

# CHILD PROTECTION POLICY

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## PURPOSE

The Male Survivors of Sexual Abuse Trust, Aotearoa New Zealand ('MSSAT|ANZ') Child Protection Policy (the 'Policy') provides guidelines for peer-workers (both employees and volunteers), trustees and advisors working for the national organisation or MSSAT|ANZ Member Organisations ('MMO's), to create safe environments for children and young persons who are, or are suspected of, being abused.

The Policy reflects MSSAT|ANZ's commitment to the spirit and intention of the relevant New Zealand legislation (Section 6 of the Children and Young Persons Act 1989 and the Vulnerable Children Act 2014) which together state "...welfare and interests of a child or young person is paramount...", "...the welfare and interests of the child or young person shall be the first and paramount consideration...", "...the first and paramount consideration [is] the welfare and interests of the relevant child or young person."

The Policy honours this commitment by requiring peer-workers, trustees and advisors to make an appropriate response to any suspected or known concerns of abuse of a child or young person and to ensure that the response always prioritises the safety of that child or young person.

## SCOPE

This Policy applies to all peer-workers (employees and volunteers), working for the national organisation or an MMO and to MSSAT|ANZ trustees and advisors particularly in respect of their governance and consultancy roles where that involves the development and implementation of any national or local policies, protocols and practices that may affect peer-workers ability to ensure the safety of children and young persons.

**Please note** that while the Policy will typically refer to peer-workers, it should be read by MSSAT|ANZ trustees and advisors as obligating them to comply with and support the Policy whenever they are engaged with matters that involve the safety of children or young people.

The Policy is intended to provide a useful framework for addressing issues relating to the abuse of children and young persons including helping peer-workers to respond appropriately to situations where they know or suspect that a child or your person is or has been the subject of abuse.

## OBJECTIVES

Applying this Policy will:

- Ensure the safety of children and young persons is given paramount consideration;
- Ensure any known or suspected abuse of a child or young person is dealt with in an appropriate manner;
- Provide clear guidance for responding (management and reporting) of any abuse of a child or young person;
- Minimise the risk of allegations against peer-workers relating to the abuse of children or young persons; and
- Ensure that peer-workers are supported by MSSAT|ANZ and its MMO's in their actions to protect children or young persons at risk of abuse

## DEFINITIONS

<b>Advisor</b>	Means any individual or organisation that is engaged (remunerated or voluntary) to provide advisory or consultancy services to MSSAT ANZ, and MMO or any individual working for these organisations in a capacity that has potential to affect peer-workers ability to ensure the safety of children and young people.
<b>Child abuse<sup>1</sup></b>	Means the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect or deprivation of any child or young person.
<b>Designated Person</b>	(DP) Please refer to the definition in this Policy (see below)
<b>Emotional abuse</b>	Is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.
<b>MMO</b>	Is an organisation that is affiliated via formal membership agreement as an official Member Organisation of MSSAT ANZ
<b>MSSAT ANZ</b>	Is the national organisation Male Survivors of Sexual Abuse Trust, Aotearoa New Zealand, which provides national governance, coordination and representation for MMO's.
<b>Neglect</b>	Means the persistent failure to meet a child or young person's basic physical and/or psychological needs, causing long-term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs and may include physical (not providing the necessities of life, like a warm place, food and clothing); emotional (not providing comfort, attention and love) neglectful supervision (leaving children without someone safe looking after them); medical neglect (not taking care of health needs); and educational neglect (allowing chronic truancy, not enrolling the child in education or not paying attention to their education needs).
<b>Peer-worker</b>	Means an individual engaged as employee or volunteer by MSSAT ANZ or an MMO to provide peer-support services to male survivors of sexual abuse.
<b>Physical abuse</b>	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.

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<sup>1</sup> Abuse is defined under Section 2 of the CYP&F Act 1989

<sup>2</sup> The DP for this Policy is the Manager of the MMO or in his absence the Chair of the MSSAT|ANZ Ethics and

<b>Sexual abuse</b>	Involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing touching breasts, genital/anal fondling, masturbation, oral sex, object or finger penetration of the anus or vagina, encouraging the child or young person to perform such acts on the perpetrator) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours and involvement of the child or young person in activities for the purpose of pornography or prostitution.
<b>Trustee</b>	Means a trustee of MSSAT ANZ or an MMO

## DESIGNATED PERSON

The Designated Person<sup>2</sup> ('DP') is the individual within MSSAT|ANZ and within each MMO who is appointed as the 'champion' of this Policy and has responsibility for ensuring child protection is a key focus, and that appropriate protocols and practices, including training, are in place.

The key responsibilities of this role include:

- Being a source of advice and support for peer-workers who may have child protection concerns;
- Ensuring this Policy is reviewed regularly, and that peer-workers are well informed;
- Ensuring peer-workers have received child protection training, and that this is recorded;
- Ensuring practices and procedures within the organisation have a child protection lens applied; and
- Overseeing the maintenance and confidentiality of child protection records and documentation.

## CORE ELEMENTS

The Policy has eight core elements' that together reflect MSSAT|ANZ's commitment to assuring the safety of children and young people;

- ✚ **Identifying potential abuse or neglect;**
- ✚ **Responding to the child or young person;**
- ✚ **Reporting abuse or neglect**
- ✚ **Confidentiality and information sharing;**
- ✚ **Safe recruitment;**
- ✚ **Safe working practices;**
- ✚ **Educating for safety; and**
- ✚ **Supporting safe practice.**

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<sup>2</sup> The DP for this Policy is the Manager of the MMO or in his absence the Chair of the MSSAT|ANZ Ethics and Standards Committee or his nominee

## 1. Identifying potential abuse or neglect

Peer-workers should know the signs of potential abuse and neglect.

Each situation is different and peer workers must look at all the available information about a child or young person and their environment before deciding what they need to do.

Peer-workers seeking more information on identifying abuse and neglect should consult the following publications for guidance:

- The [CYF guide 'Working Together'](#) (downloadable PDF) published by Child Youth & Family; and/or
- [How Can I Tell?](#) – (Print publication –\$2.00) published by Child Matters.

## 2. Responding to the child or young person

Peer-workers are required to make an appropriate response to any suspected or known concerns of abuse of a child or young person and to ensure that the response always prioritises the safety of that child or young person.

Where a child or young person discloses the incidence of abuse, an appropriate response will depend on the circumstances but may include:

- Being sensitive to the cultural, spiritual and social environment of the child or young person;
- Providing reassurance that they are doing the right thing;
- Listening carefully to what they say;
- Obtaining as much detailed and specific information as possible, but not interviewing.
- Accurately recording observations and statements made;
- Recording your concerns in the Incident Register, including date and time of disclosure;
- Reassuring them they will get help; and
- Reporting the incident as appropriate (refer 3. Below)

## 3. Reporting abuse and neglect

Reports to Police or Child, Youth and Family Services of concerns regarding child abuse made in good faith, will not result in repercussions for the informant<sup>3</sup>

If peer-workers know or suspect that a child or young person is in immediate danger, they must call the Police on 111.

If peer-workers suspect that a child or young person may not be safe, they should call 0508 FAMILY (0508 326 459).

If peer-workers are worried about a child or young person, but do not consider them to be in immediate danger, they should discuss their concerns with the DP before deciding what to do.

When reporting any known or suspected incidence of abuse of a child or young person, the peer worker, should communicate the following information:

- Their particular concerns and suspicions;
- The reasons why they consider there is a risk of abuse occurring;

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<sup>3</sup> Section's 15 and 16 of the Children and Young Persons Act 1989

- Their opinion as to the necessary urgency in dealing with the concerns; and
- Include a statement that their report is a formal notification of actual or suspected abuse of a child or young person.

Where peer-workers are required to report on the abuse of a child or young person they will be provided with appropriate support by MSSAT|ANZ, their MMO and the DP, including access to supervision as required.

#### 4. Confidentiality and information sharing

Ensuring the privacy and confidentiality of client records is essential to provide an effective and trusted peer-support service<sup>4</sup>.

Accordingly disclosure of any client information to a third party is strictly prohibited unless:

- The client has made a request in writing to provide the information to a third party; or
- The information requested is required for clinical reasons and the client has approved the disclosure.

However, MSSAT|ANZ recognises that all peer-workers must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health Information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and young people and enable other people to carry out their legitimate functions. For example, peer-workers may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.

In general peer-workers will not share any information if they believe that by doing so this will endanger the child or young person.

Where a peer-worker is required to share information about a child or young person they must:

- Ensure that the request for information is lawful;
- Restrict the information shared by providing only the required information to those who need to know;
- Only provide the information after they have identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information; and
- If practicable, refer to the Privacy Officer<sup>5</sup> for clearance before providing the information.

#### 5. Safe recruitment

All peer-workers working with children or young people, both employed and voluntary, must be appropriately screened and vetted.

All candidates for roles within MSSAT|ANZ or an MMO will be treated with respect, fairness and warmth and volunteers should be reassured that they will be treated the same as employees.

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<sup>4</sup> Refer to MSSAT|ANZ Code of Ethics – Principles and Core Values: 4. Confidentiality and Privacy

<sup>5</sup> The Privacy Officer for MSSAT|ANZ is the Chair of the Ethics and Standards Committee or his Nominee; The Privacy Officer for an MMO is the Manager.

The screening and vetting of potential recruits (peer-workers and trustees) should verify the candidates identity and gather sufficient information about them (through application forms, interviews, reference checks and the use of external checks e.g. the Police vetting service) to assess any risks that they are safe to work with children or young people in the role they are applying for.

For more detailed information on safe recruitment please refer to [Safer Recruitment, Safer Children](#) – (Downloadable PDF) published by the Ministry of Education and Child Matters.

## 6. Safe working practices

All peer-workers working with children or young people must comply with the MSSAT|ANZ Code of Ethics, which they are expected to have a clear understanding of.

This code requires peer-workers, trustees and advisors to:

- Maintain a high level of ethical understanding and practice; and
- Promote an environment in which the human rights, values, customs and spiritual beliefs of children and young people and their family/Whanau and community are respected and upheld.

Acting ethically will require peer-workers to:

- Maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others and report and record any incident with this potential;
- Carefully consider and plan their interactions with children and young people to ensure that their communications (mode, manner, setting, timing etc) do not risk misinterpretation of their support activity;
- Take care with the sharing of any information with third parties to ensure appropriate levels of confidentiality and to protect the interests of the child or young person;
- Acknowledge their responsibility to make an appropriate response to matters of concern, including recording and (as appropriate) reporting the concern;
- Refrain from entering into any relationships with a child, young person or their family/Whanau that could:
  - Constitute a conflict of interest;
  - Place the peer-worker in a position of compromise; or
  - Breach the spirit, intent or requirements of this Policy
- Inform the DP or their manager of any potential situations of possible compromise or conflicts of interest that arise as part of their work with children and young people or their family/Whanau.

Peer-workers should be fully aware of their 'duty of care', which precludes developing a sexual relationship with or grooming of a child. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.

If a peer-worker knows or suspects that another peer-worker is or may be involved in the abuse or neglect of any child or young person, there is an obligation to report that knowledge or suspicion to the DP or the Chair of MSSAT|ANZ, where reporting to the DP may not be possible, practicable or appropriate.

## 7. Educating for safety

MSSAT|ANZ requires all peer-workers who are working with children and/or young people to be appropriately trained to identify and respond appropriately to incidents of abuse or neglect.

Induction processes for new peer-workers, trustees and advisors (who are engaged in matters that may affect peer-workers ability to protect children or young people) must ensure familiarity with this Policy, identify, and plan the delivery of, further training needs.

All reviews, updates and changes to this Policy must be communicated to all peer-workers and trustees in a manner that ensures they remain familiar with their obligations for the safety of children and young people.

Peer-workers should have access to education and training programmes that:

- Ensures their familiarity with this Policy;
- Enable them to identify when children or young people are at risk;
- Enable them to offer appropriate assistance and support to the child or young person;
- Help them to make an appropriate response to incidents involving abuse or neglect, including taking action and reporting;
- Assist them to deal with suspected or known abuse or neglect by a peer-worker, trustee or advisor;
- Record their engagement with the education and training programme.

Peer-workers are required to attend a refresher child protection refresher education programme every three years or at any time when there is a substantial change to the legal requirements and/or this Policy.

## 8. Supporting safe practice

MSSAT|ANZ is committed to encouraging and supporting the safe practices of peer-workers through the following:

- Ensuring that this Policy is implemented, maintained, understood and observed by all peer-workers;
- Educating and training peer-workers in the application of this Policy and in safe practices;
- Encouraging and supporting peer-workers to activate this Policy by:
  - o Ensuring that there is a capable DP for them to reference as required;
  - o Ensuring that peer-workers who report abuse or neglect have access to appropriate supervision as required; and
  - o Ensuring that peer-workers who are required to deal with issues relating to abuse or neglect are fully supported in their actions by their MMO and/or MSSAT|ANZ, as appropriate; and
  - o Assuring that the peer-supporters colleagues behave ethically by requiring their adherence to the MSSAT|ANZ Code of Ethics and screening and vetting peer-workers before they are engaged.