



## **Safeguarding and Child Protection Policy**

YMCA takes our safeguarding and child protection responsibilities seriously. Our partnership with Safeguarding Children in this policy development, is just one reflection of YMCA making certain our Safeguarding Culture is established, embedded and continues to promote best practice. This policy represents our expectations in aiming to ensure any person(s) facing vulnerability is supported and protected. We are proud to share our Safeguarding and Child Protection Policy with you.

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## Document Control

**Prepared by:** Safeguarding Children

**Next Review Date:** 24<sup>th</sup> October 2020

**CEO Approval**

**Signed:**



**Brendan Owens, CEO**

**Board Endorsement**

**Signed:**



**Grant Baker, Chair, Board of Directors**

### 1. YMCA's Commitment to a Safeguarding Culture

YMCA, including its Board of Directors, commits to creating and maintaining a Safeguarding Culture. Caring about the wellbeing and welfare of children/young people and their families is our first consideration. We believe safeguarding is a shared responsibility and recognise an efficient and effective safeguarding culture is critical to protecting all people:

- Accessing YMCA's activities, programmes or services; or
- Serving in YMCA's activities, programmes or services.

As a child-safe organisation we acknowledge that safety does not just happen. It requires conscious action to protect all from vulnerability and/or risks of harm. Safeguarding is holistic and includes children/young people and their families, our workforce and YMCA as an organisation. YMCA is proud to have a safeguarding culture exceeding legal expectations. For YMCA, it is our moral and mission-driven responsibility to protect all people from vulnerability or harm including possible abuse and/or neglect.

This policy focuses on our commitment and responsibilities towards children/young people. However, the same considerations are also strongly encouraged when relating to safeguarding adults; particularly those with responsibilities towards dependents.

There is a requirement for all YMCA employees, volunteers (including its Board of Directors), student placements, consultants and contractors, affiliated associations, clients, parents, guardians, families and others associated with YMCA to understand the important responsibility they have to:

- Protect children, young people and adults from all forms of known or suspected abuse, neglect, bullying and exploitation.
- Be alert to incidents of possible abuse and/or neglect occurring outside the scope of YMCA's operations and services that may have an impact on the children, young people and adults to whom we provide a service; and
- Create and maintain a safe culture that is understood, endorsed and put into action by all who work for, volunteer or access our programmes, services and facilities.

YMCA workforce (all employees, volunteers, student placements, consultants and contractors) are to operate within all YMCA mandatory safeguarding processes. We strongly encourage any child/young person, parent/guardian or other adult, to report any worries or concerns relating to the safety or wellbeing of their own or other child(ren) or young person(s) in a YMCA programme, service or facility.

## 2. Policy Scope and Principles

### 2.1 YMCA's Definition of a Child/Young Person

YMCA defines a child/young person as someone aged from 0-18 years (up to their 18<sup>th</sup> birthday), who is not married or in a civil union. We further recognise:

- A young person as being between 12-18 years.
- A young adult as being 18 -24 years.

### 2.2 YMCA Programmes, Services and Facilities

Annually thousands of children and young people take part in our programmes, services and/or access our facilities. Hundreds of workforce personnel support YMCA in providing a breadth of children/young people programmes and services including (but not limited to):

- |                                   |                  |
|-----------------------------------|------------------|
| ▪ Childcare services              | ▪ Youth Services |
| ▪ Health and Fitness              | ▪ Accommodation  |
| ▪ Sport and Recreation programmes | ▪ Education      |

This policy is applicable to all YMCA undertakings and environments ensuring:

- All those accessing our services are protected;
- All those acting on behalf of YMCA do so within the best interests of children/young people and adults; and
- All engagement is undertaken in accordance with YMCA advocated practice that is designed to be respectful of all reasonable steps in safeguarding our children/young people, YMCA's workforce and YMCA.

### 2.3 Policy Scope

This policy applies to all YMCA staff (as defined within [Appendix 1 - Glossary of Terms](#)). The importance of advocating YMCA's safeguarding responsibilities as noted within this policy, is also applicable to all other personnel being engaged by YMCA and/or accessing YMCA services.

It is intended to protect all children/young people that YMCA may encounter, including siblings and the children of adults accessing YMCA provisions. It is also designed to protect YMCA's workforce and YMCA as an organisation.

This policy applies to all aspects falling under YMCA Central brand and remit.

### 2.4 Policy Principles

YMCA commits to:

- Being child focused and centred in our undertakings and practice.
- Being inclusive across all aspects of diversity, including as much as possible capturing the voice all involved stakeholders (e.g. the child, families, workforce, partners, etc.).
- Fulfil our moral, legal and mission driven commitment to safeguarding, reflecting this as a shared responsibility.
- A consistency of practice in promoting the safety and wellbeing of all people accessing or serving within YMCA programmes, services and/or facilities.

- Supporting families and communities with primary prevention and early intervention to help reduce vulnerabilities that may:
  - Create risks to a person(s) short or long-term wellbeing;
  - Create risks to a person(s) immediate safety.
- Protecting any person(s) believed to be suffering from or at risk of suffering harm, abuse and/or neglect, in accordance with child protection services and YMCA's organisational level of responsibility.
- To be honest and transparent with others about our concerns and/or decision making, unless doing so may increase any risk to the vulnerable person(s) or place others at risk.

### 3. Legislation and Sector Requirements (Appendix 2)

YMCA safeguarding and child protection policies and structures are compliant with and reflective of our legislative requirements, sector licensing criteria, standards and other associated YMCA policies and procedures where applicable. Further information can be found in Appendix 2 and Section 12 – Other applicable policies, procedures and guidance.

In accordance with the Children's Act 2014:

- YMCA holds this Safeguarding and Child Protection Policy (available as a minimum on YMCA's website), as well as our other applicable safeguarding and/or aligned organisational policies and procedures.
- Staff (including volunteers and contractors) are recruited and retained under safer recruitment processes that include risk assessment and Police Vetting (initial and refresher checks) elements.
- Staff are supported in expectations to identify, respond to and report/refer welfare concerns relating to vulnerability, abuse and/or neglect and/or allegations against staff.

#### 3.1 Duty of Care

For all children/young people enrolled in our programmes and/or services our duty of care includes protecting any person from any unnecessary risk of harm. All possible care must be taken to ensure everybody's wellbeing and safety is met, ensuring YMCA promotes best practice and acts without negligence.

YMCA recognises the parental duty of care is passed from the parent/guardian to YMCA, when a child/young person is engaged within a registered YMCA service and that service is being provided independently from their parent/guardian's supervision.

For all undertakings requiring parent/guardian and/or a nominated adult supervision; primary responsibility for parental duty of care, including supervision, remains with the parent/guardian or nominated adult.

#### 3.2 Community Welfare

The safeguarding of all accessing, utilising and serving within YMCA's provisions is a primary focus of our culture. For child and young person safeguarding this is particularly underpinned with:

- This Safeguarding and Child Protection Policy and staff training supporting the identification, responding to and reporting/referring of vulnerability and child protection concerns.
- YMCA Behaviour Management Policy supporting positive and preventive approaches to behaviour management support needs.

- YMCA children's services reflect child and young person's rights based on the United Nations Convention on the Rights of the Child (UNCROC). As reflected in Appendix 2 – Legislation and Guidance.

YMCA expands its safeguarding and child protection responsibilities to encourage YMCA staff to consider Community Welfare holistically. Recognising that via their YMCA position and/or duties, staff may become aware of other adults and/or children/young people e.g. siblings, other friends of the YMCA child/young person, etc. If YMCA has a concern relating to the welfare of any adult and/or child/young person, including risks to their potential safety, YMCA safeguarding procedures are to be implemented.

## 4. YMCA's Safeguarding Culture

Achieving a Safeguarding Culture is an ongoing evolving commitment and one YMCA is proud to have committed to and integrated within our organisational culture. We have adopted the 5 core components of a safeguarding culture and are constantly work through and developing elements for each component.

- Organisational Culture
- Safe Workforce
- Safe Practice
- Managing Welfare and Allegation Concerns
- Internal and External Working Together

YMCA has established the below safeguarding support structures that reflect safeguarding being modelled and driven by YMCA leadership, as well as making sure safeguarding is regarded by all as a shared responsibility.

### 4.1 Safeguarding Governance

#### Governance and Leadership

YMCA recognise that establishing and embedding a Safeguarding Culture requires the commitment and modelling of our Governance and Leaders. YMCA's Governance and Leadership commit to demonstrating their commitment to safeguarding via their:

- Own professional practice;
- Taking ownership of ensuring safeguarding is adopted and implemented within their areas of responsibility; and
- Using their position of influence to positively guide the thinking and behaviours of others.

Our leaders also commit to supporting ongoing safeguarding improvements, ensuring continuous development against YMCA's current and upcoming needs.

#### 4.1.1 YMCA Board of Directors

- YMCA's Board of Directors support YMCA's Safeguarding Culture via:
  - Identification of a **Designated Safeguarding Board Representative – Kathy Miller**
    - The Designated Board Member leads on certifying Board safeguarding compliance and organisational safeguarding support and monitoring where applicable.
  - Regarding safeguarding as an organisational undertaking requiring Board oversight and support.
  - Board endorsement of significant Safeguarding Policies and/or Procedures.
  - Board Members undertaking safeguarding awareness training assisting them in their:

- Safeguarding awareness and understanding; and
- Provision of support for any safeguarding concerns escalated to Board awareness.

#### 4.1.2 Safeguarding Committee

YMCA has established a **Safeguarding Committee** that is chaired by YMCA's Safeguarding Manager.

- Committee membership holds YMCA's designated safeguarding Board member and YMCA's leadership across YMCA's business units. Certifying a collective approach and understanding to YMCA's safeguarding needs and requirements.
- Ensures YMCA takes a zero-tolerance approach to child abuse and makes certain safeguarding and child protection is an organisational priority.
- The Safeguarding Committee holds a strategic focus towards YMCA's safeguarding needs and undertakings.
- The Safeguarding Committee may identify further sub-groups to take forward identified safeguarding operational needs. These groups will continue to model required personnel, cross organisation representation and working.

### 4.2 Safeguarding Staff

#### 4.2.1 Safeguarding Manager

YMCA's Safeguarding Manager helps to oversee and drive YMCA's internal safeguarding and child protection requirements, including those identified under legislation and known best practice.

- They are the designated person for supporting anybody with or leading the management of a safeguarding and/or child protection concern.
- Upon contacting YMCA's Safeguarding Manager, an initial response will be received within 3 working days of the initial contact being made.

#### 4.2.2 Safeguarding Champions

YMCA has a pool of Safeguarding Champions representing YMCA's various working levels and business units. Safeguarding Champion roles are undertaken in addition to main YMCA position and responsibilities. Safeguarding Champions:

- Have undertaken further training supporting them being able to offer safeguarding advice and guidance.
- Are staff, who any person (customer or staff) can go to if they have a safeguarding worry or concern.
- May lead on and/or assist with managing any safeguarding concerns.
- Lead and drive safeguarding compliance within their work remits and/or environments.

## 5. Safe Workforce

### 5.1 Safer Recruitment

YMCA is proud to operate to safer recruitment requirements that model best practice and exceed our legal Children's Act 2014 requirements. YMCA safer recruitment is inclusive of both risk assessment and Police Vetting processes. It is to be undertaken:

- In accordance with YMCA HR recruitment and selection policies, procedures and guidance.
- For any person employed by YMCA; or
- Engaged by YMCA as a children's worker.
- Undertaking unpaid work that is undertaken as part of an educational or vocational training course.

Safer recruitment processes should also be adhered to when, those being recruited fall outside current YMCA workforce definitions, or their engagement omits safer recruitment requirements but:

- The nature of their position and/or responsibilities will require engagement with and/or contact\* with children/young people.

*\*Contact is as reflected within the Children's Act 2014, Section 2 Interpretation, as noted within Appendix 2 – Legislation and Guidance.*

**Omitting or ignoring any of YMCA's safer recruitment due diligence requirements will be reviewed as serious misconduct and may result in disciplinary action, up to and including dismissal.**

#### 5.1.1 Risk Assessment Processes

YMCA ensures safer recruitment via risk assessment processes including a thorough checking of applicants' suitability for the role, responsibilities and to be in contact with children, young people and their families. Key processes include:

- All position adverts reflecting YMCA adopting safer recruitment processes.
- All positions being based against a formal Position Descriptions and Specifications that incorporate safeguarding responsibilities.
- YMCA Application Forms (CV's must accompany an application form).
- Pre-screens and formal interview processes include safeguarding components.
- Identification verification and verification of right to work in New Zealand.
- Verification of qualifications, certificates and registrations (if applicable).
- References and verification of references.

#### 5.1.2 Police Vetting

YMCA values support structures such as Police Vetting. However, recognise any background check is only as suitable as the day it was completed. Therefore, in addition to YMCA Police Vetting upon appointment, YMCA will also renew workforce police checks every 2 years.

- YMCA safer recruitment processes incorporate both risk assessment and Police Vetting elements. All must be undertaken for safer recruitment to be considered complete.
- All offers of employment are subject to a satisfactory police screen.
- Police Vetting is to be completed prior to any employment or engagement commencing.
- Police checks conducted under the Children's Act 2014, are exempt from the Criminal Records (Clean Slate) Act 2004).
- All applicants must inform those managing their recruitment and/or HR directly, at the time of recruitment, of any criminal conviction(s) or charge(s) that are pending and/or any past convictions.
- Upon employment and/or at any time during YMCA employment and/or engagement, the applicant must inform their Line Manager and/or HR directly, of any criminal conviction(s) or charge(s) that are pending and/or any past convictions not previously disclosed.
- The investigations of third parties, such as the police, will not be automatically relied upon in such circumstances and YMCA may conduct its own investigation.

### 5.1.3 Negative Results

If a police record check reveals a history or any criminal conviction(s) that is unsatisfactory or has not been declared by the applicant during any stages of recruitment, the matter may be discussed with the applicant and a determination will be made as to the appropriate course of action.

In certain circumstances, if the police check is unsatisfactory or if the applicant has provided fraudulent information or failed to declare relevant information, an offer of employment will not be made.

Likewise, if an employee has an unsatisfactory police check result or if the employee has provided fraudulent information or failed to declare relevant information their employment could be terminated immediately.

### 5.1.4 Renewed Police Vetting

In accordance with the Children's Act 2014, YMCA will renew staff police checks as a maximum every 3 years from appointment date. YMCA operates to a biannual timeframe (every 2 years).

Additionally, YMCA can at any time conduct a police check on the employee because of the nature of their work and/or changes in position that require a revised police check.

The employee can access the results of any police check conducted regarding the Privacy Act 1993.

## 5.2 No Settlement Agreements

YMCA commit to not using 'settlement agreements' where these are contrary to a culture of safeguarding.

Should a staff member resign or cease to provide their services to YMCA, this will not prevent a staff concern and/or allegation being investigated in accordance with YMCA safeguarding and/or HR policies and procedures.

It is important for all involved that every effort is made to reach a conclusion in all cases of staff concerns and/or allegations bearing on the safety or welfare of children and/or young people, particularly when the person concerned may have continued access to children and/or young people outside of YMCA.

## 5.3 Safeguarding Induction

As part of YMCA's safeguarding culture, we are committed to providing effective safeguarding induction for all new and where applicable existing staff. Our induction process complies with all requirements embedded within provision sector standards and other relevant YMCA Policies and Procedures. Within their first week staff will know:

- How to access electronic and hard copies of YMCA's Safeguarding and Child Protection Policy and Safeguarding Code of Conduct.
- YMCA definitions of a child and young person.
- YMCA's commitment to community welfare.
- That YMCA recognises abuse categories as:
  - Physical Abuse
  - Sexual Abuse
  - Emotional Abuse
  - Neglect
  - Family Violence
  - Bullying including Cyberbullying
  - Exploitation
- Indicators of vulnerability and abuse may be both physical and/or behavioural.
- Key requirements relating to identifying and reporting welfare concerns, including those relating to concerns or allegations against staff.
- That YMCA operates a mandatory internal safeguarding reporting process.
- Who to report concerns to (whilst not exclusive, this primarily relates to the person's Line Manager, a Safeguarding Champion or the Safeguarding Manager).

Further induction and training processes will support staff being guided through YMCA's Safeguarding and Child Protection Policy and Safeguarding Code of Conduct. Post which staff will then be requested to sign their Safeguarding Commitment Form.

#### 5.4 Safeguarding Training

Part of YMCA's safeguarding culture is identifying and implementing a safeguarding training strategy. Critically this strategy identifies:

- All safeguarding training as being mandatory.
- All safeguarding training being mindful to the subject's emotional component and is offered in a sensitive manner.
- All staff are to undertake annual safeguarding refresher training.
- Safeguarding training will be applicable to the staff member's role and responsibilities.
- Depending on the staff members responsibilities, more than one training resource/event may be required (e.g. eLearning and face-to-face training).
- Applicable completion timeframes.
- Alternative safeguarding training strategies for:
  - Workforce personnel under 16 years of age.
  - Workforce personnel with any additional learning needs e.g. language barriers, disabilities, etc.
  - Any staff who are finding attending safeguarding training challenging due to personal experiences.
- Upon receipt of their safeguarding training certificate, personnel files will be updated reflecting a safeguarding learning log and refresher training timeframes.

YMCA will be sensitive and supportive towards any member finding completing safeguarding training challenging, due to personal experience. Whilst being supportive and offering alternative learning methods, in being child focused YMCA needs to remain mindful to the organisation's and staff member's responsibilities towards the children/young people in their care. Although rare, should it transpire that despite YMCA support and alternative methods, mandatory training remains outstanding; YMCA may be required to review the staff member's competence, given safeguarding is a position requirement and they and YMCA hold an overriding professional responsibility towards the children/young people in YMCA's care.

## 6. Safe Ways of Working

### 6.1 Staff Safeguarding Responsibilities

YMCA is child focused and centred in its practice. All YMCA positions reflect the below workforce responsibilities:

- **YMCA Safeguarding Culture:** All YMCA staff are to recognise safeguarding as a shared responsibility and uphold YMCA's zero-tolerance to child abuse and neglect.
- **Safe Workforce:** Ensure adherence to all YMCA mandatory safeguarding requirements:
  - Completion of YMCA Safer Recruitment.
  - Completion of YMCA Safeguarding Induction.
  - Completion of YMCA Safeguarding Training.
  - YMCA internal welfare and/or allegation against staff reporting processes
- **Safe Practice:** Model expected Position of Trust requirements and operate to YMCA's Safeguarding Code of Conduct, ensuring any breaches are managed in accordance with YMCA Policy Breach Protocol.
- **Identifying and responding to Safeguarding Welfare and Allegation Concerns:** Demonstrate responsibilities in identifying and reporting any indicators, disclosures and/or allegations relating to safeguarding and/or child protection concerns.
- **Working Together:**
  - Ensure all practice promotes inclusivity across all areas of diversity.
  - Be an advocate for YMCA's safeguarding culture to all children, young people and their parents/guardians.

Staff in Supervisory and/or Management positions, in addition to the above responsibilities, will also adopt:

- Undertaking a leadership role in demonstrating and implementing YMCA's safeguarding culture.
- Ensure visibility, implementation and collaborative development of safeguarding elements within accountable business remits.
- Work together with YMCA Safeguarding Staff and/or within YMCA safeguarding structures when responding to safeguarding concerns, direct case management and/or case reviews.
- If required, serve on or support YMCA's Safeguarding Committee or applicable sub-groups.

Where applicable, YMCA may also incorporate additional specific safeguarding responsibilities pertinent to a particular position and/or working level.

## 6.2 Position of Trust

YMCA staff hold different kinds of engagement and contact (direct/indirect) with our children/young people. This engagement and/or contact along with their YMCA position, reflects YMCA's trust and authority placed in them. All of these components reflect what is known as a 'Position of Trust'.

This describes the relationships where an adult (18 years or older) or a peer (e.g. Young Leader) has or is perceived to have, power, influence or authority towards a child/young person's (under 18 years) life or wellbeing, by the nature of their role or duties within the organisation.

This power or influence has potential to be abused to persuade and encourage or intimidate a child/young person into certain behaviours or activities. The potential for exploitation and harm of vulnerable people means that staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. It is vital for staff/individuals to understand this power and the responsibility they must exercise as a result.

Staff should always maintain YMCA's Safeguarding Code of Conduct requirements and appropriate professional boundaries, avoiding any engagement and/or behaviour that could be misinterpreted by others and report and record any such incident should it occur.

YMCA would regard any person using their YMCA position of trust or trusted association to YMCA to instigate and/or engage in a sexual relationship and/or conduct (directly or indirectly) with a YMCA child/young person under 18 years of age, as a serious breach of this Position of Trust. This is inclusive of and irrelevant to whether the young person is of a legal consent age.

**Conduct in breach of YMAC's Position of Trust may be subject to disciplinary action up to and including dismissal. Any breaches of law will be referred to New Zealand Police and/or other applicable welfare services.**

## 6.3 Safeguarding Code of Conduct – Appendix 3

YMCA will aim to ensure our Safeguarding Code of Conduct is openly visible and communicated widely, so all accessing YMCA programmes, activities and/or facilities understand what is expected of YMCA personnel. YMCA's Safeguarding Code of Conduct signage is to be displayed within all staff and childcare service environments with clear visibility for children/young people, their families and YMCA stakeholders.

The Safeguarding Code of Conduct is mandatory for all YMCA Staff. In addition to signage, YMCA Safeguarding Code of Conduct is also promoted and communicated to staff through a range of channels including but not exclusive to:

- YMCA Safeguarding Policies and Procedures.
- YMCA Safeguarding Induction and Training
- YMCA Website, Intranet, Workplace and Environment

Upon completion of their Safeguarding Induction and Training, YMCA staff will be asked to sign their commitment to YMCA's Safeguarding Culture, includes YMCA's Safeguarding and Child Protection Policy and Safeguarding Code of Conduct.

YMCA's Safeguarding Code of Conduct is part of YMCA's Safeguarding and Child Protection Policy and interpretations should be in conjunction with this policy. YMCA's Safeguarding Code of Conduct reflects and promotes legal requirements, sector standards; safeguarding best practice, upholds YMCA's values, policies and procedures, supporting all involved.

YMCA appreciates some exceptions to requirements may be applicable (e.g. due to nature of the position, setting, activity, etc.). In these circumstances YMCA undertakes additional safeguarding measures including but not exclusive to:

- Adapted practice being clearly reflecting in all service and parent information, including terms and conditions.
- Seeking parental/guardian consent to identified practice (e.g. potential 1 staff member to 1 child or 1 staff to a child group).
- Certifying children/young people are aware of expected practice and what to do should they have any concerns.
- Increased monitoring of times/places where isolated staff are working with children/young people.
- Increased child/young person service monitoring/evaluation structures.

When an exceptional circumstance or an emergency prevents code requirements from being followed, staff should always operate in the best interests of the child/young person whilst being mindful to their practice as much as possible. If possible, Management advise should be sought in advance. If not, Management should be notified as soon as possible, along with the breach being recorded in accordance with YMCA's Policy Breach Protocol.

## 6.4 Policy Breaches

YMCA Safeguarding Code of Conduct must be applied consistently. All breaches must be attended to in line with our YMCA Policy Breach Protocol.

- All Safeguarding policy breaches are to be recorded and reported as per YMCA Policy Breach Protocol.
- YMCA expects staff to have high standards of ethical and professional behaviour at all times.
- Where an employee's on or off duty conduct, negatively influences their ability to carry out normal duties or is detrimental to the best interests or reputation of YMCA (this could include inappropriate or adverse commentary online), such actions will be treated as breaches of YMCA's Safeguarding and Child Protection Policy and Safeguarding Code of Conduct and may be subject to disciplinary action.

**Conduct in breach of YMCA's Safeguarding and Child Protection Policy and/or Safeguarding Code of Conduct may be subject to disciplinary action up to and including dismissal.**

**Any breaches of law will be reported to New Zealand Police and/or other applicable welfare services.**

## 7. Identifying Child/Young Person Welfare Concerns

### 7.1 Vulnerability

By virtue of being 'dependent', all children/young people are vulnerable. However, some children/young people are more likely to be vulnerable to possible harm and/or abuse than others, for various reasons. Many of these groups access YMCA. YMCA therefore expects staff to be aware of their increased vulnerability. Whilst not exclusive, those recognised as having potential for increased vulnerability include:

- Children under 5 (particularly under 1s)
- Children with other needs
- Children being impacted by gang activity
- Children from out of home care
- Young parents (under 18 years)
- Those experiencing cumulative harm
- Children living in households affected by family violence, parental substance use and/or undiagnosed/untreated parental mental illness

YMCA is committed to supporting children and families in developing resilience, as well as constantly reviewing and developing YMCA practice, to help make certain our engagement does not risk increasing any risk factors for all involved parties. YMCA hopes to support children and their families during vulnerable times assisting in the reduction of any risk.

### 7.2 Identifying Child Protection Concerns

When concerns, whether known or suspected, meet the below definition they are to be considered as child protection concerns. **Definition of child abuse - Section 2, Oranga Tamariki Act 1989** defines child abuse as:

“**child abuse** means the harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person”

As with child protection services, YMCA notes the following as categories of abuse.

- Physical Abuse
- Emotional Abuse
- Neglect
- Sexual Abuse

However, in addition to the above main categories, YMCA also recognises the following as categories of abuse, as well as indicators having potential to be physical or behavioural or environmental:

- Grooming and Exploitation
- Family Violence
- Bullying/Cyberbullying
- Safeguarding and Technology
- Cumulative Harm

### 7.3 Physical Abuse

#### Physical Abuse

A non-accidental act on a child/young person resulting in physical harm. It may involve (but is not limited to) hitting, shaking, throwing, burning or scalding, biting, cutting, poisoning, drowning, strangling or suffocating or anything else that could cause physical harm to a child/young person.

Physical abuse may also involve fabricating the symptoms of illness or deliberately inducing illness in a child/young person.

*Sources: Oranga Tamariki, Interagency-guide-working-together, August 2017; UK Government, Working Together to Safeguard Children, July 2018*

#### Physical indicators may include:

- Head injuries.
- Unexplained bruises, welts, scratches, cuts and abrasions (specifically regular, multiple, clustered and/or historic, in unusual places e.g. face, back or tummy, buttocks, backs of legs).
- Unexplained fractures, sprains, dislocations and broken bones. Particularly to the head, face, hip or shoulder dislocations. Especially in young babies or immobile children.
- Burn or scald marks (including cigarette burns, stove ring, iron, rope).
- Bite marks.
- Injuries with particular patterns e.g. belt mark; fingertip bruising (e.g. being forcefully held).
- Strangulation or suffocation marks.
- Ingestion of alcohol and drugs.
- Poisoning.
- Shaken Baby Syndrome – vomiting, signs of bleeding in their eyes, appear floppy and unresponsive.

#### Behavioural indicators may include:

- Disclosing that physical harm has or may have occurred.
- Unlikely explanations for injuries (particularly if against the child’s age/developmental level).
- Explanations not making sense, changing or differing (e.g. between parents, parent and child, siblings/friends, etc.) and/or not fitting with presented injuries.
- Refusal to discuss/access medical help and/or delayed access to treatment.
- No explanation or child or parent can’t recall how the injuries occurred.
- Reluctance to have parent/guardian contacted.
- Mistrust of adults/demonstrating fear of particular adults/care givers/peers.
- A fear of going home and/or to a particular location including running away.
- Being bullied and/or bullying others, and/or displaying controlling behaviour towards others.
- Patterns of illness/claims of illness surrounding contact with a particular person.
- Withdrawn, depression, moods or acting out behaviours.
- Aggressive behaviour, disruptive nature or severe temper outburst.
- Anxious, nervous, restlessness, jittery, flinching when approached or touched.

- Expressing little or no emotion when hurt.
- Being fearful when other children cry or shout.
- Being excessively friendly to strangers, relationship difficulties.
- Being passive and compliant.
- Reluctance to undress and/or inappropriately dressed e.g. wearing long-sleeved clothes/remaining covered on hot days.

**Typical Abusive Injuries**

Ears – especially pinch marks involving both sides of the ear

The “triangle of safety” (ears, side of face, and neck, top of shoulders): accidental injuries in this area are unusual

Inner aspects of arms

Back and side of trunk, except directly over the bony spine

Black eyes, especially if bilateral

Soft tissues of cheeks

Intra-oral injuries

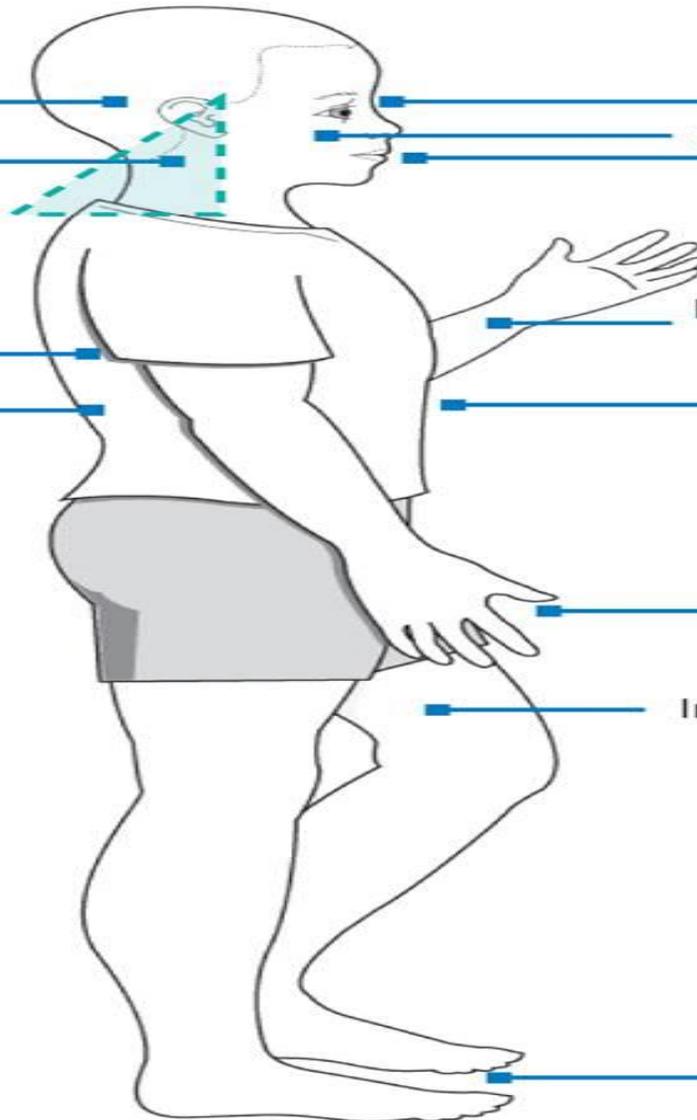
Forearms when raised to protect self

Chest and abdomen

Any groin or genital injury

Inner aspects of thighs

Soles of feet



**REMEMBER**

Concerns are raised by:

- injuries to both sides of the body
- injuries to soft tissue
- injuries with particular patterns
- any injury that doesn't fit the explanation
- delays in presentation
- untreated injuries

Source: UK Department of Health

## 7.4 Emotional Abuse

### Emotional Abuse

Some level of emotional abuse is involved in all types of maltreatment, though it may also occur alone. Emotional abuse is often a persistent pattern of behaviour but can also include a single severe incident, as to cause severe and adverse effects on their emotional wellbeing. It may involve, but is not limited to:

- Persistently withholding affection, being rejected, ignored, isolated, humiliated, terrorised, corrupted and belittled.
- Eroding their sense of self-worth and self-respect.
- Verbally abusing and/or causing them to live in fear.
- Conveying they are worthless, unloved, inadequate, or valued only insofar as they meet the needs of another person.
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say and how they communicate.
- Having expectations that are significantly inappropriate for their development or age.
- Overprotection and limitations of exploration and learning or preventing the child from participating in normal social interactions.
- Bullying (including cyberbullying).
- Exploiting or corrupting of children.
- Seeing or hearing the ill-treatment of another.
- Deliberate or persistent disregard for their cultural identity and wellbeing.

Sources: Oranga Tamariki, *Interagency-guide-working-together*, August 2017; UK Government, *Working Together to Safeguard Children*, July 2018

### Physical indicators may include:

- Frequent physical complaints e.g. real or imagined such as headaches, nausea and vomiting, and abdominal pains (may coincide with the child being underweight or dehydrated).
- Delays in physical development.
- Sleep problems like bedwetting or soiling with no medical cause, nightmares, poor sleeping patterns, being tired, lethargic, falling asleep at inappropriate times.
- Talking about hurting themselves or ending their lives (suicide threats, attempts, self-harm).
- Eating disorders.
- Sudden speech disorders.
- Stunted growth, failure to thrive (non-organic).

### Behavioural indicators may include:

- Excessive lack of self-esteem or confidence.
- Overly compliant and apologetic including an excessive fear of making mistakes.
- Difficulty developing normal relationships including poor peer relationships.
- Lacks trust in other people demonstrating fear, of parent, caregiver or another adult.
- Reluctance to attend an activity at a particular club or organisation.
- Staying at school or other activities outside hours and not wanting to go home.
- Inability to cope with praise, unable to express views when asked, unable to cope in social settings.
- Slow development or regression.
- Aggressive behaviour (active or passive).
- Very 'clingy', possessive, attention seeking, sometimes obsessive or risk-taking behaviour.
- Depression, habitually frightened, anxious and/or nervous.
- Habit disorders – hair twisting, sucking, biting, rocking, etc.
- Indiscriminate with affection.
- Stealing (particularly food) or destroying property.
- Abuse of alcohol or drugs.

## 7.5 Neglect

### Neglect

Neglect is one of the most common forms of abuse, although the effects may not be as obvious, they are just as serious, leading to damaged self-esteem and a lost opportunity to thrive. Neglect is the persistent failure to meet a child or young person's basic physical and psychological needs. It is any act or omission resulting in impaired physical functioning, injury, health and/or development of a child/young person. It may involve, but is not limited to:

- Physical Neglect: not providing necessities like enough food, clothing and a warm place to live (including exclusion from the home or abandonment).
- Neglectful Supervision\*: leaving children under 14 years home alone, or without someone safe looking after them during the day or night (includes inadequate guardians).
- Emotional Neglect: not giving children the comfort, attention and love they need through play, talk and everyday affection or unresponsiveness to a child's basic emotional needs.
- Medical Neglect: the failure to take care of their health needs (including dentistry).
- Educational Neglect: allowing chronic truancy, failure to enrol or inattention to special educational needs.
- A refusal to assume parental responsibility.

Neglect may also occur in pregnancy e.g. via parental substance use, family violence.

*\*NB. In accordance with Summary of Offences Act 1981, Section 10B Leaving a Child without reasonable supervision and care.*

*Sources: Oranga Tamariki, Interagency-guide-working-together, August 2017; UK Government, Working Together to Safeguard Children, July 2018*

### Physical indicators may include:

- Appearing uncared for, extremely dirty, wearing inappropriate clothing e.g. for weather, activities, etc.
- Remain unsupervised for long periods of time.
- Experience abandonment by parents/guardians.
- Non-organic failure to thrive e.g. underweight, small for their age.
- Persistent nappy rash or skin disorders.
- Suffer from frequent hunger or malnutrition.
- Have poor hygiene, constantly dirty or smelly and no understanding of basic hygiene.
- Unattended health and/or dental problems including a lack of proper medical or dental attention.
- Poor speech.

### Behavioural indicators may include:

- Stealing/hoarding (particularly food or clothing).
- Inappropriately dressed i.e. extremely dirty, not the right clothes to keep dry or warm.
- Out and about unsupervised, spends lots of time at the neighbours, or regularly hangs out at school or other external activities beyond the usual hours, or on the streets.
- Falling behind in educational work and/or attendance.
- Reluctance to attend a particular activity, club or organisation.
- Indiscriminate attachment to adults, affection seeking or severe lack of attachment to their own parent(s).
- Tired or falling asleep at inappropriate times.
- Abuse of alcohol or drugs.
- Aggressive behaviour, destructive tendencies and/or offending behaviour.
- Poor peer relationships, having few friends.
- Indiscriminate with affection and/or desire for adult affection.
- Poor emotional response / lack of expression or enthusiasm, Low self-esteem, dull, unsmiling.
- Poor social skills or other developmental delays.
- Anxiety about being left, frequent rocking and sucking behaviour.
- Running away.

## 7.6 Sexual Abuse

### Sexual Abuse

Sexual abuse can involve, but is not limited to coercing, forcing or enticing a child or young person to take part in sexual activities. Sexual abuse can be perpetrated by males, females and peers (other children/young people). Sexual abuse can take place online and technology can be used to facilitate offline abuse.

The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. It also includes non-contact activities, such as involving a child or young person in looking at, or in the production of sexual images, watching sexual activities, or encouraging them to behave in sexually inappropriate ways.

It often begins with some form of grooming, which is when the person prepares the child for sexual contact or exploitation, by lowering their inhibitions and gaining their trust – this includes via the internet and social media.

*Sources: Oranga Tamariki, Interagency-guide-working-together, August 2017; UK Government, Working Together to Safeguard Children, July 2018*

### Physical indicators may include:

- Bruising, lacerations, bite marks including injuries to areas such as breasts, buttocks, thighs and genitalia.
- Unusual or excessive itching, redness, swelling or bleeding in the genital area.
- Inappropriate clothing e.g. keeping body covered in hot weather.
- Frequent complaints of headaches and/or stomach pains.
- Discomfort when walking or sitting down.
- If an under 16 is showing signs of being sexually active, STIs, pregnancy, torn, stained or bloody underclothing.
- Anxiety related illnesses e.g. eating disorders and/or sudden changes in eating habits - Refuses to eat, loses or drastically increases appetite, has trouble swallowing, anorexia, bulimia, significant weight gain.
- Nightmares/other sleep problems without explanation.
- Exposure to or involvement in pornography or prostitution.
- Semen in genitalia areas.
- Vaginal, penis, scrotum or anal injury or scarring.
- Abrasions tears and bruises to the vagina or anus.
- Chronic urinary tract infections or difficulty/pain when urinating or blood in urine or stools.

### Behavioural indicators may include:

- Sexually explicit or age-inappropriate play, interest, drawings, stories, talking about sex.
- Persistent and/or age-inappropriate sexual activity.
- Significant difficulty in relating to adults and/or peers, including:
  - Sexual aggression towards younger or more naïve children.
  - Sexual invitations or gestures to older people.
  - Sexual interaction involving animals or toys.
- Sexual promiscuity or exploitation.
- Significant change in status or quality of relationships with friends and/or parents.
- Fear of people, of a particular person, gender, attending a particular activity, club/ organisations, place, etc. including running away.
- Distracted or distant at odd times.
- Signs of depression e.g. persistent crying, lack of motivation, lack of expression or enthusiasm.
- Problems with schoolwork or unexplained changes in behaviour or school results.
- Sudden mood swings: rage, fear, insecurity or withdrawal.
- Frequent rocking, sucking and biting behaviour.
- Challenging and aggressive behaviour.
- Suicidal and self-harm behaviour including self-mutilation, drug or alcohol abuse.

- Risk taking behaviour such as lighting fires.
- Cruelty to animals.
- Trying to feel clean through obsessive washing.

#### More typical of Younger Children

- Regression e.g. bed-wetting or thumb sucking.
- New words for body parts.
- Resists removing clothes when appropriate times e.g. bath, bed, toileting, nappy changes.
- Asks other children to behave sexually or play sexual games.
- Mimics adult-like sexual behaviours including with toys or draws in artwork.

#### More typical in adolescents

- Self-injury (cutting, burning).
- Suicide attempts.
- Inadequate personal hygiene.
- Drug and alcohol.
- Sexual promiscuity.
- Running away from home.
- Depression, anxiety.
- Fear of intimacy or closeness.
- Compulsive eating or dieting.
- Purposefully making themselves unattractive.

## 7.7 Grooming and Exploitation

### Grooming

Grooming is a term used to describe what happens when an abuser builds up a relationship with a child or young person with a view to abusing them at some stage. There is no set pattern to the grooming of children. For some abusers there may be a lengthy period of time before the abuse begins. Other abusers may draw-in a child/young person and abuse them relatively quickly. Some abusers don't groom children but abuse them without forming a relationship at all.

The child/young person may be given special attention and what starts as an apparently normal display of affection, such as cuddling, can develop into sexual touching or masturbation and then into more serious sexual behaviour.

Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities. It may also take place in virtual settings e.g. via internet (social media, etc.) interactive electronic devices e.g. games, phones, etc. In the main grooming covers 6 stages:

1. Targeting the victim.
2. Gaining the victims trust.
3. Filling a need.
4. Isolating the child/young person.
5. Sexualising the relationship.
6. Maintaining control.

Source: Adapted from YMCA Brisbane: Safeguarding Children and Young People Policy February 2014

## Exploitation

There are many forms of child exploitation and their prominence in certain types can vary globally. However, sadly child exploitation can be a factor within Aotearoa and awareness should be given to children and young people potentially being at risk of exploitation in relation to:

- Child criminal exploitation
- Child Labour
- Domestic Servitude
- Trafficking
- Child Soldiers
- Sexual Exploitation

## Sexual Exploitation

Sexual exploitation is a form of sexual abuse. It occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- In exchange for something the victim needs or wants; and/or
- For the financial advantage or increased status of the perpetrator or facilitator.
- In the form of gang activity.
- Through the use of technology.

The victim may have been sexually exploited even if the sexual activity appears consensual. It is a form of abuse often misunderstood by victims and outsiders as consensual; children/young people often trust their abuser(s) and don't understand they are being abused. They may be tricked and/or groomed into believing they are in a loving consensual relationship.

*Sources: Adapted from UK Government, Working Together to Safeguard Children, July 2018*

### Indicators may include:

Via technology:

- Sending or posting sexually explicit images of themselves.
- Taking part in sexual activities via a webcam or smartphone.
- Having sexual conversations by text or online.

Within gang's sexual exploitation may be used to:

- Exert power and control over members.
- Initiating young people into the gang.
- Exchanging sexual activity for status or protection.
- Entrapping rival gang members and/or inflict sexual assault as a weapon in conflict.

## 7.8 Family Violence

### Family Violence

It may be a single act of violence, or numerous acts that form a pattern of abuse. It covers the range of abuse types (e.g. physical, emotional and sexual) and victims suffer in all these ways. Family violence includes yelling and hitting, as well as threatening to harm people, pets or property.

Children are always affected when there is violence in the family. Even if they're not being physically harmed themselves, they will be emotionally harmed. Exposure to and/or witnessing Family Violence is also recognised as a form of emotional abuse.

Family Violence can be carried out by anyone in a domestic or close relationship. This includes a partner or ex-partner, boyfriend or girlfriend, carer, parent, older child, sibling, friend, flatmate or family member. They don't have to be living with the person(s) being affected. It may involve, but is not limited to:

- Financial abuse.
- Allowing a child to witness abuse.
- Physical violence or abuse.
- Emotional/Psychological abuse (including threats, intimidation, harassment, and damage to property).
- Sexual violence or abuse.

Sources: Adapted from Oranga Tamariki, *Interagency-guide-working-together*, August 2017; [www.oneyouok.org.nz/family-violence/thelaw/](http://www.oneyouok.org.nz/family-violence/thelaw/)

### Physical indicators may include:

- Physical injuries including bruising.
- Self-harm and suicide threats or attempts.
- Poor health and development.
- Poor sleeping patterns.
- Cry and scream more than normal.

Particularly in adults:

- Bruising, injuries during pregnancy, multiple injuries, or patterns of a repeated injury.
- Depression, headaches, sleeping and eating disorders.
- Panic attacks.
- Drug and alcohol abuse, dependency on tranquilisers and alcohol.

### Behavioural indicators may include:

- Bullying, aggressive behaviour including yelling, hitting, biting, kicking and pulling other children's hair.
- Disclosures of and/or describes violent or emotionally abusive acts.
- Threats and/or harming of animals.
- Substance use.
- Very distressed when witnessing violence.
- Severely shy, low self-esteem or lacking in autonomy and self-worth.
- Argumentative.
- Difficulty concentrating.
- Become rebellious/anxious.
- Person gives explanations that do not fit the other signs, and is fearful

### Perpetrator behaviours may include:

- Isolates and controls their family and may force them to move frequently.
- Threatens, criticises, intimidates, and uses aggressive and physical abuse towards their partner and children.
- Threatens to, or harms pets.
- Is sexually controlling and may force sex on their partner.
- Minimises and denies their own behaviour or blames the victim for their own behaviour.

## 7.9 Bullying and Cyberbullying

Bullying	Cyberbullying
<p>Bullying relates to inappropriate use of a real or perceived power by one or more persons over another person or a group regarded as less powerful. Acts of bullying are generally repeated or have the potential to be repeated over time.</p> <p>Bullying relates to hurting someone else (physically and/or emotionally) and may take many forms that are often interrelated and include:</p> <ul style="list-style-type: none"> <li>▪ <b>Verbal:</b> Name calling, Gossiping, Put downs, Threats.</li> <li>▪ <b>Physical:</b> Hitting, Pushing, Punching, Kicking, Scratching, Tripping, Spitting, Hiding or damaging possessions.</li> <li>▪ <b>Social:</b> Ignoring, Isolating, Excluding, Ostracising, Alienating someone.</li> <li>▪ <b>Emotional:</b> Spreading rumours, Threatening/ Intimidating/ undermining/ or humiliating someone, Stalking, Constant criticism, Controlling or manipulating someone.</li> </ul> <p>Concerns relating to bullying encompass both those perpetrating these acts and those suffering as a result.</p>	<p>Bullying can also happen online, which is called Cyberbullying.</p> <p>This is usually perpetrated using social media networks, games and mobile phones. This can include spreading rumours, posting nasty or embarrassing messages, images and/or videos.</p> <p>Those suffering from Cyberbullying may not know who is bullying them or they may be targeted by someone using a fake or anonymous account, with anonymity often increasing the likelihood of others engaging in bullying behaviour.</p> <p>Often due to being challenging to stop, remove and by being constant (wherever they are, any time of day or night) children/young people can feel like there's no escape.</p>
<b>Physical indicators may include:</b>	
<ul style="list-style-type: none"> <li>▪ Physical injuries such as unexplained bruises.</li> <li>▪ Problems with eating or sleeping e.g. nightmares, wetting the bed, etc.</li> <li>▪ Self-harm.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Spends a large amount of time on the ICT resource yet unwilling to talk about what they are doing or gives dubious explanations about how the time was spent.</li> <li>▪ Seems upset, highly irritable or emotional after being on the ICT resource, or after reading their text messages or email, etc.</li> <li>▪ Avoids conversations about the ICT resource or internet or seems defensive and upset when asked about it.</li> <li>▪ There is a sudden drop-off in ICT use, and the child seems to avoid it or avoids sites they used to spend time on.</li> <li>▪ A withdrawal from technology or a sudden change in resource usage including suddenly stopping use (biggest red flag).</li> <li>▪ Sudden changes in friends.</li> </ul>
<b>Behavioural indicators may include:</b>	
<ul style="list-style-type: none"> <li>▪ Belongings getting "lost" or damaged.</li> <li>▪ Loses interest in school, not doing as well (drops in grades) or getting into trouble at school.</li> <li>▪ Problems adjusting to school, being afraid to go to school, being mysteriously 'ill' each morning, or skipping school.</li> <li>▪ Have fewer friendships, not being accepted by their peers.</li> <li>▪ No longer wants to participate in activities once enjoyed.</li> <li>▪ Asking for, or stealing, money (to give to a bully).</li> </ul>	

- Suddenly changes in behaviour e.g.
  - Being nervous, losing confidence, or becoming distressed and withdrawn.
  - Anxious, clingy, depressed, obsessive behaviour, wary and suspicious of others.
  - Being aggressive, taking risks.
- Bullying others.
- Sharing thoughts of and/or talking about suicide.
- Substance use.

## 7.10 Safeguarding and Technology

### Safeguarding and Technology

There is a need for staff to be aware of the risks young people may be subjected to as a result of technology. In addition to being a means of perpetrating abuse towards others, technology can also be exploited as means of grooming young people for exploitation and/or abuse. In addition to the pre-mentioned Cyberbullying, whilst not exclusive, other forms of concerns may relate to:

- Trolling – can include physical threats, stalking and/or sexual harassment.
- Image-based abuse – sharing or threatening to share intimate images.
- Sextortion – using intimate images to blackmail the victim.
- Impersonation/Fake Accounts.
- Identity abuse –
  - Doxing – personal details being shared or publicised online, resulting in offensive comments and/or unwanted calls or visits from strangers.
  - Image – use of image has been morphed into another photo (e.g. person’s body), usually sexually explicit material.
- Defamatory comments – intended to harm the individual and/or their reputation.

Processes to help protect children from exposure to inappropriate materials (e.g. explicitly sexual or violent in nature) can include:

- Web Content filtering.
- ICT and Cyber Safety Policies and Procedures.
- Organisation-based processes to ensure magazines and other materials used by children are checked for inappropriate images.

*Source: Adapted from Licensing Criteria for Early Childhood Education & Care Services 2008 and Early Childhood Education Curriculum Framework, HS32, May 2016*

## 7.11 Cumulative Harm

### Cumulative Harm

Harm is often cumulative. It can reflect:

- A sense of safety, stability and wellbeing being reduced by a series or pattern of harmful events and experiences.
- These may be interrelated, and maltreatment may recur over prolonged periods.
- The daily impact on the child can be profound and exponential, covering multiple dimensions of the child’s life.
- Including accumulation of harm from a range of sources/types.

Should indicators of concern be identified that individually are below external service thresholds yet are noted to be having or may have an impact on the child’s welfare; YMCA will advocate early intervention.

Should the same or similar concerns continue and exceed three occurrences despite advocated need and interventions, YMCA may then regard concerns as cumulative harm and seek advice, guidance and/or interventions from specialist child protection services.

## 8. Responding to Child/Young Person Welfare Concerns

### 8.1 Disclosures of Abuse and/or Neglect

A disclosure is when a person talks about something relating to vulnerability, abuse and/or neglect. There are 3 main types of disclosure and they may relate to any vulnerable person:

- A. **Direct Disclosure:** Sometimes a person will tell you directly they are being abused or neglected. They might begin with one example and see how you react before sharing their whole story.
- B. **Indirect Disclosure:** This is when a person doesn't tell you directly, but consciously or subconsciously communicates what they have experienced indirectly. For example, via their behaviours, emotions, art, writing, appearance, enquiries or discussions, and/or via the identification of abuse/neglect indicators.
- C. **Third Party Disclosure:** This is when someone else (e.g. parent/guardian, friend, another professional, another parent) shares a concern about another person. Sometimes (more commonly when coming from a child) they are initially portrayed as a third party, although transpire to be *indirect disclosures* e.g. "my friend's parent is hurting her", when it is actually them/their situation.

### 8.2 Handling A Disclosure

The moment information is shared that indicates possible abuse and/or neglect; this becomes a disclosure.

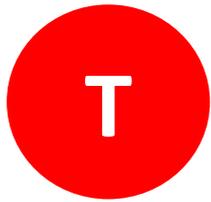
Upon receiving/identifying a disclosure, staff's primary role is to **LISTEN** and allow the disclosure to continue for as long as the person disclosing feels comfortable. All 'normal' conversation methods such as asking questions, interrupting, offering an opinion/solution, etc. are not to be used. Using these practices, whilst unintended could result in increasing the risk of harm to the person disclosing and/or jeopardise any possible criminal investigations (if applicable).

**YMCA Staff are not to investigate or inappropriately question a person making a disclosure.** The below guidance adopts best practice and should support staff in handling a disclosure.

DO	DON'T
<ul style="list-style-type: none"> <li>✓ Believe the person and take what they say seriously.</li> <li>✓ Be accessible.</li> <li>✓ Listen carefully.</li> <li>✓ Reassure the person e.g. <i>they are right to tell; it's not their fault.</i></li> <li>✓ Thank them for telling you.</li> <li>✓ Tell them you will try to get help and if necessary, explain this may involve telling another staff member.</li> <li>✓ Consult immediately with your Supervisor, Manager or Safeguarding Staff.</li> <li>✓ Make a careful record as soon as possible, of what was said in a Safeguarding Incident Form (Appendix 4).</li> </ul>	<ul style="list-style-type: none"> <li>✗ Do not say anything critical e.g. 'why didn't you tell me sooner.'</li> <li>✗ Do not jump to conclusions, especially about the abuser. It may be someone still trusted, liked and/or loved by the person.</li> <li>✗ Do not investigate any concerns suspected or raised, or ask leading questions e.g. <i>did this happen at home?</i></li> <li>✗ Do not make promises or tell them you will keep anything a secret.</li> <li>✗ Do not stop them when they are speaking freely, (just listen) and do not feel the need to fill any silences.</li> <li>✗ Do not let anyone who may be involved in the abuse know the child/person has said anything to you (if the abuser is unknown we are to assume this may involve the child's parents or carers).</li> </ul>

### 8.3 T.E.D – Tell, Explain, Describe

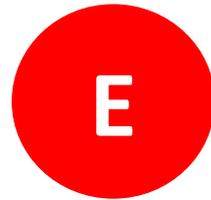
TED is a helpful structure to remember when trying to gather more information without risking asking leading questions.



#### **TELL –**

Tell me what you mean?

Tell me what happened?



#### **EXPLAIN –**

Explain what you mean?

Explain how that made you feel...



#### **DESCRIBE –**

Describe what you mean.....

Describe how you felt.....

Describe what happened next.....

### 8.4 Helpful Responses

- “I’m glad you were able to tell me/someone”.
- “I will help you as best as I can”.
- “This is so important; I need to speak to someone to get advice on how we can help you”.

## 9. Reporting/Referring Safeguarding Concerns

### 9.1 Confidentiality and Information Sharing

#### **Privacy Act 1993**

As per the Privacy Act 1993, should there be any welfare concerns relating to children or young people affiliated with our services, where specialist advice and guidance is needed, YMCA will be required to share any relevant information with appropriate agencies with or without parental consent.

When seeking advice and guidance from Oranga Tamariki, this may be done via a no-named consultation. However, should Oranga Tamariki advise that concerns should be referred, identifying information will need to be shared.

#### **Section 6, Privacy Act 1993 - Principle 11, Limits on disclosure of personal information:**

An agency that holds personal information shall not disclose the information to a person or body or agency unless the agency believes, on reasonable grounds...that the disclosure of the information is necessary to prevent or lessen a serious threat to:

- a. public health or public safety
- b. the life or health of the individual concerned or another individual.

## **Oranga Tamariki Act 1989 and Family Violence Act 2018**

In addition to the Privacy Act 1993, new guidance on information sharing under the Sections 65A to 66Q of the Oranga Tamariki Act 1989 and the Family Violence Act 2018 came into force on 1 July 2019. Further information can be found via:

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

### **9.2 Sharing Information with Children/Young People and their Families**

YMCA holds a value of honesty. **Unless it is unsafe or inappropriate to do so**, we will aim to be open and honest with young people (when age/developmental level appropriate) and parents/guardians about our concerns.

This could be purely sharing that we are concerned and under YMCA safeguarding policies and procedures we are required to share these concerns with YMCA Safeguarding Staff.

It would be **unsafe or inappropriate to share concerns with parents/guardians or the young person directly:**

- When doing so may increase the risk of harm to the person concerned, staff or others.
- When it is unclear who is/has perpetrated any suspected abuse.
- When doing so may impact on any possible child protection investigation.
- When specialist child protection services have advised YMCA not to share concerns at that stage.

When it is appropriate to share information with parents/guardians, it is best practice to:

- Do so as soon as possible.
- Be open and honest about why and what we are concerned about.
- Explain whether the concerns hold:
  - A level of only requiring YMCA assistance.
  - A potential for information needing to be shared with others. If so, who, what information may be shared and how.
  - Explaining and reassuring, this process is about seeking support for the child/family and YMCA will support them throughout the process.
  - Seek their consent/agreement to information being shared.

If consent is refused, this in itself may escalate concerns. In these circumstances, YMCA would then inform parents/guardians that due to concerns being welfare related, staff are still required to report their concerns and, where possible, YMCA will keep them informed throughout any safeguarding processes.

### 9.3 Reporting Child/Young Person Welfare Concerns

YMCA operates a mandatory internal safeguarding reporting process. This includes, but is not exclusive to, whether concerns are in the context of:

- Peer-to-peer interactions;
- The child or young person's family/home environment;
- In places/organisations outside of the family or YMCA;
- Via the course of their engagement and/or involvement with YMCA;
- Allegations against YMCA staff; or
- Allegations against any other professional.

Concerns must be shared immediately. In exceptional circumstances, where this is not possible, concerns must be shared no later than before the staff person's shift or session of work within YMCA ends. However:

- Any person, at any time, unsatisfied with decisions/actions taken and/or who believes a child/young person to be at risk of suspected and/or known abuse or neglect, may contact Oranga Tamariki or Police directly.
- Any staff, at any stage believing reporting processes to be unsuitable and/or have a significant block for whatever reason in using these identified processes may follow YMCA's Whistleblowing Policy as an alternative form of reporting concerns.

**Any breach of safeguarding policies, procedures, and ways of working may be subject to disciplinary action up to and including dismissal.**

#### 9.3.1 Child/young person, Parent/guardian or Others Reporting Safeguarding Concerns

YMCA encourages parents/guardians to report any concerns relating to the safety or wellbeing of their own or other child(ren) or young persons in a YMCA facility.

Children and young people are also encouraged to report any concerns relating to their own safety or that of other child(ren) or young persons in a YMCA facility. This can be done by:

1. Speaking to our staff in person.
2. Contacting the YMCA's Safeguarding Manager on 0274149496 or [safeguarding@ymcawellington.org.nz](mailto:safeguarding@ymcawellington.org.nz)

Upon contacting YMCA's Safeguarding Manager, an initial response will be received within 3 working days of the initial contact being made.

#### 9.3.2 YMCA Staff Reporting Child Safeguarding Concerns

##### **Emergency/Immediate Assistance Incidents**

If emergency/immediate assistance is required, action should be taken and not delayed for reporting purposes. Reporting processes become applicable as soon as possible during or after the immediate assistance has been provided.

Emergency assistance should be sought from emergency services (e.g. **Police, Ambulance, Fire**) via **dialling 111**. Police would be the key agency if there is immediate danger and/or an immediate response is required, including for child welfare concerns.

##### **Non-emergency child welfare concerns**

For all concerns relating to child welfare, particularly those when abuse and/or neglect is known or suspected should be reported in accordance to the following flow chart.

### 9.3.3 YMCA Staff Reporting Concerns and/or Allegations Against YMCA Staff

YMCA's Safeguarding Policies, Procedures and Code of Conduct are designed to support best practice and reflect the expected engagement and behaviours required of YMCA staff. YMCA safeguarding practices for concerns for, concerns and/or allegations against YMCA staff become applicable when disclosures and/or indicators relate to:

- Staff being in a vulnerable position.
- Staff conduct being of or potentially being of concern and/or inappropriate.
- Staff conduct is against YMCA Safeguarding Code of Conduct.
- An allegation has been made against the staff member.

#### **What constitutes an allegation?**

An allegation generally relates to 3 key areas:

- Staff have behaved in a way that has harmed or may have harmed a child/young person.
- Staff have possibly committed a criminal offence in relation to a child/young person.
- Staff have behaved towards a child/young person in a manner that indicates they are unsuitable to work with children.

### 9.3.4 Key Requirements in Responding to Disclosures of YMCA Staff Concerns and/or Allegations

- The reporting staff member must complete a Safeguarding Incident Form ([Appendix 4](#)) as soon as possible.
- **Staff are to ensure confidentiality is maintained.** The person reporting and the person responding to the report, are required not to discuss the concern with:
  - The person(s) to whom the concern/allegation relates;
  - Other staff; or other
  - Parents/Guardians/persons external to YMCA.

**Doing so may place the child, young person and/or the staff member at further risk of harm, and/or jeopardise any investigations.**

- Should the concern be against the staff member identified to receive the report of concern, then the report should be made to the next most senior person e.g. their Line Manager.
- Staff are **not to assess the validity of such allegations or concerns**, but to respond to all reports of concerns and/or allegations as required. The validity of an allegation will be investigated and assessed in accordance with:
  - YMCA's legislative requirements.
  - YMCA's role and responsibilities as detailed within this policy.
  - Statutory child protection services (where applicable).
- Staff are to **disregard factors such as the authority or the position of the person(s) involved and any pre-existing views** about the character, or otherwise, of any person involved or under investigation.

In accordance with statutory requirements and YMCA policies and procedures as applicable, **YMCA Safeguarding Staff will co-ordinate and/or conduct investigations** relating to all staff safeguarding concerns and/or allegations.

### 9.3.5 - Worried about a child/young person?

- Stay Calm.
- Ensure the child's and any other person's immediate safety.
- Listen to, believe and reassure the child they did the right thing in telling someone.
- If appropriate, use open ended prompts (Tell/Explain/Describe) to help gain more information.
- Explain to the child that you are going to try and help and will need to tell a colleague who is trained in knowing how to help children in their situation.

**Person Reporting**

**NO IMMEDIATE RISK:**

- Inform Line Manager or Safeguarding Staff
- Confidentiality – keep the sharing of information to only those assisting/or need to know.

**SAFEGUARDING INCIDENT FORM**

- ASAP Record concerns and actions on a Safeguarding Incident Form (Appendix 4).
- Must be completed before the end of shift or session of work with YMCA ends.

**IMMEDIATE DANGER:**

- Contact Police immediately on **111**
- Follow police advice
- Inform Line Manager or Safeguarding Staff ASAP
- Confidentiality – keep the sharing of information to only those assisting/or need to know.

**SAFEGUARDING INCIDENT FORM**

- ASAP Record concerns and actions on a Safeguarding Incident Form (Appendix 4).
- Must be completed before the end of shift or session of work with YMCA ends.

**Person Responding**

**SAFEGUARDING STAFF**

Management and/or Safeguarding Staff will work together with staff to follow procedures, including:

- Determining if a referral to Oranga Tamariki is required.
- If not, action internal support processes.
- If yes or unsure, contact Oranga Tamariki on 0508 326 459 to refer or seek advice and guidance.
- Seek clarity from Oranga Tamariki (or Police) on when and who will inform parents (if outstanding).
- Retain notes with the Safeguarding Incident Form (Appendix 4) in a secure confidential location.
- Contact Oranga Tamariki if no response has been received within advised timescales.
- If concerns remain, or additional concerns present, will reported these to Oranga Tamariki.
- Monitor and review the case.

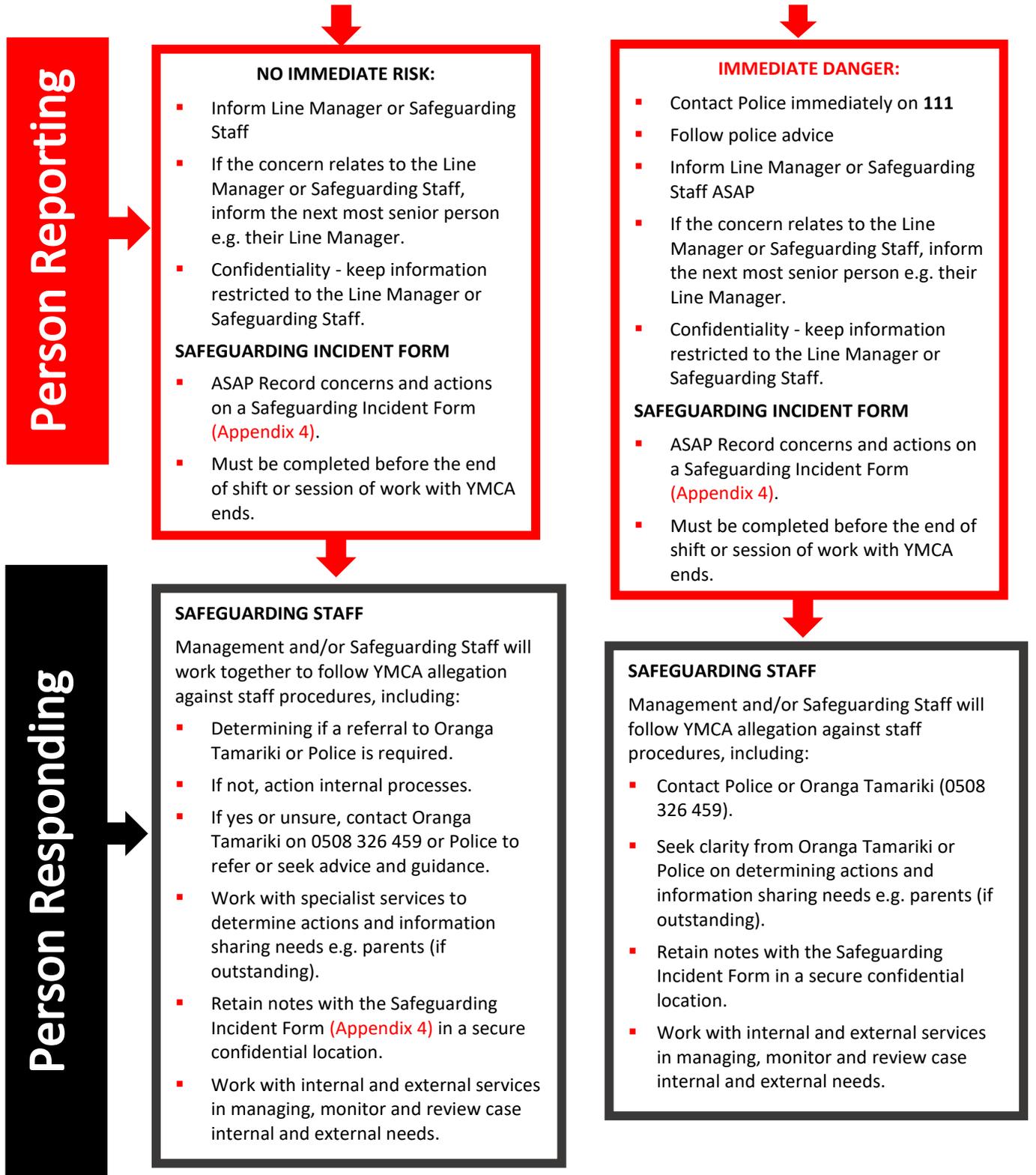
**SAFEGUARDING STAFF**

Management and/or Safeguarding Staff will work with staff to follow procedures, including:

- Contact Oranga Tamariki (OT) on 0508 326 459
- Seek clarity from Oranga Tamariki (or Police) on when and who will inform parents (if outstanding).
- Retain notes with the Safeguarding Incident Form (Appendix 4) in a secure confidential location.
- Contact Oranga Tamariki if no response has been received within advised timescales.
- If concerns remain, or additional concerns present, will reported these to Oranga Tamariki.
- Monitor and review the case.

### 9.3.6 - Worried about a YMCA Staff Member?

- Stay Calm.
- If applicable, ensure the child's and any other person's immediate safety.
- Listen to and take the concern/allegation seriously.
- Explain to the child that you are going to try and help, that you take these concerns seriously and need to tell a colleague who is trained in knowing how to help children in their situation.



## 9.4 YMCA Response to YMCA Staff Safeguarding Concerns

YMCA takes seriously any information questioning the ability or suitability of YMCA staff working safely with children and young people. Any information of this nature will be investigated, no matter if concerns are current, historic, known or suspected, direct or via a third party.

This may include working together with - child protection services (Oranga Tamariki, Police); Government Ministries; specialist non-statutory child protection agencies e.g. YMCA New Zealand and YMCA Partner Agencies e.g. Schools, Councils, etc.

### 9.4.1 Managing Concerns and/or Allegations Against A YMCA Staff Member

- Any concerns/allegations requiring specialist service support and/or investigation will be referred directly to those specialist services e.g. Police, Oranga Tamariki.
- Concerns not meeting those thresholds will be investigated within YMCA's internal processes. Should internal investigations reflect an escalation threshold or require specialist support, YMCA will at those stages refer concerns to specialist services e.g. Police, Oranga Tamariki.
- To safeguard the child/young person or other children or young people in YMCA care **and** the staff member concerned from possible additional vulnerability, YMCA may adopt any of the following immediate safeguards until an identified timeframe or the matter is resolved:
  - Additional supervision of the staff member concerned.
  - Redeploying the staff member concerned to alternative non-child/family facing duties.
  - Suspension of the staff member concerned from duty.
- All safeguarding actions taken are done so in the interests of protecting **all** of those involved and in the interests of maintaining a fair investigation. No action should be interpreted as anything other than a precautionary safeguarding measure while the matter is under investigation.
- YMCA will make all other involved personnel aware of the allegation that:
  - The allegation does not mean any assumptions have been or will be made regarding the person concerned.
  - The allegation will be properly and fairly investigated.
  - They are to keep the matter strictly confidential.
- Where required to support an investigation, and with consent from the staff member concerned, YMCA may contact external services for historic information. This mainly relates to, but is not exclusive to, third party and/or historic allegations. All services contacted for information will be informed of confidentiality requirements and if applicable case outcomes.
- Where consent is withheld, YMCA may be required to escalate concerns to statutory services that have statutory investigation powers.
- As much as possible YMCA will assist in addressing support needs for those impacted by the concerns and/or allegation including:
  - The child and/or their family.
  - The staff member concerned.
  - Other personnel impacted by the allegations.

### 9.4.2 Initial Actions That May Be Taken

- YMCA will use its best endeavours to ensure the initial meeting with the staff member(s) concerned, occurs within 3 working days and preferably within the first 24 hours from the point of receiving the concern and/or allegation.
- The initial meeting with the staff member(s) concerned, is most likely to be held without the staff member having prior notice. Depending on the nature of the concerns and/or the allegation, where advance notice may be given without having any potential risk to those involved and/or the investigation, this will occur.

Should any allegation be valid, giving the person concerned advance notice may increase potential risk to those involved and/or the investigation (e.g. creates an opportunity for potential witnesses, victims to be contacted, influenced and/or evidence removed).

- The meeting may be held off site from the staff member's main place of work. If for any reason this is not possible, the meeting will be coordinated in a manner to help maintain confidentiality.
- Upon being informed of the concern and/or allegation, the staff member concerned will be:
  - Informed of their right to have legal or other representation throughout the process;
  - Will be advised of any immediate safeguards being implemented and/or requested by YMCA;
  - Will be informed about the investigation process; and
  - Where appropriate, requested to return any YMCA resources e.g. laptops, mobile phones, etc. until the matter is resolved.
- YMCA will minute all meetings and where applicable, these may be shared with meeting representatives.
- YMCA will ensure any information provided in this initial meeting balances the interests of the staff member concerned, as well as the safeguarding interests of child or young people.
- Being a safeguarding matter, YMCA will always operate on the side of caution. This by no means should be interpreted as representing a YMCA perspective, as YMCA will remain neutral until the investigation is complete and the outcome established.
- Any information that may be viewed as posing a risk to any of those involved, the investigation and/or YMCA will remain confidential, unless and until it is appropriate to be shared and/or appropriate safeguards have been established.
- Following the meeting, YMCA will provide the staff member with a letter outlining:
  - The concern(s)/allegation(s);
  - The next steps in the process; and
  - The possible outcomes, including if known at that stage whether the concerns/allegations are regarded as substantiated or not.
- Substantiated concerns reflect an indication of:
  - Sufficient evidence to conclude the concerns/allegations as proven; or
  - Upon the balance of probability, it is likely the concerns and/or allegation occurred; and/or
  - The incident(s) were or most likely were in accordance with the interpretation driving the report of concern.
- All YMCA Staff safeguarding concerns records will be held with the Safeguarding Manager unless there is a requirement to forward these onto HR for HR personnel processes, including potential disciplinary actions up to and including dismissal.

### 9.4.3 YMCA Working Together with Child Protection Services

YMCA will manage concerns in consultation with New Zealand Police and/or Oranga Tamariki, responding to any case management needs under their advice, guidance and direct leadership, when:

- Concerns and/or allegations relate to suspected or known harm, abuse and/or neglect; or
- Initial YMCA case processes begin to reflect suspected or known harm, abuse and/or neglect; or
- After following due process, YMCA are confident in any significant concerns on a balance of evidence and/or probability being likely or founded; and/or
- YMCA lacks the powers of investigation.

In these circumstances, if YMCA is aware of the staff member serving as an employee, volunteer or in any other role, for another child facing organisation; this information will be then shared with Child Protection Services. They can then determine if and how any information is taken forward and/or conveyed to that/those organisation(s) if applicable.

### 9.4.4 Deliberately False Allegations Against YMCA Staff

In the event a safeguarding concern(s) and/or allegation(s) is shown to have been deliberately false, YMCA would view this as a serious matter that may result in:

- Disciplinary action up to and including dismissal.
- YMCA engaging NZ Police to identify appropriate action against the person responsible.

### 9.5 Rights to Refer Directly to Oranga Tamariki

YMCA would encourage all personnel to share any safeguarding concerns with YMCA in the first instance. However, YMCA acknowledge that all personnel, including YMCA staff, have the right to report any child abuse/neglect concerns directly to Oranga Tamariki and/or the Police.

We believe sharing concerns with YMCA initially is supportive to working together, as the person with concerns may be unaware of whether YMCA has already taken forward any actions; including having already shared concerns with child Protection services e.g. Oranga Tamariki and/or the Police.

Should any person decide to refer their concerns directly, YMCA would welcome being notified of all reports made to external services relating to YMCA children and/or staff.

### 9.6 Whistleblowing

Whistleblowing is a term used to describe the reporting of concerns within an organisation, outside of mainstream reporting frameworks.

Concerns and/or the behaviours creating concerns, may not always relate to safeguarding but should for any reason a staff member feel blocked or that they are being 'silenced' from exposing any concerning practice; whistleblowing procedures offer a reporting platform. Whistleblowing helps to create exposure to concerns, whilst being a channel that offers staff/the person reporting, increased levels of anonymity and/or security in reporting.

Whistleblowing procedures are in the main designed to support exposure of significant concerns (e.g. fraud, corruption, institutional abuse and/or neglect, etc) that may be occurring within the organisation, the organisation's hierarchy, across the organisation's staff or services, or in any other manner. However, should someone hold concerns that may not be as significant in threshold yet still create worry about YMCA's practice and/or the welfare of children/young people, their families, YMCA staff and/or YMCA; YMCA's Whistleblowing Policy is another form of support to encourage the reporting of any potential organisational and/or welfare concerns.

## 9.7 Monitoring and Reviewing Safeguarding Concerns

- For an active case, Safeguarding Staff or a designated staff member (as determined by the Safeguarding Manager) will review ongoing concern(s) on a weekly basis.
- All review records will be retained by the Safeguarding Staff or the designated staff member.
- They will consider whether any further actions or referrals are required.
- If concerns remain, new or additional concerns present, these will also be reported to Oranga Tamariki.
- If there are no further concerns, the record will be archived securely in a confidential location.
- If a matter is under review and the child ceases to be involved with YMCA, Safeguarding Staff or the designated staff person will ensure any relevant information is passed on to Oranga Tamariki.

## 10. Working Together

### 10.1 Responding to and/or Referring Safeguarding Concerns

In being part of the children's workforce sector, YMCA is proud to accept and advocate safeguarding as being a shared responsibility. We appreciate that we too hold a responsibility to support children/young people, their families and/or any of our staff experiencing vulnerability.

It is well documented that if vulnerabilities can be prevented and/or intervention can occur early, that this can significantly reduce the impact on the vulnerable person(s) (e.g. their development, etc.), as well as the likelihood of any concerns escalating into abuse and/or neglect thresholds.

Any welfare concerns identified and/or presented to YMCA are explored in their own individual merit, taking into account any information sharing needs, as well as known and/or potential protective and risk factors. Depending on the significance of the concerns, YMCA may undertake responses under any of the following structures:

#### 10.1.1 Primary Prevention

The goal of primary prevention is to prevent the development of problems (risk factors) that place people at risk from occurring. These can be individual factors but also environment, social and cultural factors. Often responses can be as simple as making sure people are aware of support structures available to them and/or being flexible with service delivery, enabling families to and/or supporting them whilst they address preventing risk factors that will occur without intervention.

#### 10.1.2 Early Intervention

The goal of early intervention is to reduce the prevalence and severity of risk factors that have already occurred. It is basically aiming to prevent vulnerabilities from escalating, being repeated, taking a hold and/or becoming engrained.

Whilst all interventions are designed to support and assist, early intervention is still very much recognised as having more of a profound outcome, than interventions that may be advocated once vulnerabilities have started to take a hold. Early interventions may be strategies such as:

- Direct YMCA/child support involving working together e.g. Behaviour management programmes.
- YMCA supporting children/families awareness of and/or access to support they may need e.g. signposting to and/or supporting families with referrals to specific community services.
- YMCA working collectively with the family and other community services to offer wrap around support for the child and/or their family.

### 10.1.3 Child Protection Services

In accordance with YMCA's organisational welfare responsibilities, when concerns relate to known and/or suspected abuse and/or neglect; YMCA is required to work with and under the guidance of, specialist intervention and/or child protection services (e.g. Oranga Tamariki and/or the Police). YMCA's Safeguarding Incident Form ([Appendix 4](#)) has been designed to reflect all the information that may be sought by these services.

Whilst the vulnerable person and/or their family continue to be engaged with YMCA provisions, YMCA will as much as possible, aim to make sure any specialist service engagement outcomes continue to incorporate YMCA offering support and working with the person and/or their family.

#### **Oranga Tamariki**

New Zealand's child protection service, who are responsible for investigating and managing concerns relating to suspected or known child/young person abuse or neglect. Referrals are made via the Contact Centre (0508 326 459) or email at [contact@mvcot.govt.nz](mailto:contact@mvcot.govt.nz) Lines are open 24/7. After 5pm and on weekends social workers are only available for emergency situations. However, calls are encouraged as all case needs will be assessed.

#### **Police**

Police are the other child protection service. They have Child Protection Units, which is a division specifically designated to investigating child abuse/neglect cases. They work closely with Oranga Tamariki to support the child's welfare, although their specific responsibilities relate to those cases where criminal charges and/or prosecutions may be applicable.

- For concerns relating to immediate danger, Police should be called as an emergency service – **Dial 111**.
- All other concerns (non-emergency) requiring Police assistance should be reported to the local Child Protection Unit.

#### **Ministry and Potential Partner Agency Notification**

Where YMCA identifies and/or is presented with a serious case concern that has been referred to and/or is being managed by child protection services; YMCA may be under:

- Ministry service standards requiring notification (this would also be applicable for any serious injury or illness or incident involving a child/young person).
- An obligation to inform partner agencies where there are shared service provision contracts.

#### **Online Safeguarding Concerns**

For online concerns that are unable to be assisted by Police, Netsafe would be an alternative support service. Netsafe is an independent, non-profit organisation focused on online safety. They provide online safety education, advice and support. Netsafe's free and confidential helpline is set up to help with online bullying, abuse and harassment. Open from 8am-8pm Monday to Friday and 9am-5pm on weekends and public holidays.

[Netsafe](#) – 0508 NETSAFE (0508 638 723) or email [queries@netsafe.org.nz](mailto:queries@netsafe.org.nz)

### 10.1.4 Child Protection Services Information For YMCA

When engaging Child Protection Services, YMCA reporting staff should where possible be provided with the following information:

- Clarity on how the concerns will be taken forward by the service and what will happen next.
- Clarity on what the child and their parents will be told, by whom and when; including how YMCA staff should

manage any possible interim contact with the child/family/person of concern, etc.

- Clarity on how YMCA will receive feedback on relevant information and/or the progress of the investigation (within case remits).
- If the response does not meet YMCA expectations, YMCA should formally state the response being sought.

## 10.2 Escalating Concerns

### 10.2.1 To Child Protection Services

YMCA may escalate child/young person safeguarding concerns to intervention or child protection services when:

- The Parent/Guardian fails to acknowledge and/or engage around, the identified concerns, particularly when additional external single or multi-agency needs have been identified.
- Current applied methods are failing to address concerns and they are continuing to impact on the child and/or other children.
- Multi-agency community early intervention structures are not available.
- If families disengage from YMCA and concerns remain for the child/young person.

### 10.2.2 Within YMCA

YMCA Safeguarding Staff will ensure that any concerns meeting the below are escalated for CEO or CEO/Board awareness and/or involvement.

#### **C.E.O Awareness**

- There is potential of concerns having occurred and/or escalated due to YMCA practice errors.
- There are any significant errors in practice from partner agencies (e.g. Oranga Tamariki/ Police) that may impact on the case, YMCA and/or YMCA's reputation.
- Case requires YMCA Staff HR disciplinary actions.
- Case requires being shared with partner agencies e.g. NZ Ministries; YMCA NZ, contract Partner Agencies, etc.
- There *may be* a risk of media interest in the case and/or the case has similarities to previous YMCA cases covered by NZ and/or International media.

#### **C.E.O Involvement and Board Awareness**

- Concerns relate to Senior Management.
- Case relates to YMCA Staff and requires working under the advice, guidance and/or instruction of Child Protection Services e.g. Police, Oranga Tamariki.
- Concerns *have* occurred and/or escalated due to YMCA practice errors.
- Case requires being reported to partner agencies e.g. NZ Ministries; YMCA NZ, contract Partner Agencies, etc.
- The case has a relevance to the national and/or international YMCA brand and reputation.
- There *is* media interest in the case and/or the case has similarities to previous YMCA cases covered by NZ and/or International media.

## 10.3 Supporting Those Involved

### 10.3.1 Child/Young Person/Parents/Guardians

All safeguarding concerns requiring parental engagement will be shared with and managed with consent from parent(s)/carer(s), with undertakings reflecting a working partnership.

For child protection concerns being managed in conjunction with statutory services, the sharing of information and support structures for the child/young person and their parent/carer will be managed under guidance from these specialist services. Where possible and appropriate, the Safeguarding Manager and/or designated person will aim to ensure the parent(s)/carer(s) of any child/young person, who are the subject of or subject to any concerns, are informed of the concerns raised and kept informed of case progress.

### 10.3.2 Involved Staff Member

YMCA will ensure any staff member who is the subject of safeguarding concerns and/or allegations is, as appropriate, kept informed of the concerns raised and the investigation progress.

YMCA will ensure staff are offered support throughout this process and, if required, are safeguarded from possible further vulnerability while the case is investigated. YMCA may adopt any of the following immediate safeguards until the matter is resolved:

- Additional supervision of the staff member concerned.
- Redeploying the staff member concerned to alternative non-child/family facing duties.
- Suspension of the staff member concerned from duty.

As stated, this may require the staff member to be absent from work on suspension pending the completion of any YMCA and/or statutory services investigation. Depending on the circumstances, including the duration of any investigation, YMCA may exercise its discretion for some or all of the period of suspension to be unpaid. YMCA will make arrangements to ensure the staff member is kept informed of all role, responsibility and workplace developments during their absence.

All safeguarding actions taken are done so in the interests of protecting **all** of those involved and in the interests of maintaining a fair investigation. No action should be interpreted as anything other than a precautionary safeguarding measure whilst the matter is under investigation. All processes will be in accordance with statutory responsibilities and YMCA employment policies and procedures.

YMCA can also arrange for independent individual support via the Employee Assistance Programme.

### 10.3.3 Other Staff Members

Should a case identify support needs for any other staff impacted by a safeguarding case, YMCA will where possible, arrange to provide appropriate support for staff, including that which may be provided via the Employee Assistance Programme or alternative structures if required.

## 10.4 Inclusivity

YMCA strives for an inclusive community where everyone has the opportunity to reach their potential. YMCA is committed to providing opportunities for all people to grow in body, mind and spirit. YMCA welcomes inclusivity and wishes for all serving and aligned to YMCA to value and promote our differences across all areas of diversity.

## **11. Policy Monitoring and Review**

YMCA will utilise all induction, training evaluation, case learnings and staff/customer communication systems to support monitoring this policy. YMCA may also decide to hold a specific monitoring and/or evaluation model against this policy directly. YMCA will also use any of this information to support safeguarding policy reviews.

YMCA will review this policy annually.

The review will be mindful to any developments and/or changes (including upcoming) within YMCA, YMCA activities, child/young and/or vulnerable adult engagement, laws and sector standards, etc. that may have relevance to this policy and associated procedures.

In addition to integrating customer and staff feedback, YMCA will also integrate any safeguarding case learnings.

Some circumstances may trigger an early review; this includes but is not limited to legislative changes, organisational changes, case outcomes and other matters deemed appropriate by the Board, CEO and/or Safeguarding Governance Group.

## **12. Other applicable policies, procedures and/or guidance**

Early Childhood Education Curriculum Framework 2016

Level 3 Social Sector Accreditation Standards

Licensing Criteria for Early Childhood Education & Care Services 2008

MDS Social Sector Accreditation Standards - Level 3, Version 4 - Last updated 20/04/2016

MDS Specialist Accreditation Standard: Outdoor Pursuits and Camp Programmes for Children and Young People

MSD Specialist Accreditation Standard: Out of School Care and Recreation (OSCAR) Programmes

YMCA Employee Policies and Procedures

YMCA Behaviour Management Policy

YMCA Policy Breach Protocol

YMCA Whistleblowing Policy

## Appendix 1 – Glossary of Terms

<b>Board of Directors (BoD)</b>	This is YMCA’s Governing Body, the Board hold overall responsibility and accountability for YMCA and are to whom the Chief Executive Officer reports.
<b>Categories of Abuse</b>	<p>The title given to the main components that the different forms of abuse may fall under. The four main categories are - Physical Abuse, Emotional Abuse, Sexual Abuse and Neglect.</p> <p>In addition to the above main categories, due to their prevalence within New Zealand, YMCA internally also recognise the following as categories of abuse:</p> <ul style="list-style-type: none"> <li>▪ Grooming and Exploitation</li> <li>▪ Family Violence</li> <li>▪ Bullying/Cyberbullying</li> <li>▪ Safeguarding and Technology</li> <li>▪ Cumulative Harm</li> </ul>
<b>Child Abuse</b>	<b>Section 2, Oranga Tamariki Act 1989</b> defines child abuse as: “...the harming (whether physically, emotionally, sexually), ill treatment, abuse, neglect or deprivation of any child or young person”.
<b>Child Protection</b>	Child Protection refers to the activity undertaken to protect specific children who are suffering or likely to be suffering significant harm. <i>Source: Adapted from UK National Society for Prevention of Cruelty to Children (NSPCC).</i>
<b>Child Safe</b>	YMCA believes children have the right to be protected from being harmed both physically and mentally. YMCA aims to ensure children are properly cared for and protected from violence, exploitation, abuse and neglect.
<b>Child/Young Person</b>	YMCA defines a child/young person as someone aged from 0-18 years (up to their 18 <sup>th</sup> birthday), who is not married or in a civil union. We further recognise: <ul style="list-style-type: none"> <li>▪ A young person as being between 12-18 years.</li> <li>▪ A young adult as being 18 -24 years.</li> </ul>
<b>Disclosure</b>	The term used when referring to the act of making something relating to vulnerability, abuse and/or neglect known. Disclosures can be direct or indirect and may be provided with or without understanding of what has been disclosed (e.g. knowing or not knowing they are indicating abuse may have/has occurred).
<b>Early Intervention</b>	Early Intervention is about reducing the prevalence and severity of risk factors that have already occurred or are known risk factors that will occur without intervention.
<b>Harm</b>	Harm, to a child/young person, is any detrimental effect of a significant nature on the person’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. <i>Source: adapted from UK Government, Working Together to Safeguard Children, July 2018</i>
<b>Indicator</b>	Something either physical, behavioural or environmental that could signify a child/young person may be or is suffering from vulnerability, abuse and/or neglect.

<b>Ministry of Social Development (MSD)</b>	<p>The Ministry of Social Development help New Zealanders to be safe, strong and independent. They work towards this through providing:</p> <ul style="list-style-type: none"> <li>▪ employment, income support and superannuation services.</li> <li>▪ funding to community service providers.</li> <li>▪ policy and advice to government.</li> <li>▪ student allowances and loans.</li> <li>▪ public housing assistance.</li> </ul> <p>For Community services, they also set and audit against sector standards. For YMCA this is applicable within our Out of School Care and Recreation (OSCAR) Programmes and Camps.</p>
<b>Oranga Tamariki Ministry for Children</b>	<p>The Ministry dedicated to supporting any child in New Zealand whose wellbeing is at significant risk of abuse or neglect, now, or in the future. They also work with young people who may have offended or are likely to offend.</p>
<b>Parent/Guardian or Extended Guardianship</b>	<p>A person who has legal parental responsibility to provide care for a child/young person. This includes biological parents, foster parents, guardians and those assessed by the court as legal carers.</p>
<b>Police</b>	<p>Police are the legal agency responsible for responding to situations where there are immediate concerns for the safety of a child/young person, or anyone else in immediate danger, and/or a criminal act has taken place.</p>
<b>Primary Prevention</b>	<p>Primary prevention is the goal of preventing problems or the development of problems (risk factors) that place people at risk from occurring. This can be individual but also by targeting environments, social and cultural factors.</p>
<b>Position of Trust</b>	<p>Any person who is in a professional position to engage and/or work with children/young people and/or vulnerable adults.</p>
<b>Registered YMCA Service</b>	<p>Any child service provided by YMCA where parental or other adult (non-YMCA workforce) attendance and child supervision is not required. A registered service will represent processes of the child becoming under YMCA duty of care e.g. via service enrolment, signing in/out processes, etc.</p>
<b>Safeguarding</b>	<p>Is promoting the welfare of children and young people by:</p> <ul style="list-style-type: none"> <li>▪ Protecting children from maltreatment</li> <li>▪ Preventing impairment of children’s health or development</li> <li>▪ Ensuring children are growing up in circumstances consistent with the provision of safe and effective care</li> <li>▪ Taking action to enable all children to have the best outcomes</li> </ul> <p><i>Source: adapted from UK Government, Working Together to Safeguard Children, July 2018</i></p>
<b>Safeguarding Staff</b>	<p>Staff YMCA employ to serve YMCA’s safeguarding needs. These staff receive additional and specific safeguarding training to support them of being in a position to give advice, guidance and support to others.</p>
<b>Staff</b>	<p>For the purpose of this policy staff refers to those engaged by or working for YMCA whether on a paid, voluntary, educational/vocational training placement or contractual basis. It also includes any external personnel engaged by YMCA as a Children’s Worker.</p>
<b>Statutory Service</b>	<p>A statutory services is a government mandated provision to the public e.g. protection services via Police, Oranga Tamariki.</p>

<b>Vulnerability</b>	YMCA defines vulnerability as: “...Vulnerable children are children who are at significant risk of harm to their wellbeing now and into the future as a consequence of the environment in which they are being raised and, in some cases, due to their own complex needs. Environmental factors that influence child vulnerability include not having their base emotional, physical, social, developmental and/or cultural needs met at home or within their wider community”. <i>Source: The White Paper for Vulnerable Children Volume 1 (October 2012) definition</i>
<b>Vulnerable Adult / Adult at Risk</b>	In addition to the Crimes Act 1961, s2 definition of a vulnerable adult - someone who because of their age, sickness or mental impairment, or because they are in detention is completely unable to remove themselves from the care or charge of another person. YMCA also recognises a vulnerable adult as any person over 18 years who is at risk from or suffering vulnerability, abuse and/or neglect.
<b>Whistleblowing</b>	The term used to describe the confidential reporting of concerns within an organisation, often outside normal line management terms of reference.
<b>Workforce</b>	For the purpose of this policy workforce represents all employees, volunteers, student placements, consultants and contractors and any other person serving on behalf of YMCA.
<b>YMCA</b>	This means YMCA Central including any other location, settings or service falling under YMCA Central’s remit.

## Appendix 2 – Legislation and Guidance

### te Tiriti o Waitangi/the Treaty of Waitangi

Te Tiriti/the Treaty is New Zealand's founding document. Signed in 1840, it is an enduring, living document, its principles recognised in legislation and interpreted by the courts. It is part of the fabric of New Zealand society. It is the foundation of a bicultural partnership between Māori and Tauīwi (non-Māori New Zealanders) in Aotearoa. The Treaty is articulated in law through an evolving set of principles.

### Children's Act 2014

The Children's Act 2014 was part of a series of comprehensive measures brought in to protect and improve the wellbeing of vulnerable children. Main elements of the act include:

#### Child Protection Policies

The Act requires all services to have Child Protection Policies where their service receives government funding and the service is to a child, or an adult where there is a child in the household. The act requires Child Protection Policies be:

- Reviewed every 3 years.
- Available on the organisational websites and in hard copy.
- Able to support staff in identifying and reporting abuse and neglect concerns

#### Workforce Safety Checks

The Act sets out requirements for core safety checks (screening and vetting) on those working within the children's workforce. People with serious convictions are prohibited from working with children, unless they are granted an exemption. Police checks are to be completed prior to staff starting in positions. Offers of employment should be subject to a satisfactory police records check. Vocational trainees and placement students working with children are also required to be safety checked under the Children's Act 2014.

In accordance with the Act, staff police checks should be renewed every 3 years.

Section 2, Interpretation, notes:

**Children's worker** means a person who works in, or provides, a regulated service, and the person's work—

- may or does involve regular or overnight contact with a child or children (other than with children who are co-workers); and
- takes place without a parent or guardian of the child, or of each child, being present

**Regular or overnight contact** with children if— the person has contact (other than merely incidental contact) with a child or children—

- (i) overnight; or
- (ii) at least once each week; or
- (iii) on at least 4 days each month

**Contact** is any of the following kinds:

- (i) physical contact:
- (ii) oral communication, whether in person or by telephone:
- (iii) communication through any electronic medium, including by way of writing or visual images.

**Work** means work that is—

- (a) paid work; or
- (b) unpaid work that is undertaken as part of an educational or vocational training course.

## **Oranga Tamariki Act 1989 (Children’s and Young People’s Well-being Act 1989)**

**Section 2, Interpretation**, notes:

- *Child* means a person under the age of 14 years.
- *Young person* means a person under the age of 18 years.

**Section 15, Reporting of concerns to chief executive or constable**: Any person who believes that a child or young person has been, or is likely to be, harmed, ill-treated, abused, (whether physically, emotionally, or sexually), neglected, or deprived, or who has concerns about the well-being of a child or young person, may report the matter to the chief executive or a constable. *Section 15:replaced, on 1July 2019, by [section 18](#) of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017(2017 No 31).*

**Section 16,.Providing information about safety or well-being of child or young person** - No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person under this Part, of information concerning a child or young person (whether or not that information also concerns any other person), unless the information was disclosed or supplied in bad faith. *Section 16:amended, on 1 July 2019, by [section 19\(2\)](#) of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017(2017 No31).*

**Section 17, Investigation of report of ill-treatment or neglect of child or young person** - If the chief executive or a constable receives a report under [section 15](#) relating to a child or young person, they must,—

- (a) as soon as practicable after receiving the report, if it appears that an investigation is necessary or desirable, commence an investigation or arrange for an investigation to be commenced....
- (b) as soon as practicable after an investigation has commenced, consult a care and protection resource panel; and
- (c) unless it is impracticable or undesirable to do so, as soon as practicable after a decision is made not to investigate or the investigation has concluded, inform the person who made the report—
  - (i) whether the report has been investigated; and
  - (ii) if so, whether any further action has been taken.

## **Crimes Amendment Act 2011, Section 195 and 195A – Failure to protect child or vulnerable adult**

Under section 195 and 195A of this Act, a child is defined as a person under the age of 18 years.

1) Everyone is liable to imprisonment for a term not exceeding 10 years who, being a person described in subsection (2), has frequent contact with a child or vulnerable adult (the **victim**) and—

“(a) knows that the victim is at risk of death, grievous bodily harm, or sexual assault ....fails to take reasonable steps to protect the victim”

2)The persons are—

“(a)a member of the same household as the victim; or

“(b)a person who is a staff member of any hospital, institution, or residence where the victim resides.”

## **Crimes Act 1961, s 2**

A vulnerable adult is someone who because of their age, sickness or mental impairment, or because they are in detention, is completely unable to remove themselves from the care or charge of another person. They may still have the mental capacity (in terms of the 3PR Act) to make or communicate decisions.

## **Section 10B, Summary Offences Act 1981 – Leaving a child without reasonable supervision and care**

Every person is liable to a fine who, being a parent or guardian or a person for the time being having the care of a child under the age of 14 years, leaves that child without making reasonable provision for the supervision and care of the child, for a time that is unreasonable or under conditions that are unreasonable having regard to all the circumstances.

### **The Harmful Digital Communications Act 2015**

The purpose of this Act is to—

- (a) deter, prevent, and mitigate harm caused to individuals by digital communications; and*
- (b) provide victims of harmful digital communications with a quick and efficient means of redress.*

The act introduces a civil regime and criminal offences including:

1. A criminal offence, “causing harm by digital communication” (s 22).
2. A broadening of the “incitement to commit suicide” criminal offence in s 179 of the Crimes Act 1961. This offence now applies regardless of whether victims attempt to take their own lives (s 30).
3. A “safe harbour” provision for content hosts. Hosting providers can now avoid liability by following a clear complaints process when you contact them about harmful material hosted on their systems (ss 23-25).

### **United Nations Convention on the Rights of the Child 1989 (UNCROC)**

The UNCROC is a human rights treaty setting out civil, political, economic, social, health and cultural rights of children. The Convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under a state's own domestic legislation. New Zealand ratified the Convention on 6 April 1993. This means the NZ Government has agreed that the best interests of the child must come first where decisions, laws or services involve children.

### **Human Rights Act 1993**

The Human Rights Act deals with discrimination and consolidates and amends the Race Relations Act 1971 and the Human Rights Commission Act 1977. The Act governs the work of the New Zealand Human Rights Commission. The Human Rights Act outlaws discrimination on the basis of:

- Sex (including pregnancy and childbirth)
- Marital status
- Religious belief
- Ethical belief
- Colour
- Race
- Ethnic or national origins
- Disability
- Age
- Political opinion
- Employment Status
- Family Status
- Sexual orientation

### **Health and Disability Commissioner Act 1994**

The purpose of this Act is to protect the rights of health and disability customers and provide them with fair and efficient complaint resolution when those rights have been breached. This is achieved through the application of the Code of Health and Disability Services Consumers' Rights. The Code is a regulation under the Act therefore has the force of law. The Code of Rights gives 10 rights to those who use the service:

1. To be treated with respect.
2. To be treated fairly without pressure or discrimination.
3. The right to dignity and independence.
4. To receive a quality service and to be treated with care and skill.
5. To be given information that can be understood in a way that helps them communicate with the person providing the service.
6. To be given the information needed to know about their health or disability; the service being provided and the names and roles of the workers; as well as information about any tests and procedures they need and any test results. In New Zealand, people are encouraged to ask questions and to ask for more information to help them understand what is going on.
7. To make their own decision about their care, and to change their mind.
8. To have a support person with them.
9. To have all these rights apply if they are asked to take part in a research study or teaching session for training workers.
10. To have the right to complain and have their complaint taken seriously.

### **Family Violence Act 2018**

Parliament passed two major pieces of new legislation: the Family Violence Act 2018 which repeals and replaces the Domestic Violence Act 1995 and the Family Violence (Amendments) Act 2018 which amends the Bail Act 2000, Crimes Act 1961, Sentencing Act 2002, Evidence Act 2006, Criminal Procedure Act 2011 and Care of Children's Act 2004.

The Family Violence Act 2018 replaces the Domestic Violence Act 1995 and gives decision-makers in the family violence system better guidance about the nature and impact of family violence. The Act enables the family violence sector to have a more consistent response to victims and those who inflict family violence. It also:

- Updates the definition of family violence to better reflect how controlling behaviour can be used over time to frighten a victim and undermine their autonomy.
- Provides a set of principles to guide decision making and support a consistent, appropriate and timely response for all.
- Names 10 government agencies and a range of social service practitioners as Family Violence Agencies.
- Makes a range of changes to Protection Orders to improve uptake and effectiveness and increase the safety of protected people.
- Clarifies that a carer can also be in a close personal relationship with the person they care for.
- Increases the maximum duration of Police Safety Orders and increases support for bound people.
- Removes legal barriers to information sharing between agencies to increase victims' safety.

### The Family Violence (Amendments) Act 2018

The Family Violence (Amendments) Act 2018 takes changes to a number of Acts to improve responses to family violence in both the criminal and civil law. The Act:

- Ensures that the safety of victims, including children, is the priority when courts make decisions on bail.
- Creates the new family violence offence of strangulation or suffocation.
- Makes it an offence to force someone into marriage or a civil union in New Zealand or overseas.
- Makes it a specific offence to assault a family member.
- Makes a Protection Order being in place when an offence is committed an aggravating factor to be considered at sentencing.
- Introduces a 'family violence flag' to make cases more visible in the system.
- Gives family violence offending greater visibility in the courts.

### Improved protection for children and victims

The Care of Children Act has been amended to better protect children and victims in parenting arrangements. It:

- empowers judges considering applications under the Care of Children Act (CoCA) to make temporary Protection Orders where they have concerns about the safety of a child or adult.
- empowers judges to impose protective conditions for child handover arrangements if there's been family violence including psychological violence.
- requires judges to consider the existence or breach of a Protection Order when they assess a child's safety.

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

### Information Sharing

**Section 6, Privacy Act 1993 - Principle 11**, Limits on disclosure of personal information:

An agency that holds personal information shall not disclose the information to a person or body or agency unless the agency believes, on reasonable grounds..., that the disclosure of the information is necessary to prevent or lessen a serious threat to:

- Public health or public safety.
- The life or health of the individual concerned or another individual.

New guidance on information sharing under the [Family Violence Act 2018](#) and [Oranga Tamariki Act 1989](#) (Children's and Young People's Well-being Act 1989) has been published by the Ministry of Justice and the Ministry for Children - Oranga Tamariki. New provisions on information sharing in these pieces of legislation come into force on 1 July 2019. The helpline on 0508 INFOSH (463 674) can assist if you have any questions about the information guidance.

### "The Family Violence Act 2018:

- Introduces new laws that allow information to be shared to identify, stop, prevent and otherwise respond to family violence.
- Applies to the family violence sector.

### **The Oranga Tamariki Act 1989:**

- Amends the existing information sharing provisions to allow information to be shared for the safety and wellbeing of tamariki.
- Applies to the child welfare and protection sector.

Both Acts:

- Apply to many of the same agencies and people, including schools, early childhood services, health professionals, social workers, some non-government organisations, Police and other government departments.
- Are designed to encourage agencies and people to voluntarily share information and work collaboratively.
- Are about ensuring information that is relevant is shared appropriately, and for the right purposes.
- Mean people are generally protected from civil, criminal or disciplinary proceedings as long as information is shared in good faith, and they comply with the relevant information sharing provisions”.

Source: <https://nzfvc.org.nz/news/new-information-sharing-guidance-1-july-2019>

### **Education (Early Childhood Services) Regulations 2008**

The regulations set standards and expectations for curriculum development, teacher qualifications, centre size and ratios, health and safety practices, facilities and premises, and governance, management and administration requirements. The regulatory framework for ECE consists of:

- i. the Education Act 1989
- ii. the Education (Early Childhood Services) Regulations 2008 and the Education (Playgroups) Regulations 2008
- iii. Licensing criteria for ECE services, kōhanga reo and playgroups.

## Appendix 3 – Safeguarding Code of Conduct

<b>YMCA SAFEGUARDING CODE OF CONDUCT</b> <b>*Staff (Including Volunteers and Contractors).....MUST</b>	
<b>(A) Complete YMCA Safeguarding Induction Process</b>	
1 <sup>st</sup> Week:	I. Know how to access YMCA Safeguarding and Child Protection Policy and Safeguarding Code of Conduct, including requirements on identifying and reporting concerns.
1 <sup>st</sup> Month:	II. Staff <b>must</b> complete Online Safeguarding Training within their 1 <sup>st</sup> month (preference is to complete within their first week). III. Attend a Safeguarding and Child Protection Policy Briefing, completing their commitment statement. IV. Role model their Position of Trust, treating this position, power and trust with the highest responsibility.
3 Months:	V. Undertake YMCA Safeguarding Training applicable to position responsibilities (to be refresh annually). VI. Have awareness of and adhere to sector standards in approved or otherwise regulated YMCA services e.g. ECE, OSCAR, Camps, etc.
<b>(B) YMCA Staff Position of Trust</b>	<b>(C) Child/Young Person's Welfare</b>
<ol style="list-style-type: none"> <li>1. Only start YMCA positions and active duties upon full completion of YMCA Safer Recruitment, including Police Vetting (revised every 2 years).</li> <li>2. Report any criminal charges or convictions prior to and during employment that may indicate a possible risk to children/young people or may affect position duties.</li> <li>3. When customer facing wear YMCA uniform (ideally with name badge), ensuring conduct adheres to YMCA values and Uniform Policy.</li> <li>4. Make sure staff and service information creates parental awareness to positions or activities needing 1-to-1 working and/or physical contact with a child/young person (e.g. Raise Up, Camps, Recreation activities, etc.).</li> <li>5. Make certain parent/guardian written consent is obtained for:               <ol style="list-style-type: none"> <li>a. YMCA excursions or camps (including informing of travel and sleeping arrangements).</li> <li>b. Any imagery taken by or within YMCA settings/programmes (in accordance with YMCA Safeguarding Imagery Policy).</li> </ol> </li> <li>6. Use only YMCA platforms/resources for communicating with children/young people or their families (e.g. YMCA email, phones, social media, etc.) with all communication reflecting appropriate language and tone.</li> <li>7. All electronic communication for U18s is for service purposes only and directed via parents/guardian, unless guided via business unit procedures (e.g. Raise Up). Business unit processes enabling direct contact must reflect parental consent. Staff are still only to use YMCA resources.</li> </ol>	<ol style="list-style-type: none"> <li>1. Adhere to staff/child ratios and where possible reflect staff diversity.</li> <li>2. Make certain work with children/young people is within hearing distance and the line of sight of other YMCA staff or other adults. Exceptions may apply when:               <ol style="list-style-type: none"> <li>a. Difference is reflected in position descriptions or service operation information.</li> <li>b. An exceptional circumstance (e.g. emergency), managed with Safeguarding staff.</li> </ol> </li> <li>3. Maintain signing in/out logs, being vigilant to the arrival/collection of children/young people.</li> <li>4. Only release children/young people to those recorded as authorised or as notified to YMCA by the parent/guardian. Verifying the ID upon collection.</li> <li>5. Ensure visitors are signed in/out, visible to staff and never left alone with children/young people.</li> <li>6. Maintain appropriate language, boundaries and relationships when working with children/young people and their families. Using YMCA behaviour management processes to manage any challenging behaviour.</li> <li>7. Make sure all children/young people using or within the areas of IT are protected from exposure to inappropriate material (emotional, sexual or violent) e.g. web content, social networking sites, instant messaging or game sites.</li> <li>8. Remain alert to identifying and reporting indicators of vulnerability, abuse (including grooming) and/or neglect.</li> <li>9. Obey YMCA's mandatory safeguarding reporting processes.</li> <li>10. Respect diversity and promote inclusivity, where needed working with parents/carers and/or other services to offer additional support.</li> </ol>
<b>*Different training and induction processes apply for staff under 16 years</b>	

Source: adapted from YMCA North

### Appendix 3 – Safeguarding Code of Conduct

<b>YMCA Staff (Including Volunteers and Contractors)...MUST NOT</b>	
MUST NOT breach Safeguarding Code of Conduct 'Must' criteria,	
(A) YMCA Staff Position of Trust	(B) Child/Young Person's Welfare
<ol style="list-style-type: none"> <li>1. Undertake any form of sexual behaviour or engagement with, or in the presence of, an U18 accessing YMCA services or programmes. Doing so is a breach of YMCA's position of trust.</li> <li>2. Sexual behaviour includes contact and non-contact behaviour e.g. flirting, sexual innuendo, sexting, taking or exposing children/young people to inappropriate messages, images or nudity (e.g. via text, email, magazines, other).</li> <li>3. Behave in a manner open to perceptions of grooming. Whilst not exclusive this includes:               <ol style="list-style-type: none"> <li>a. Taking a child to a personal setting (e.g. staff member's home) or encourage contact outside of YMCA remits.</li> <li>b. Being 'secretive' with or encouraging children/young people to keep secrets.</li> <li>c. Giving of personal gifts.</li> <li>d. Sharing accommodation with a YMCA child/young person.*</li> <li>e. Provide additional childcare for a YMCA child/young person, outside of YMCA's Out-of-hours Childcare Services Guidance.</li> </ol> </li> <li>4. Attend work under the influence of or in the possession of drugs or alcohol.</li> <li>5. Take or share child/young person imagery without parental consent.</li> <li>6. Travel alone with or transport in own vehicles, a YMCA child/young person before, during or after a YMCA program, excursion or camp. Exceptions may apply when:               <ol style="list-style-type: none"> <li>a. Difference is reflected in position descriptions or service operation information.</li> <li>b. An exceptional circumstance (e.g. emergency), managed with Safeguarding staff</li> </ol> </li> <li>7. Wear YMCA uniforms when not working (except to travel to and from work).</li> <li>8. Work/volunteer for YMCA if additional hours either via YMCA or secondary employment, will or have had, an impact on staff's capability and competence to perform YMCA duties.</li> </ol>	<ol style="list-style-type: none"> <li>1. Release a YMCA child/young person to anyone other than an authorised person(s) without the parents' permission.</li> <li>2. Leave children/young people alone when they are using personal facilities. Peers may escort one another in pairs, although variance in pairings should be evident.</li> <li>3. Discipline a child/young person outside of sector standards and/or YMCA expectations.</li> <li>4. YMCA discipline processes do not include:               <ol style="list-style-type: none"> <li>a. Any form of physical punishment or contact affecting the physical or emotional welfare of a child/young person.</li> <li>b. Emotional abuse including use of threats, favouritism, swearing, reference to diversity differences and/or withdrawal of care necessities (including food, shelter and emotional warmth).</li> <li>c. Any form of treatment that could be considered cruel, frightening or degrading:</li> </ol> </li> <li>5. Say negative, violent or sexually suggestive comments to a child/young person.</li> <li>6. Initiate or participate in unnecessary or inappropriate physical contact. Whilst not exclusive this includes:               <ol style="list-style-type: none"> <li>a. Performing unwanted touch and/or touching personal body areas.</li> <li>b. Performing personal care that a child is capable of performing on its own e.g. changing clothes, feeding, toileting and/or assisting with medication.</li> <li>c. Contact that risks causing pain, distress or harm.</li> <li>d. Engage in unnecessary affection to a child/young person e.g. sitting a child on laps, hugging, cuddling, kissing, etc.</li> <li>e. Permitting and participating in games promoting unnecessary physical contact e.g. rough, boisterous play (e.g. horseplay/jungle gym).</li> </ol> </li> <li>7. Provide independent support to a YMCA child/young person or their family that's not part of YMCA's services or outside of YMCA Out-of-hours Childcare Services Guidance. Staff should maintain a professional relationship with children and young people so that boundaries do not become blurred e.g. by cultivation of a relationship with a child, young person or family outside the programme. This includes not accepting babysitting requests or offering to babysit for a family that is known through one of YMCA's services or programmes.</li> </ol>

**A BREACH OF ANY OF THE ABOVE MAY BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL**

Source: adapted from YMCA North

## Appendix 4 – Safeguarding Incident Form

- Record concerns and actions on a Safeguarding Incident Form ASAP.
- Must be completed before the end of shift or session of work with YMCA ends.
- Record **word for word** anything stated by the child/person disclosing, what you have said, and any actions taken.

<b>Safeguarding Incident Form</b> (to be completed by staff for all safeguarding concerns, suspicions or disclosures of child abuse)		
<b>Child's Details</b>		
First Name	Last Name	Date of Birth
Current address of child		
<b>Parent/Caregivers Details</b>		
First Name	Last Name	
Home Phone	Work Phone	Mobile Phone
Email address		
<b>Description of safeguarding incident</b>		
What happened to prompt the completion of this form? <ul style="list-style-type: none"> <li>List any observations that may be relevant</li> <li>What did you see or hear? (e.g injuries, changes in behaviours, discussions with child)</li> <li>Record What, How, When, Where</li> <li>Include dates where possible</li> </ul>		

<b>Any other comments (e.g previous concerns)</b>		
<b>Other background information that may be relevant</b>		
<b>Form completed by:</b>		
First Name	Last Name	Position
Contact phone number	Signature	Date
<b>Action</b>		
Name of Manager contacted		
Date of Notification	Time of Notification	
Manager Signature		
Referral to Senior Management		Yes/No
Date of Notification	Time of Notification	