

# Children and Vulnerable Persons Protection Policy

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**Effective date:** 25 October 2019

**policy number:** 4051

**Next review date:** 25 October 2022

## Purpose

The purpose of this policy is to:-

- protect the safety and promote the wellbeing of children and vulnerable people who are receiving services from any staff or volunteer of Pillars.
- comply with contractual and legal requirements

## Scope

This is an organisation wide policy. It is expected that all Board members, staff and volunteers will be familiar with this policy and its procedures and that it should be used wherever abuse or neglect is suspected or identified or the potential for harm to a child or vulnerable person is recognised.

## Background and contextualisation

**NB:** This policy replaces 4050 Paramourncy, 4055 Reporting Abuse and Neglect and 4060 Safety from abuse and Neglect.

This Policy should be read in conjunction with the following Pillars Policies: 3020: Recruitment, Selection and Appointment; 3070 Training and Staff Development; 3025 Children's Worker Safety Checking

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## Policy

All Pillars services and programmes are to reflect the principle that the welfare and interests of children or vulnerable persons are the first and paramount consideration in all matters. Pillars is committed to the prevention of abuse and neglect and to the protection of children and vulnerable people on our programmes and services.

- We recognise the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect children and vulnerable people
- We support families / whānau to protect their children and vulnerable whanau
- All families are assessed and managed within a culturally safe environment
- Wherever possible the family/whānau, hapu and iwi participate in the making of decisions affecting that tamariki/rangatahi
- Staff are supported to be competent in identification and management of actual or potential abuse and/or neglect through Pillars policy and procedural structures and training programme.

## Definition of a Vulnerable Adult

A vulnerable adult is any person aged 18 or over who is, or may be, unable to take care of him or herself against significant harm or exploitation. This may be because he or she has a mental health problem, a disability, a sensory impairment, is old or frail, or has some form of illness.

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## Procedures, Roles, Responsibilities

### Organisational commitment to children and vulnerable persons protection

Our leadership team will ensure:

- There are organisation-wide policies for the appropriate response to and management of abuse and neglect
- That the children and vulnerable persons protection policy and procedures comply with legislative requirements, the principles of the Treaty of Waitangi, audits and best practice standards
- Pillars provides appropriate, adequate support and supervision of staff (including cultural supervision) when dealing with issues of abuse and neglect
- That all staff and volunteers are subject to safety checks and vetting as outlined in Policy 3025 Children's Worker Safety Checking

### Staff and volunteer commitment to children and vulnerable persons protection

All employees and volunteers of Pillars have responsibility for the safe management of identified and suspected abuse and neglect for all whānau members. These responsibilities include:

- To be familiar with and follow our Children and Vulnerable Persons Protection Policy and related policies.
- To be vigilant and aware of the indicators of neglect, potential or actual abuse
- To understand the statutory referral processes and management of identified or suspected abuse and neglect
- Staff - To report all suspicions or observed incidents of abuse or neglect to the DCPC as soon as possible and within 24 hours. This includes child, elder, vulnerable persons or domestic abuse.
- Volunteer mentors - To report suspected abuse and neglect to the Mentoring Coordinator who will forward to the Designated Person for Child Protection
- To attend initial training to identify the signs and symptoms of potential abuse and neglect, annual refresher training and regular updates appropriate to their area of work

### Pillars Designated Person for Child Protection (DPCP)

- The current Pillars Designated Persons for Child Protection are Maxine Pairama Northern Practise Team Leader and Simone Claire, Southern Practice Team Leader
- The DCPC holds the responsibility for the review and implementation of this policy
- The DCPC ensures best practice takes place within Pillars and is a source of advice and expertise for staff seeking assistance.
- The DPCP receives and deals with all concerns of a children or vulnerable persons protection nature. Should the cause for concern be the designated person, a more senior member of staff should be informed.
- The DCPC will assess the case using the Child Protection Assessment Tool and may make a Report of Concern to Oranga Tamariki or Police

- The DCPC is responsible for ensuring that all frontline staff are trained in care and protection and for inducting new staff on the organisation's processes for reporting abuse and documenting concerns. (The Mentoring Coordinator is responsible for inducting Mentors)
- The DCPC will oversee the training plan to ensure all staff and volunteers complete refresher training annually.
- The DCPC will ensure documentation tools are in place and accessible to staff and volunteers for the recording of care and protection concerns and these are stored securely

## Recognising and Defining abuse

**The Children, Young persons and their families (Oranga Tamariki) Legislation Act 2017 defines child abuse as "...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person**

These could include but are not limited to examples below

Physical Abuse Any acts that may result in the physical harm of a child or young person – eg hitting, bruising, cutting, beating, biting, burning suffocation, causing abrasions, strangulation, poisoning and fabricated or induced illness

Sexual abuse Any acts that involved forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be contact or not contact abuse eg voyeurism, exposure to pornographic material etc

Emotional Abuse Any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development eg isolation, constant criticism, degradation or exposure to family/whānau violence

Neglect The most common form of abuse and can be physical (not providing warmth, food etc), emotional (not providing love, attention), Lack of supervision, medical neglect or educational neglect.

Financial Abuse Misusing or stealing the person's property, possessions or benefits, cheating them about Wills property, inheritance or financial transactions. Possible signs – having unusual difficulty with finances, not having enough money, being too protective of money and things they own, not paying bills, not having normal home comforts.

**Staff need to be aware of indicators of potential abuse and neglect for all whānau members and report any concerns to the DPC.**

These could include but are not limited to examples below

Physical signs: Unexplained injuries, underweight, dirty, not clothed appropriately, itching excessively

STD's Developmental Delays: Poor speech, cognitive delays, poor social skills

Behavioural Concerns: Inappropriate behaviour for age, sexualised behaviour, eating disorders, aggression, disengagement and avoidance

Emotional Issues: Sleeping issues, anxiety, sadness, self harm, social dysfunction, loneliness or excessively familiar interactions.

**While every situation is different staff should feel empowered to act on suspected abuse and neglect even when symptoms are subtle. Some families have elevated risk due to family/whānau circumstances, child characteristics, or parental mental health. Other families children can show some signs above brought about by life changes such as divorce, changing schools etc. Staff should consider all available information about the child and their environment and recent changes before reaching conclusions. Bring any concerns to the DCPC so that decisions are not made in isolation.**

## **Protections**

- Pillars provides parents, caregivers and family/whānau with a range of information aimed at encouraging good parenting techniques. Pillars encourages parents, caregivers and family / whānau members who are receiving services, to discuss with staff any concerns they have about the safety or welfare of children and young people in their family.
- Pillars has a commitment to open and transparent relationships with families/whānau, including being willing to share concerns about child safety issues unless this would result in an escalation of risk.
- Children and young people on the Pillars mentoring programme are informed by the mentoring coordinator and through written information that they can speak to their mentor or the mentoring coordinator if they have concerns of harm or threat of harm to themselves.
- Parents, caregivers and any family / whānau members who will receive services are informed on the protections that exist under the Children, Young Persons, and their Families (Oranga Tamariki) Legislation Act 2017, in relation to giving information or reports of concern regarding a child or young person where Pillars has concerns.
- Staff are aware of any harm or abuse that may be occurring for a vulnerable adult.

## **Procedures**

### **Responding to suspected abuse or neglect**

In all cases where a member of staff has a concern about a child or vulnerable person they will report this to the DCPC. This includes where Mentors have reported a concern to the Mentoring Coordinator.

### **Suspected abuse while on Pillars premises**

If the child or young person is currently on Pillars premises and there is suspected abuse, the staff member will:

- Support the child, young person to stay with them
- Inform the DPCP who will assess the situation in consultation with the staff member
- This may result in a Report of Concern to Oranga Tamariki or the Police
- Contact a family member of the child or young person's family/whānau, unless this would result in an escalation of risk and inform them of the concern and the action that has been taken and request that they come to support the child or person

- Remain with the child until an Oranga Tamariki worker or the Police has assessed the situation and Pillars has been informed of the action to take

Pillars will act on directions given by Oranga Tamariki or the Police concerning the suspected abuse.  
***At no time will we regard ourselves as requiring the child's parent's permission to consult or report.***

**Responding to a child or vulnerable adult when the child or vulnerable adult discloses abuse.**

Listen to the child or vulnerable adult	Disclosures by children and vulnerable adults are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
Reassure the child or vulnerable adult	Let the child or vulnerable adult know that they: <ul style="list-style-type: none"> <li>• Are not in trouble.</li> <li>• Have done the right thing.</li> </ul>
Ask open ended questions – e.g “What happened next”?	<b>Do not</b> interview the child or vulnerable adult (in other words, do not ask questions beyond open prompts).  <b>Do not</b> make promises that can't be kept, e.g., “I will keep you safe now”.
If the child or vulnerable adult is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
If the child or vulnerable adult is not in Immediate danger	Re-involve the child or vulnerable adult in ordinary activities and explain what you are going to do next.
If the child or vulnerable adult is in <b>immediate danger</b>	<b>Contact the Police immediately.</b> This includes mentors on catch up visits with mentees.
The Practice Team Leaders are to be notified as soon as possible and within 24 hours, along with the completed FWS 19 form pertaining to the disclosure.	Record on FWS19 Reporting Abuse and Neglect: <ul style="list-style-type: none"> <li>• Word for word, what the child said.</li> <li>• The date, time and who was present.</li> </ul>

## Recording and Notifying suspected abuse or neglect:

PROCESS TO FOLLOW		KEY CONSIDERATIONS
Recording	Formally record all relevant details on Form FWS19	Relevant information can help inform future actions and plans
	Capture anything said by the child	
	Record the date, time , location and names of any staff present	
	Note the factual concerns or observations that have led to the suspicion of abuse or neglect	
	Note action taken by Pillars and rationale for this action	Plan must be recorded
	Record any other relevant info including conversations, texts, and emails	Details of emails, texts and conversations can be securely stored in Penelope on client file
	Note if this concern is based on accumulation of concerns rather than just one event	Records assist in identifying patterns
	Report given to DCPC as soon as possible and within 24 hours in person, or by email.	
	DCPC will follow up with staff and ensure ongoing support	No one acts alone
Storing Relevant Information	DCPC will file FWS19 in the Vulnerable Persons Register and report this monthly to RM	Information must be securely stored but access for front line staff, DPCP and managers to share information is essential.
	Case notes on the family/ whānau are updated in Penelope and information shared with mentor coordinator in case consult meeting	All front line staff working with family are aware of concerns
	Children at risk are noted on the Vulnerable Persons Register and the organisation is aware of the risk	Risk highlighted to CE and board.

Notification to Statutory Authority	The DPCP will notify the Police or Oranga Tamariki if there is a belief a child or vulnerable adult has been or is likely to be abused or neglected	
	Include contact details of frontline worker for the family	
	Email <a href="mailto:contact@ot.govt.nz">contact@ot.govt.nz</a> or phone 0508 326459	Email ensures both parties have a record of the nature of concerns
	Save report of concern in Notification folder and advise CE	Risk and appropriate action have then been identified by the organisation
	Acknowledgment of receipt of concern from Police or Oranga Tamariki needs to be recorded in Notification Folder	
	OT will act in consultation with Pillars to make the next decisions re what action to take and whether to inform the parents/caregivers	Oranga Tamariki is responsible for evaluating the situation and deciding on course of action
If there is immediate risk of death or serious injury	Call 111 and contact Police for support	If risk is high contact police
Work with family may continue	If appropriate Pillars will continue to work with the whānau and may seek other agencies or support to work collaboratively with or refer on to.	Support for child and whānau continues

Pillars recognises that in some cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

### Allegations or concerns about staff

All matters involving allegations against staff need to be escalated in the first instance to the Practise Team Leaders and/or the Area Regional Managers.

<b>Northern:</b>	Regional Manager - Maxine Gay 027 448 4477 <a href="mailto:maxine.gay@pillars.org.nz">maxine.gay@pillars.org.nz</a> Practise Team Leader – Maxine Pairama 021 743 017 <a href="mailto:maxine.pairama@pillars.org.nz">maxine.pairama@pillars.org.nz</a>
<b>Southern:</b>	Regional Manager - Lesley Kelly 021617 062 <a href="mailto:lesley.kelly@pillars.org.nz">lesley.kelly@pillars.org.nz</a> Practise Team Leader – Simone Claire 021 744 436 <a href="mailto:simone.claire@pillars.org.nz">simone.claire@pillars.org.nz</a>

To ensure safety and that the child or vulnerable adult is kept safe, the Regional Manager may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual employment agreement, volunteer agreement and relevant employment law, including the Policy No. 3165 Disciplinary and Suspension Procedures.

- Any allegation against a worker will be referred by the Regional Manager to OT or Police for investigation where relevant. An investigation will not be undertaken by Pillars Ka Pou Whakahou.

### Child Safe Practice Guideline

To avoid situations where staff may be alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (excludes toilets). Staff should be aware of where all children are at all times. Visitors should be monitored at all times by staff and volunteers. If activities require one to one physical contact parents and caregivers should be advised. Where a child or young person requires assistance, e.g., if they are intellectually or physically disabled, if possible involve the parents/caregivers. Staff should avoid being alone when transporting a child or young person, unless an emergency requires it.

### Confidentiality and information sharing

All observations, after an investigation has been notified, shall be kept in writing on the client or staff file, but the file will be placed in secured electronic or hardcopy file for confidential reasons.

Files will contain:

- That the client or staff member has been advised that when there are concerns about abuse and neglect that staff will report and respond to their concerns
- A signed declaration that the client understands the information or explanations given.

The Privacy Act 1993 and the Children, Young Persons, and their Families Act 1989 allows information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.

**Note that under sections 15 and 16 of the CYPF Act, any person who believes that a child has been, or is likely to be harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.**

### Internal Controls

The following are the internal controls relating to this policy

- Pillars maintains a Vulnerable Persons Register in the team One Drive file. Team / Documents / Programmes /VULNERABLE PERSONS REGISTER. The Designated Person (Practice Team Leaders) for Child Protection is responsible for ensuring that all concerns about abuse or neglect and the action taken are recorded. Notifications of Concern are reported monthly to the Chief Executive who records these in the risk register and reported to the Board.

### Recruitment and employment (safety checking)

- Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children Act 2014. Policy 3020 Recruitment and Appointment and 3025 Children's Worker Safety Checking.

### Training supervision and support

- The Designated Person [ Practice Team Leaders] for Child Protection will receive appropriate training and any refresher training as required



- All staff with service delivery responsibilities are required to undertake child abuse and neglect training. Each person working with children will be placed on a training cycle for refresher and advanced training as required
- Child Protection training will be recorded on staff members individual training sheet
- The training will be provided by a verified child protection training establishment
- It is mandatory for mentors to receive child protection training as part of their orientation and then annual refresher training and this is recorded by the Mentor Coordinators
- The Regional Manager is responsible, based on the recommendations of the Team Leader, for ensuring all staff attend orientation training, and further training on child abuse
- All staff have individual supervision and volunteers have group supervision, which includes a process of case review and analysis of potential concerns regarding abuse and/or neglect

### **Awareness of keeping children safe from abuse and neglect**

Pillars promotes awareness of keeping children safe and a zero tolerance to abuse and neglect, ways in which abuse may be prevented, the need to report all cases of abuse and neglect and how to respond to all types of suspected abuse. This is evidenced by:

- Parent / Caregiver, Mentor, Mentee Guide.
- Letter to client
- Staff and mentor training
- Posters and brochures promoting the safety of children
- Information on people's rights and how to report and or respond to abuse
- Education programmes that focus on positive parenting, positive behaviour management, feeling safe and keeping safe
- Links with agencies such as New Zealand Police, Oranga Tamariki and non-government organisations working to enhance the safety and improve the wellbeing of children and young people.

### **RISK ASSESSMENT**

- Any risks that occur that may lead to a notification of concern must be entered into the Vulnerable Persons Register and then the CE will record these in the Risk Register as per the Risk Management Policy.

### **AREAS OF CONCERN**

- Staff are not sufficiently informed of the importance of reporting concerns of child abuse as defined in this document.
  - Staff are not compliant with stated guidelines and procedures
  - Documentation is not completed in a timely and sufficient manner to fulfil legal and organisational requirements
- **Control Systems**
    - Regional Manager Monthly Report
    - Health and safety Management System
    - Risk Management system and Risk Register
    - Form FWS 19 Reporting Abuse and Neglect
    - Form P 179 Orientation Form

- Mentor Orientation Training
- Form P 184 Staff Training Sheet
- Report of Concern Assessment Checklist
- Child Protection Assessment Tool
- Child Protection Audit Checklist
- Parent / Caregiver enrolment letter
- Parent / Caregiver Handbook
- Pillars Mentoring Publications
- Case consult
- Supervision reports
- Goal plans
- Case notes
- Family Group Conference Reports and Plans
- Job Descriptions
- Notification to Oranga Tamariki Register
- Oranga Tamariki - Referral Form

### ***Related policies***

Health and Safety Risk Management Policies 9000  
 Staff Training, Support & Development 3070  
 Code of Conduct 4127

### ***References***

#### **Related documentation and legislation**

"Safer organisations safer children" Guidelines for child protection policies to build safer organisations - Children's Action Plan, Identifying, supporting and protecting vulnerable children, Children of Prisoners Bill of Rights:

#### **Relevant Legislation**

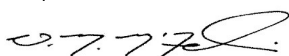
- Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017
- Care of Children Act 2004:
- Domestic Violence Act 1995:
- Privacy Act 1993:
- Victims' Rights Act 2002:
- The United Nations Convention on the Rights of the Child (UNCROC):

#### **Policy Sign Off**

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We are committed to reviewing our policy and good practice every three years or as required.

Sig



Date: 25.10.2019

Verna McFelin, Chief Executive

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## Pillars Vulnerable Person and Child Protection Process

If there is IMMEDIATE risk to the Child/Youth or Whanau report to the Police 111 or Oranga Tamariki 0508 326 459

LISTEN - to the child and reassure them, do NOT make promises or commitments you cannot keep. Do NOT formally interview the child - obtain only necessary facts and clarification if required.  
CAREFULLY RECORD any physical or behavioural observations and what the child said (in their own words as far as possible). Include date and who was present etc on Form FWS19

Do NOT act alone under any circumstances

The Practise Team Leaders are to be notified of any safety concerns as soon as possible and within 24 hours, along with the completed FWS19

If you can't contact the Team Leaders call the Regional Manager

Northern - Max Pairama 021 743 017 RM Maxine Gay 027 484 477

Southern - Simone Clarie 021 744 436 RM Lesely Kelly 021 617 062

Mental Health Crisis Support Numbers

Auckland 0800 800 717

Christchurch 0800 920 092

Dunedin 0800 467 846

The Practise Team Leader will ensure ongoing support to Pillars team member and assist with developing an action plan

The action plan will be implemented and noted in the case file i.e  
No further action  
Safety Plan, refer to other agencies etc.

It is the responsibility of the Pillars staff member to highlight safety concerns with their Team Leader and do case notes within 24 hours.