procedures that best fit the agency setting to meet the requirements of this policy.

3.1.2 Outcome

Tamariki and rangatahi, and their whānau or families, will receive the services they require to maximise their safety and wellbeing and protect them from harm.

3.1.3 Scope

This policy applies to all Family Works staff.

3.1.4 Child protection

Child protection is concerned with the safety and wellbeing of all tamariki and rangatahi.

Harm is the term used to describe damage or injury and includes self-harm and suicidality.

Child abuse and neglect includes the impacts of family violence, and co-occurrence of child abuse and family violence.

Expanded definitions and indicators of child abuse and neglect can be found below and as appendices to this policy. For more information on working with tamariki and rangatahi living with family violence, and mental health issues resulting in self harm and/or suicidality, see references at the end of this policy and resources held in your region.

3.1.5 Definitions

Tamariki: Under the Oranga Tamariki Act (1989) and the Children's Act (2014) child or tamariki includes tamariki and rangatahi up to the age of 14 years.

Rangatahi: Under the Oranga Tamariki Act (1989) and the Children's Act (2014) rangatahi are young people up to the age of 18 years and in some cases up to 25 where they have been in care or require care.

Child abuse and neglect: Where the term child abuse is used within this policy, this includes neglect. See Appendix 1 and 2 for detailed definitions and indicators of abuse and neglect.

Child protection: Activities carried out to ensure that tamariki are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect. *(Ref. Ministry of Education Child Protection Policy.)*

Co-occurrence of family harm and child abuse: Tamariki and rangatahi who are exposed to both the impacts of family harm and are directly abused.

Cumulative harm: The understanding that repeat episodes of abuse can have a profound impact on tamariki development.

Designated Person: A person designated to oversee child protection work within each Family Works team.

Disclosure: Information about abuse or neglect that is given to a staff member by a tamariki, parent or caregiver. Information provided by a third party may be termed a report of abuse.

Family violence: Violence (physical, sexual or psychological abuse), coercive or controlling behaviour, or a pattern of behaviour which may cause harm or cumulative harm. *(Ref. section 9, Family Violence Act (2018)).*

Harm: The term used to describe physical or psychological abuse, deprivation or neglect that causes damage or injury, including harm caused by a person against another, and self-harm. *(The Oranga Tamariki Act (1989) Section 14AA provides definitions of serious harm).*

Information sharing: The sharing of information relevant to the safety and wellbeing of tamariki and rangatahi includes information about:

- (a) a member of the family of the child or young person; or
- (b) any other person in a family relationship (within the meaning of section 12 of the Family Violence Act 2018) with that child or young person; or
- (c) any person who is likely to reside with the child or young person.

(Ref. Section 66F, Oranga Tamariki Act (1989))

Staff: For the purposes of this policy, the term 'staff' refers to all paid Family Works staff, students, contractors and volunteers.

Suicidality: Risk of a person committing suicide or the act of committing suicide.

Wellbeing: The wellbeing of tamariki and rangatahi considers a holistic view of their strengths, protective factors, and needs across a number of domains. *(See references at the end of this Policy for Oranga Tamariki definition of wellbeing and responses to wellbeing concerns).*

3.1.6 Protocols

Tamariki and rangatahi have the right to be safe from abuse and harm (including self-harm), and to be treated with respect and dignity. Family Works is committed to protection of the safety and wellbeing of tamariki and rangatahi and their whānau and families, and the prevention of child abuse.

This commitment means that:

1. Family Works recognises that the primary role of whānau and families in caring for and protecting their tamariki should be valued and maintained, however tamariki and rangatahi safety and wellbeing will be the organisation's primary consideration.
2. When working with individuals, couples, whānau and families who have responsibility for the care of tamariki and rangatahi, staff will take into consideration the impact of presenting and underlying issues on their safety and wellbeing, and any other relevant information. Staff will assess risks and respond appropriately to any concerns identified as detailed in regional procedures.
3. Family Works staff will respond to suspected abuse, and disclosure of abuse and harm in a timely fashion and ensuring tamariki and rangatahi immediate and future safety. Where there are other tamariki and rangatahi in the home, staff will assess the safety and wellbeing risks to them also and respond accordingly. Note that this includes self-harm and suicidality.
4. Staff will follow safe practices in their interactions with tamariki and rangatahi (as per regional procedures) and work within the parameters of the role they are employed for.
5. Abuse of adults in a parenting role is recognised as having a harmful effect on tamariki and rangatahi in their care. Family Works staff will assess the risk for all whānau and family members where Family Violence is identified and respond in accordance with the National Family Violence Policy and regional procedures.
6. Family Works acknowledges that in cases of suspected child abuse, supporting whānau and families through a Report of Concern process is important. Where possible and appropriate, Family Works will work in partnership with statutory agencies, and other services involved as part of an integrated plan to improve tamariki and rangatahi safety and wellbeing.

7. Family Works will promote alternatives to physical forms of discipline and punishment, and wherever possible ensure whānau and families can access relevant opportunities to develop skills and resiliency to support good parenting and manage their lives.
8. Family Works workplaces and service centres are safe, and tamariki, rangatahi, whānau and family friendly environments.
9. Where appropriate, Family Works will support and collaborate with all relevant agencies and community partners in the identification and investigation of child abuse and family violence. Where collaborative inter-agency responses are in place, Family Works will support and collaborate to assess, triage and respond to risk and harm.
10. A designated person will be identified within each Family Works team to oversee actions in relation to tamariki and rangatahi safety and wellbeing concerns. This may be the service manager, practice manager or other person appointed by the service manager. If this person is unavailable to consult with, a second liaison person will be identified.
11. Staff will discuss with the designated person, any situation where there could be a conflict of interest for them regarding child abuse within a client whānau and family.
12. Practitioners must consult with their service manager or designated person if they suspect or learn of child abuse, or other concerns for the wellbeing of tamariki or rangatahi.
13. All concerns expressed, and information received will be recorded factually as soon as possible in client files and relevant organisational documents. Anything that is an opinion, or a personal concern will be identified and documented as such.
14. All decisions, actions and associated explanations will be recorded accurately throughout the process of responding to the safety concerns for tamariki or rangatahi.
15. Staff will have a level of training and competence that enables them to work safely with tamariki, rangatahi and their whānau and families. All staff will have refresher training on a regular basis, with timing for this determined by regional management.

3.1.7 Responsibilities of Family Works under the Children’s Act (2014)

The Children’s Act (2014) places responsibilities on community organisations and their staff for improving the safety and wellbeing of tamariki and rangatahi.

This Act states that all organisations receiving government funding are regarded as regulated services. All staff in regulated services have legal obligations in relation to identifying and responding to child abuse and neglect.

The Act requires the development of Child Protection policies, and worker safety checking procedures for people working with children.

Family Works will regularly review policies, procedures and practice to ensure they are consistent with our responsibilities under the Children’s Act.

3.1.8 Responsibilities of Family Works under the Oranga Tamariki Act (1989)

The Oranga Tamariki Act (1989) is a significant amendment of the Children, Young Persons and their Families Act (1989) which provides guidance related to identification of risk and appropriate intervention.

The enhancements in the revised Act are to recognize and provide a practical commitment to Te Tiriti o Waitangi (section 7AA). These service requirements cover:

- Mana tamaiti, whakapapa and whanaungatanga;
- National Care Standards;
- Allegations of abuse;
- Transition to independence; and
- New monitoring and reporting requirements.

3.1.9 Culture and religion

Family Works acknowledges that clients will come from a range of backgrounds, with different cultural, religious and child-rearing traditions and practices. It is important to be sensitive and respond appropriately to each whānau and family’s cultural context.

Differences in child-rearing practices do not justify child abuse or neglect as it is defined in Aotearoa New Zealand. Family Works staff have a legal responsibility to protect all tamariki and rangatahi in client whānau and families.

3.1.10 Safe practice guidelines to ensure a safe, tamariki and rangatahi-friendly work environment

Staff will be familiar with personal safety information and resources available to tamariki and rangatahi.

Staff will keep their personal and professional lives separate. The fostering of close personal relationships and/or caretaking with tamariki, rangatahi and their whānau and families is not

appropriate outside the work environment or the parameters of their role, as outlined in their position description.

It is recognised that staff may come to be regarded by some clients as part of their extended whānau and family. In all circumstances staff must be very clear about their role, and the supervision and monitoring of such a relationship is mandatory.

In child protection cases, staff will ensure they do not work in isolation, and must regularly consult on practice and discuss in supervision.

3.1.11 References

Children's Act (2014)

<http://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html>

Crimes Amendment Act (2011)

<http://www.legislation.govt.nz/act/public/2011/0079/50.0/DLM3650006.html>

Family Violence Act (2018)

<http://www.legislation.govt.nz/act/public/2018/0046/latest/whole.html>

Family Violence Act (2018) Information Sharing Guidance

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/reducing-family-and-sexual-violence/a-new-family-violence-act/information-sharing-guidance/>

Family Violence Clearinghouse articles on the co-occurrence of Family Violence and Child Abuse

<https://nzfvc.org.nz/recommended-reading/intervention-IPV-and-CAN>

Oranga Tamariki Act (1989)

<http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147088.html>

Oranga Tamariki Act (1989) Information Sharing Guidance

<https://www.orangatamariki.govt.nz/working-with-children/information-sharing/>

Oranga Tamariki Working Together guide

<https://www.orangatamariki.govt.nz/assets/Uploads/Documents/Interagency-guide-working-together.pdf>

Oranga Tamariki definition of wellbeing and response guide to wellbeing concerns

<https://practice.orangatamariki.govt.nz/practice-standards/ensure-safety-and-wellbeing/wellbeing/>

Self-Harm and Suicidality

<https://www.kidshealth.org.nz/self-harm>

<https://healthyyoungmindspennine.nhs.uk/i-work-with-young-people/>

<https://www.mentalhealth.org.uk/publications/suicide-and-self-harm>

<https://www.mentalhealth.org.uk/publications/suicide-and-self-harm>

<https://shop.mentalhealth.org.nz/>

The White Paper for Vulnerable Children Volume II 2013 NZ Government [http://www.msd.govt.nz/documents/about-msd-](http://www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/policy-development/white-paper-vulnerable-children/whitepaper-volume-ii-web.pdf)

[and-our-work/work-programmes/policy-development/white-paper-vulnerable-children/whitepaper-volume-ii-web.pdf](http://www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/policy-development/white-paper-vulnerable-children/whitepaper-volume-ii-web.pdf)

'What is Child Abuse? Child Matters'

<http://www.childmatters.org.nz/42/learn-about-child-abuse/what-is-child-abuse>