



# Child Protection Policy

## Statement of Commitment

Mid Island Gym Sports asserts that all children have equal rights to protection from abuse and exploitation regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture, economic status or criminal background. Mid Island Gym Sports will ensure any disclosures about alleged abuse are acknowledged and appropriate action taken to ensure the safety of children who make disclosures

**Purpose:** The objective of this policy is to ensure that all Mid Island Gym Sports staff operate in ways which ensure that children are protected from harm. This involves being able to recognise and identify signs of abuse and to know how to respond appropriately.

**Guiding principals:** Working with children, families and whānau where child protection is a concern raises complex issues of values, rights and potentially conflicting interests. It is therefore important to be guided by a set of principles. The decisions and actions of Mid Island Gym Sports in response to any child protection concern will be guided by the principle of “the welfare and best interests of the child”

**Scope:** This policy applies to all children who attend this organisation, and to those with whom staff come into contact in the course of their work with Mid Island Gym Sports. It applies to staff, volunteers and management.

### **Definitions:**

- A child is defined as any person under the age of 18
- An adult receiving a service with a disability could be regarded as a ‘vulnerable adult’ and thereby also covered by this policy.
- “Staff” includes, but is not limited to, any person employed directly by Mid Island Gym Sports, any person individually contracted, and volunteers working on behalf of Mid Island Gym Sports. For the purposes of this policy, “staff” also refers to any Mid Island Gym Sports Committee members.

**Responsibilities and Reviews:** The designated persons for child protection within Mid Island Gym Sports are Alesha Morris and Lynette Farkash. A review of this policy will be undertaken annually. This policy was last updated 03/08/2020 and is due to be reviewed 03/08/2021 and/or when new guidance is issued.

## **IDENTIFICATION OF ABUSE AND NEGLECT**

All staff must be able to clearly identify the signs and symptoms of abuse, and have the confidence to take the appropriate action.

### **DEFINITIONS OF CHILD ABUSE:**

**Physical Abuse** Physical abuse is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

**Emotional Abuse** Emotional abuse is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a child.

**Sexual Abuse** Sexual Abuse is an act or acts that result in the sexual exploitation of a child, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child.

**Neglect** Neglect is any act or omission that results in impaired physical functioning, injury and/or development of a child. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs.

### **IDENTIFYING ABUSE**

Staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:

Direct or indirect disclosure by the child;

Direct or indirect disclosure from someone known to the child;

Suspicious of abuse by those involved with the child;

Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;

Direct witnessing of abuse

If a member of staff is unsure about what might constitute child abuse, they should ask for advice and guidance from the Designated Persons for Child Protection. At any time, staff may seek advice directly from Oranga Tamariki (0508 326 459) regarding child protection concerns.

## **PROCEDURES FOR RESPONDING TO CHILD ABUSE**

Any issues of suspected child abuse must be taken seriously and handled in an appropriate manner that ensures the child's safety.

Mid Island Gym Sports will respond to allegations of child abuse in a manner which ensures the child's safety is the first and paramount consideration.

Staff will not act alone about concerns of abuse but will consult with either the Designated persons for child protections, Alesha Morris or Lynette Farkash who will be committed to taking action as outlined in the procedures.

All concerns and information will be recorded factually and held confidentially. All documentation relating to concerns and information will be held in the Health and Safety Folder.

## **DISCLOSURE FROM A CHILD**

When a child discloses abuse, this needs to be taken very seriously. It is important that any disclosure is dealt with appropriately, both for the wellbeing of the child and also to ensure that your actions do not jeopardise any legal action against the alleged offender.

### **If there is information disclosed regarding actual or suspected child abuse staff must:**

Stay calm

Listen and hear

Give time to the child to say what they want

Reassure them that they were right to tell

Tell the child that they are being taken seriously and that they are not to blame

Explain that they have to pass on what the child has told them as soon as they are aware that the child is making a disclosure

Give an age appropriate explanation to the child of what the child can expect to happen next

Record in writing what was said as soon as possible, using the child's own words where possible.

Report the concern to the appropriate statutory agency, in consultation with the Designated Person for Child Protection.

### **Staff must not:**

Make the child repeat the story unnecessarily

Promise to keep secrets

Enquire in to the details of the alleged abuse

Ask leading questions

## **RESPONDING TO DISCLOSURE—OVERVIEW**

When disclosures of abuse come directly from a child, it is important that you take what the child says seriously. This applies irrespective of the setting, or your own opinion on what is being said. When a child tells you what has been happening to them, or when you witness or suspect child abuse, it is important that you, as the adult, remain calm and confident.

**RESPOND:** Respond to the person (adult or child) – Believe what they tell you and/or what you see.

**SAFETY:** Ensure the safety of the child. Always take action in the short term to ensure the immediate safety of the child. This will mean contacting Oranga Tamariki (0508 326 459) or the Police (111) if you think there is an immediate risk to the child.

**RECORD:** Record immediately all initial statements, observations and concerns to avoid misinterpretations or confusion at a later date.

**CONSULT:** Do not make decisions alone. Consult with your Child Protection Policy and the Designated person for Child Protection. Oranga Tamariki is always available to give advice.

**REPORT:** Decide to act on your concerns. If you have told the person you believe is responsible for taking action and they do not act, take further action yourself.

**SUPPORT:** Seek support for yourself. Responding to a child protection issue can be stressful.

Think “what if I’m right?” .... Not “what if I’m wrong?”

## **REPORTING CHILD ABUSE**

Any issues of child abuse, or suspected child abuse, must be taken seriously and handled in an appropriate manner that ensures the child's safety. The Designated Person for Child Protection is responsible for ensuring that the procedure for reporting child abuse is effective and timely. If a member of staff has a child protection concern then they must inform the Designated Person as soon as possible.

All staff must report concerns or allegations of child abuse to the Designated Person for Child Protection at the first possible opportunity to best ensure the safety of the child. A decision will be made as to whether to notify Oranga Tamariki. If an immediate response is required to ensure the child's safety, staff should contact Oranga Tamariki and/or the NZ Police directly.

All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and /or the NZ Police.

### **When reporting an incident staff should:**

Inform the Designated Person for Child Protection as soon as possible

Record in writing all conversations and actions taken and keep these records securely in the Health and Safety folder

### **Effective documentation, including referrals and notifications, must include the following:**

A record of facts, including observations, with time and date

What was said and by whom, using the person's words

What action has been taken, by whom and when

All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely in the Health and Safety folder with the reasons clearly identified and explained.

When abuse is suspected or an allegation is made against another person, the first consideration in all circumstances will be the safety of the child.

The Designated Person for Child Protection will consult with Oranga Tamariki to clarify whether a notification of concern should take place.

## **CONFIDENTIALITY AND INFORMATION SHARING**

Keeping children safe requires the appropriate sharing of information subject to legal restrictions and the best interests of the child.

Mid Island Gym Sports recognises that all staff must act within the legal requirements of the Privacy Act, Oranga Tamariki Act, Health Information Act and all other relevant legislation. There are provisions within these Acts for sharing information needed to protect children and enable other people to carry out their legitimate functions

Under the Privacy Act 1993, the giving of information to protect children is not a breach of confidentiality. Principle 11 of the Privacy Act, 1993, states sharing of personal information is allowed if "disclosure of the information is necessary to prevent or lessen a serious threat".

Under the Oranga Tamariki Act 1989, if a member of staff raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member.

When a member of staff is contacted for information, that staff member must first refer to their manager or supervisor for clearance before providing the information.

## **ALLEGATIONS AGAINST STAFF**

Any allegation that a member of staff has behaved in an inappropriate or unsafe way must be taken seriously and handled in an appropriate manner that ensures the child's safety.

- All staff have a responsibility to understand what constitutes appropriate behavior in relation to child and to maintain this behavior.
- Allegations, suspicions or complaints of abuse against staff will be taken seriously and reported to the Manager who will deal with them immediately, sensitively and expediently within the procedures outlined in this policy.
- Any concern of abuse of a child will follow the Child Protection Procedures outlined in the Child Protection Policy. In the event of an allegation of abuse by a staff member, a report of concern will be made to the Police and Oranga Tamariki.
- When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act.
- The Manager must immediately assess risk before allowing contact with the person making the allegation. A risk assessment must be undertaken to determine what level of access that person should have, if any, to members of the public in their capacity as a member of staff of Mid Island Gym Sports
- In all child protection cases, Mid Island Gym Sports will cooperate fully with both Oranga Tamariki and the Police in their investigations and assessments.
- If the Police decide to undertake a criminal investigation then the member of staff may be suspended. It is important that no internal investigation is undertaken, and no evidence is gathered that might prejudice the criminal, or Oranga Tamariki, investigation.
- If there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.

## **COMMUNICATION WITH CHILDREN, INCLUDING THE USE OF TECHNOLOGY**

All interactions with children and young people need to be carefully considered and planned in order to ensure these occur in ways that reduce potential risk to children. Adults should clearly understand the need to maintain appropriate professional boundaries in their communication with children.

These situations include communicating with children at work, at home, in public settings and through the use of mobile technology and social media. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs.

Children are at increased risk of sexual abuse and exploitation where adults have the opportunity to gain access to children and young people in a setting that is not open to casual observation by other adults.

Adults should also be careful when it comes to their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.

Mid Island Gym Sports require staff to:

- Ensure that their communication with children takes place within the boundaries of a professional relationship and are open to scrutiny from other adults.
- Have no secret social contact with children or their parents
- Take care that their language or conduct does not give rise to comment or speculation.
- Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.
- Consider the appropriateness of the social contact according to their role and the nature of their work.
- Report and record any situation, which may place a child at risk or which may compromise the service or their own professional standing.
- Understand that some communications may be called into question and need to be justified.
- Ensure that personal social networking sites are set to private and children are never listed as approved contacts.
- Never use or access the social networking sites of children.
- Do not give their personal contact details to children, including their mobile telephone number—unless parents have given permission for this form of contact to be used.

## **PHYSICAL INTERACTION WITH CHILDREN**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age and stage of development.

Mid Island Gym Sports staff:

Are aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described

Never touch a child in a way which may be considered indecent

Are always prepared to report and explain their actions and accept that all physical contact can be open to scrutiny

Always encourage children, where possible, to undertake self-care tasks independently

Work within Health and Safety regulations

Are aware of cultural or religious views about touching and are always sensitive to issues of gender.

## **CHILDREN AND YOUNG PEOPLE IN DISTRESS**

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, or following separation from a parent. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Mid Island Gym Sports require staff to:

Consider the way in which they offer comfort and reassurance to a distressed child and how to do so in an age-appropriate way

Be careful how reassurance is offered in one to one situations, and always record such actions in these circumstances

Never touch a child in a way which may be considered indecent

Record and report situations which may give rise to concern from either party

## **DAY TRIPS, AFTER HOURS ACTIVITIES, COMPETITIONS ETC**

Adults should take particular care when supervising children on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. Where out of workplace activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

Mid Island Gym Sports require staff to:

Always have another adult present in out of workplace activities, unless otherwise agreed with the Centre Manager.

Undertake risk assessments in line with their organisation's policy where applicable

Have parental consent to the activity

Ensure that their behaviour remains professional at all times

Never share beds with a child or young person

Do not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with the Centre Manager, parents and children.

## **TRANSPORTING CHILDREN**

In certain situations staff or volunteers may agree to transport children as part of their duties. Adults who are required to use their own vehicles for transporting children need to have a valid driver's licence and a vehicle that has a current WOF and Registration. The maximum capacity of the vehicle cannot be exceeded and there needs to be seat belts for everyone in the vehicle. It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the manager and has been agreed to by the parents and/or caregivers. There may be occasions where the child or young person requires transport in an emergency situation or times where not transporting the child may place the child at risk; such circumstances must always be recorded and reported to the Centre Manager and parents/caregivers as soon as practicably possible.

Mid Island Gym Sports require that staff:

Are fit to drive and free from any drugs, alcohol or medicine which is likely to impair their judgement or ability to drive

Are aware that the safety and wellbeing of the child is their responsibility until they are safely passed over to a parent or caregiver

Ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety.

Ensure that any impromptu or emergency arrangements of transportation are recorded and can be justified if questioned

# Recruitment of staff policy

Mid Island Gym Sports ensures a recruitment process is followed for all new members of staff, this is as follows:

All staff are to:

- Be police vetted (if over 16yrs, background check for those under 16yrs)
- Provide two forms of ID (one photo ID)
- Provide two referees/references
- Provide any applicable qualifications
- Receive and sign their contract (Voluntary or otherwise)
- Fill in and return IR330 tax code declaration
- Receive an employee handbook with all appropriate policies and procedures.
- Sign Policy Declaration form (acknowledging they have received and read all policies)
- Complete a Health and Safety induction with the Health and Safety Rep

Once a member of staff is recruited, they will undergo appropriate training when necessary and partake in regular performance reviews.

This policy was developed using the following resources:

Relevant Legislation

- Vulnerable Children Act 2014
- Children, Young Persons, and Their Families Act, 1989
- Care of Children Act 2004
- Privacy Act 1993

Oranga Tamariki Child Protection Policies,

<https://www.orangatamariki.govt.nz/working-with-children/childrens-act-requirements/child-protection-policies/>

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Signed:

Alesha Morris

Administration Manager, Mid Island Gym Sports

Signed:



Michelle Stanley

Chairperson, Mid Island Gym Sports

17 Aug 2020

# RECORD OF CONCERN FORM

Childs Name	Date of birth:
Date	Time:
Notes:	
Action:	
Signed:	Date:
Position:	