

LAKE HOUSE ARTS

(LHAC and LHAI)

Child Protection Policy

• Updated March 2020

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Introduction This Child Protection Policy is designed to support the child protective practices of all Lake House Arts Centre (LHAC) and Lake House Arts Interactive (LHAI), Governance, Management, Employed Staff, Contract Staff, Volunteers, Stakeholders, and Funders. This policy is created in recognition of requirements for child protection policies under the Vulnerable Children Act 2014, and also with the understanding of best practice.

LHAC AND LHAI has a culture of child protection and is open and accountable. LHAC AND LHAI understand the needs of children, and makes their safety and security a priority. The LHAC AND LHAI Child Protection Policy reflects these values, and supports the organisation in creating a safe environment for children, as well as for staff. The LHAC AND LHAI Child Protection Policy supports a culture of child protection; where concerns for a child's wellbeing are identified and responded to quickly; where staff are trained and supported; where if required staff work closely with external agencies to provide positive outcomes for children.

This Child Protection Policy contains all sections recommended to be included in a child protection policy.

This Child Protection Policy was created by LHAC AND LHAI Operations Manager Grae Burton and Updated in MARCH 2020.

Principles LHAC AND LHAI are committed to the prevention of abuse and to the well-being of children, young people, vulnerable adults and their families. All services provided by and within LHAC AND LHAI adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

Purpose The most effective way to safeguard children is to have a comprehensive and effective policy, with attached practices and guidelines. This Policy is written under the principle that children and young people engaged in activity provided by and within LHAC AND LHAI have a right to feel safe and comfortable in that contact. This Policy will be reviewed annually, and updated regularly in the light of operational experience and in line with changes in legislation and associated policies. The responsibility for the review and implementation of this policy rests with the Operations Manager.

Scope The scope of this policy covers all children who interact with LHAC AND LHAI, whether visiting LHAC AND LHAI, participating in activities provided by or within LHAC AND LHAI.

Definitions For the purposes of this policy “Child” means a boy or girl under the age of 14 years, “Young person” means a boy or girl of or over the age of 14 years but under 17 years; but does not include any person who is or has been married or in a civil union (Children, Young Person, and Their Families Act 1989, Section 2).

For the purposes of this Policy “Staff” means all those employed by LHAC AND LHAI, whether paid or voluntary, full time or part-time, employee or contractor.

For the purposes of this Policy “Stakeholder” includes any Trustee or Resident, including employees and contractors of Residents, whether paid or voluntary.

Considerations and References:

- Children, Young Persons and Their Families Act, 1989
- Crimes Act, 1961
- Domestic Violence Act, 1995
- Health Act, 1956
- Health and Disability Sector Standards Regulations, 2001
- Privacy Act, 1993
- Health Information Privacy Code, 1994
- Vulnerable Children Act, 2014
- Care of Children Act, 2004
- Employment Relations Act, 2000
- Human Rights Act 1993
- Health and Safety At Work Act (in effect from April 2016)

Definition of Child Abuse The Children, Young Persons and their Families Act, 1989, defines child abuse as "...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person".

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

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing, touching, masturbation) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, causing long term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs.

Family Violence is physical, emotional, sexual and other abuse by someone (usually but not always a man) of a person (usually but not always a woman) with whom they have or have had some form of intimate relationship with, such as marriage or cohabitation, in order to maintain power and control over a person. It is important to be vigilant to any signs, particularly if children are being affected.

Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games, online e-learning or using mobile phones. Children and young people may experience cyberbullying, grooming, sexual abuse, sexual exploitation or emotional abuse.

Roles and Responsibilities of Staff The Education Coordinator shall be the Primary Designated Person (DP) for Child Protection.

If for any reason the Education Coordinator is unavailable, the Operations Manager shall be the Designated Person (DP) for Child Protection.

Sustained abuse and neglect of children, wherever it occurs, can have major long term effects on all aspects of children's health, development and well-being and their ability to sustain stable and meaningful relationships in the future. It is the intention of LHAC AND LHAI to ensure that all staff and stakeholders understand their roles and responsibilities in ensuring the safety of children at all times.

It is the responsibility of staff and stakeholders to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

LHAC AND LHAI staff and stakeholders must be able to recognise and respond to concerns for the wellbeing of children. There are a number of ways or situations where concerns might be raised with a member of staff or stakeholder which may not involve a child making a disclosure directly. Staff and stakeholders should, therefore, be alert and aware of the fact that a range of situations could give rise to concerns about child protection.

Child Protection Procedures All concerns of potential, suspected or alleged abuse must be brought to the attention of the Designated Person (DP) for Child Protection. If the DP is unavailable then consultation should occur with the Secondary DP and/or an alternative appropriate Manager. A decision will be made as to whether to seek further advice or notify Oranga Tamariki.

If a child makes a verbal disclosure to a member of staff it is important that staff or stakeholders take what the child says seriously.

LHAC AND LHAI have a duty of care to the children it provide services to. A failure to report a significant concern about a child is a breach of that child's human rights.

Under no circumstances should a member of staff or a stakeholder attempt to conduct an investigation or deal with concerns regarding child abuse alone.

All decisions taken, including if the concern does not require notifying Oranga Tamariki, must be recorded in writing and kept securely in a Child Protection file with the reasons clearly identified and explained.

The Child Protection Preliminary Report TEMPLATE is located at –

https://lakehouse-my.sharepoint.com/:w:/g/personal/manager_lakehousearts_org_nz/EUzEwpZ_BVpBnrDwmYHkFckB1DI3AJ5QbVHWIFp-exrn2A?e=LJMuf5

Only the DP, Operations Manager and Chair of Lake House Trust will be given access to the Report.

The DP will support and write an extended report with further detailed information within 24 hours of a verbal disclosure and should it be deemed necessary. That report will be linked in the Child Protection Preliminary Report File.

The DP may include visual evidence such as photographs and diagrams, provided it does not cause any further discomfort or harm to anyone participating in the disclosure.

Giving information to protect children better is not a breach in confidentiality. Wherever possible the family/whanau should be kept informed of what information has been shared and to which agency, and for what purpose. Guidance of sharing information with family/whanau is to be sought from either the Police or Oranga Tamariki. Principle 11 of the Privacy Act, 1993, states "disclosure of the information is necessary to prevent

or lessen a serious threat".

The DP shall have authority and responsibility in the matter to inform and involve additional agencies such as the Police or Child, Youth and Family. The DP may discuss the matter further with the Operations Manager and the Chair of the Lake House Trust at the DP's discretion.

The DP shall have authority and responsibility in the matter to inform and involve the Family of any person involved in the disclosure, whether to inform them of the disclosure, its contents, or the involvement of other individuals and/or agencies. The DP may discuss the matter further with the Operations Manager and the Chair of the Lake House Trust at the DP's discretion.

The DP will be provided access to ongoing support, i.e – counselling and therapy, should it be needed as a result of involvement in any child protection matter involving LHAC AND/OR LHAI.

Child Protection Checklist

- Is Abuse suspected or disclosed?
 - Suspected** = Consult the DP for further action. ○
 - Disclosed** = The DP should be immediately involved and report filed.
- Is there an immediate emergency?
 - Yes** = **Call 111**, report immediately and request emergency assistance as appropriate.
 - Continue** communicating with emergency services as they instruct.
 - Assess** the safety of the immediate environment and if needed and can be achieved safely without further harm to the child remove the child and any support person/people the child has to a safer environment on or offsite.
 - Only Report** to the DP once any immediate emergency is resolved
- Is an immediate response required to ensure the child's safety? (If unsure, consult DP immediately)
 - No** = **Consult Designated Person** for Child Protection decision whether to notify external agencies (i.e – Police and/or Oranga Tamariki).
 - Yes** = **Report of Concern** made to appropriate agencies, i.e – Police and/or Oranga Tamariki.
 - Record Actions Taken**
 - Always Inform** the Designated Person for Child Protection.
 - Always Record** actions taken.

Safe Recruitment of Staff

- A CV will be required
- A standard application form will be used
- A clear job description will be provided

Applications

- Information will be gathered from the applicant to determine suitability

Shortlisting

- A face-to-face interview will be conducted
- Interviews will include a pre-planned question programme
- A second interview may be conducted with a panel of people, at least one of whom has knowledge in child protection

Interview

- Vetting and Screening checks will be undertaken
- References will be contacted
- Qualifications, if appropriate, will be verified

Conditional Offer

- A full assessment of the information available is conducted and a decision to employ is made
- Rescreening will take place every three years

Confirmation of Employment

All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent contact with children or young people will be conditional on a safety check. Further information regarding Safety Checking, including vetting and screening procedures, is found in the Employment Policy.

Before making any appointment, LHAC AND LHAI will undertake a series of checks to ascertain the candidate's suitability and safety to work in LHAC AND LHAI. These will adhere to the statutory obligations contained within the legislation such as the Privacy Act, the Human Rights Act and Vulnerable Children Act.

All appointments will follow the requirements of the Employment Policy.
This outlines:

- The provision of a clear job description and person specifications.
- An application form and CV will be required from candidates.
- Verification of identification will be undertaken.
- Verification of qualifications (and registration where appropriate) will be undertaken.
- Safety checks which include police check and personal reference checks, followed by a structured interview or personal assessment process. Attitudes towards children and safety around them will be assessed during this process.

Field of Child Protection Further information can be found in the publication Safer Recruitment, Safer Children published by Child Matters and the Children's Action Plan Directorate. This is available at www.childmatters.org.nz

Training of Staff All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent contact with children or young people will be conditional on a safety check. Further information regarding Safety Checking, including vetting and screening procedures, is found in the Employment Policy.

All staff will receive child protection training at the level appropriate to their role. The Designated Person(s) for Child Protection will undertake more intensive training in child protection.

All staff will update their child protection training every three years as a minimum.

Further information regarding appropriate training opportunities is available at www.childmatters.org.nz

Safe Working Practices All staff are expected to behave in manners consistent with the LHAC AND LHAI Code of Conduct.

A relationship between an adult and a child or young person cannot be a relationship between equals. There is a potential for exploitation and harm of vulnerable young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

All staff are expected to behave in manners that maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. This behaviour extends and is not limited to-

- The use of social media or personal cell phones to contact children
- The use of photography or videos
- Being alone with children
- Appropriate language to use in front of children
- The giving of gifts or rewards to children
- Personal relationships with clients or past clients
- Physical contact with children, such as holding, cuddling, playing, restraining, comforting or the administration of medical aid
- Transporting children
- Home visiting where children are present

OFFSITE & OUTREACH PROGRAMMES All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent contact with children or young people offsite and/or as a part of offsite or outreach programmes coordinated by LHAC AND LHAI shall be subject to all conditions and clauses of this Child Safety Policy and also any Child Safety Policy enforced by the Host Organisation. It is the responsibility of the appointed person to be familiar with the Child Protection Policies of the Host Organisation.

Allegations made against members of staff Allegations, suspicions or complaints of abuse against staff, volunteers or representatives of other agencies must be taken seriously and reported to the DP and Manager who will deal with them immediately, sensitively and expediently within the procedures outlined in this Section.

It is NOT the responsibility of staff to investigate allegations of child abuse.

If the Police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.

The Operations Manager and/or the Chair of Lake House Trust are responsible for the employment aspects of the allegation and the DP will be responsible for the child protection aspects.

External Agencies who are involved may consult with the DP, Operations Manager, Lake House Chair and any person the deem necessary regarding the allegation and or disclosure.

The DP determine whether Oranga Tamariki or the Police need to be notified.

Any and all recommended support and safeguards within the means of LHAC AND LHA will be provided to the child pending the outcome of an investigation and where appropriate.

For further information please contact-
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