



# ORGANISATION MANUAL

## ORG005 VULNERABLE WHĀNAU POLICY



### PURPOSE

The Vulnerable Children Act 2014 was part of a series of comprehensive measures brought in to protect and improve the wellbeing of vulnerable tamariki and rangatahi. Ngā Mataapuna Oranga (NMO) and Pirirakau Hauora recognise that the primary role of whānau caring and protecting tamariki and rangatahi is valued and maintained. However, **tamariki safety is priority**.

This policy demonstrates the organisation’s commitment to safeguard tamariki and rangatahi from harm and clearly defines for all staff what is required in relation to their protection. Although this policy primarily focuses on child/rangatahi protection, it should be read in the context that it applies to all vulnerable whānau. For example, child abuse, domestic abuse, elder abuse and abuse of the physically and intellectually disabled.

**Of note: NMO and Pirirakau Hauora maintain zero tolerance of violence and supports all whānau to have a healthy lifestyle full of opportunities and protection from harm.** To this end, the organisation has protocols and resource tools for harassment and bullying, domestic violence and elder abuse. *Please refer to 9. Related Documents.*

NMO and Pirirakau Hauora endeavour to create a safe and positive environment for all whānau.

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### 1. SCOPE

- This policy applies to all tamariki and rangatahi and their whānau who are whānau (clients) of this organisation and to those whom staff come into contact in the course of their work with NMO and/or Pirirakau Hauora.
- This policy applies to trustees, management, staff, volunteers and consultants/contracted personnel.

### 2. VOCABULARY– GENERAL

Tamariki	Children
Rangatahi	Younger generation, youth
Whānau	Person and/or family (clients) receiving services from NMO and/or Pirirakau Hauora Staff who are part of the family which is NMO and Pirirakau Hauora
Pākeke	Adult
Kaumatua	Elderly man/woman
Vulnerable Adult/Pakeke	An adult with a mental and/or physical disability could be regarded as a 'vulnerable adult' and thereby also covered by this policy

### 3. AUTHORITY

The Designated Persons for Vulnerable Whānau are:

- The NMO Managing Director, and
- The Pirirakau Hauora Manager

### 4. POLICY

NMO and Pirirakau Hauora:

- 4.1. are committed to the prevention of abuse and to the well-being of tamariki, rangatahi, vulnerable pakeke and their whānau.
- 4.2. are committed to acting at all times in the best interest of tamariki, rangatahi, vulnerable pakeke and their whānau whom staff come into contact in the course of their work with NMO and/or Pirirakau Hauora.
- 4.3. are committed to dealing with abuse, suspected abuse or disclosure of abuse in a timely fashion.

- 4.4. acknowledge that in cases of suspected abuse, support for whānau is important.
- 4.5. agree that working in accordance with this policy requires staff to be trained and supported.
- 4.6. will ensure any disclosures about alleged abuse are acknowledged and appropriate action taken to ensure the safety of tamariki, rangatahi, vulnerable pakeke and their whānau who make disclosures.
- 4.7. are committed to complying with all relevant legislation.

### 5. IDENTIFICATION OF ABUSE AND NEGLECT

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

The Children, Young Persons and Their Families Act 1989, section 2(1), defines tamariki and rangatahi abuse as “...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person.”

The definitions set out below provide some indicators of abuse and these should not be seen as an exhaustive list or as a check list.

Emotional Abuse	The persistent emotional ill treatment of a tamariki and/or rangatahi such as to cause severe and persistent adverse effect on the tamariki and/or rangatahi emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a tamariki and rangatahi. It may also include age or developmentally inappropriate expectations being imposed on tamariki and rangatahi. It also includes the seeing or hearing the ill treatment of others.
Neglect	The persistent failure to meet a tamariki and rangatahi basic physical and/or psychological needs, causing long term serious harm to the tamariki and rangatahi health or development. It may also include neglect of a tamariki and rangatahi basic or emotional needs. Neglect is a lack of action, action, emotion or basic needs.
Physical Abuse	A non-accidental act on a tamariki and rangatahi 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 tamariki and rangatahi. Physical abuse also involves the fabrication or inducing illness.
Financial or Exploitative Abuse	The illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder. Exploitation includes the unexplained disappearance of funds, valuable possessions, changes to wills or financial documents.

Sexual Abuse	Involves forcing or enticing a tamariki and rangatahi 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 tamariki and rangatahi in looking at or production of sexual images, sexual activities and sexual behaviours. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.
Elder Abuse and Neglect	A single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.
Abandonment	The abandonment of a vulnerable elder/adult, when responsible for the care or custody of that person.
Domestic Abuse	a pattern of behaviour which involves violence or other abuse by one person against another in a domestic setting, such as in marriage or cohabitation.

*Refer to Resource: Signs of Abuse and Neglect, NZ CYFS 2001*

## 6. PROCEDURES

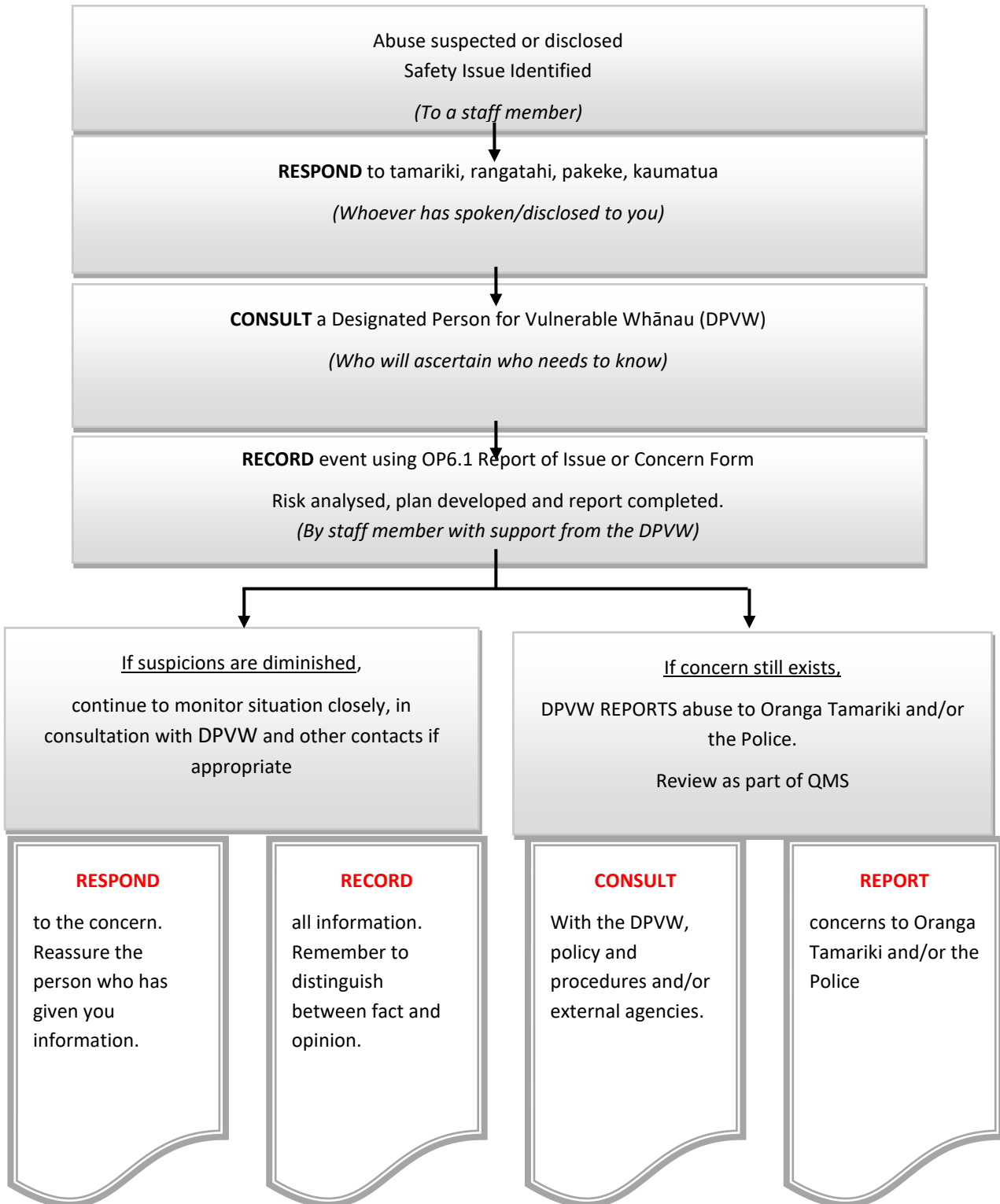
Any issues of suspected tamariki and/or rangatahi abuse must be taken seriously and handled in an appropriate manner that ensures the tamariki and/or rangatahi safety. The Designated Persons for Vulnerable Whānau are responsible for ensuring that the procedure for reporting tamariki and/or rangatahi abuse is effective and timely. If a member of staff has any concerns, then they must inform a Designated Person for Vulnerable Whānau as soon as possible.

### 6.1 Responding to and Reporting Tamariki and/or Rangatahi Abuse

*Refer to Diagram 1: Responding and Reporting Tamariki and/or Rangatahi Abuse*

- When abuse is suspected, or an allegation made against another person, the first consideration will be to ensure the safety of the tamariki and/or rangatahi.
- Staff will not act alone about suspicions but will consult with a Designated Person for Vulnerable Whānau who will be committed to taking action as outlined in these procedures. Staff will not act in a way that is outside their knowledge or capacity.

**Diagram 1: Responding to Vulnerable Whanau Abuse**



*Source: Child Matters, Creating a Safe Organisation 2014*

All suspicions and information will be recorded by the staff member who has been notified of the suspected abuse factually and held confidentially. Anything that is an opinion will be identified as such and not as being fact. *Refer to 6.1 Record of Issue or Concern.*

- The Designated Person for Vulnerable Whānau will consult with Oranga Tamariki to clarify whether a notification/report of concern should take place.
- The Designated Person for Vulnerable Whānau will inform Oranga Tamariki or the Police when tamariki and/or rangatahi abuse is suspected.
- If it is decided that concerns do not require a notification to statutory authorities, the tamariki and/or rangatahi will continue to be monitored and records kept.
- Although the parent or caregiver of the tamariki and/or rangatahi will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:
  - The parent or caregiver is the alleged perpetrator.
  - It is possible that the tamariki and/or rangatahi may be intimidated into silence.
  - There is a strong likelihood that evidence will be destroyed.
  - The tamariki and/or rangatahi does not want their parent or caregiver involved and they are of an age when they are competent to make that decision.
- Staff will not question extensively a tamariki and/or rangatahi who has disclosed abuse, or who is displaying signs of possible abuse. However, it is important that a tamariki and/or rangatahi is listened to and responded to appropriately. *Refer to Resource: Dealing with Disclosures of Abuse.*
- In all cases of suspected abuse, the information and concerns will be made available only to those staff who have a need to know. This will be determined by the Designated Person for Vulnerable Whānau.

### 6.2 Confidentiality

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

- NMO and Pirirakau Hauora recognise that all staff must act within the legal requirements of the Privacy Act, Children, Young Person’s and Their Families Act, Health Information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect tamariki and rangatahi and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the tamariki and/or rangatahi.
- If an investigation is undertaken by Oranga Tamariki or the Police, staff may be asked to provide information to Oranga Tamariki, the Police, court, lawyers and/or psychologists. When a staff member is contacted for information, the staff member must first refer to a Designated Person for Vulnerable Whānau for clearance before providing the information.

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- Information will be only given after the staff member has identified the person for the request, the actual purpose of the request, what use the information will be put to, and who will see the information.
- In the case of a Social Worker or Counsel for the Child wishing to interview a tamariki and/or rangatahi while in the care of NMO or Pirirakau Hauora, the staff member must consult with the Designated Person for Vulnerable Whānau to be certain that such an interview will be undertaken legally and in the best interests of the tamariki and/or rangatahi.
- A tamariki and/or rangatahi records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made in a tamariki and/or rangatahi record about guardianship of a tamariki and/or rangatahi without sighting the appropriate documentation.

### 6.3 Relationships with External Agencies

Positive relationships must be maintained with agencies that can support NMO and Pirirakau Hauora in tamariki and rangatahi protection related matters.

*Refer to Table 1: Key External/Support Agencies Contacts*

- NMO and Pirirakau Hauora will maintain a good working relationship with Oranga Tamariki and with the Police, and be familiar with the laws that serve to protect tamariki and rangatahi from abuse.
- NMO and Pirirakau Hauora believe that in order to keep tamariki and rangatahi safe, people who suspect or uncover abuse should not be tempted to deal with cases themselves. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.
- NMO and Pirirakau Hauora recognise that by law, (Sec 15 of the Children, Young Persons and Their Families Act 1989) any person may report a case of suspected abuse to the statutory agencies.
- A list of specialist agencies will be kept and updated by the Designated Persons for Vulnerable Whānau. A copy of this will be made available to all staff. *Refer to Table 1: External/Support Agencies.*
- NMO and Pirirakau Hauora will also maintain relationships with Non-Government Organisations (NGOs) and agencies that provide services to tamariki and/or rangatahi and their whānau.
- NMO and Pirirakau Hauora encourage networking with agencies, and staff will undertake an active programme to maintain the relationship between agencies.

### 6.4 Managing Allegations Against Staff

Any allegation that a member of staff has behaved in an appropriate or unsafe way must be taken seriously and handled in an appropriate manner that ensures the tamariki and/or rangatahi safety.

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- NMO and Pirirakau Hauora will respond to suspicions and allegations of tamariki and/or rangatahi abuse by a member of staff in a manner which best ensures tamariki and/or rangatahi immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.
- NMO and Pirirakau Hauora will not act alone and will refer all suspected situations of tamariki and/or rangatahi abuse to Police or Oranga Tamariki. The safety of the tamariki and/or rangatahi will be the primary consideration, and no person in either organisation will collude to protect an adult or an organisation.
- Allegations will be treated in such a way that the rights of staff and the stress upon the staff member are also taken into consideration.
- When abuse is suspected, staff will follow the process above. *Refer to 6.1 Responding and Reporting Tamariki and/or Rangatahi Abuse.*
- When there are suspicions of abuse by a staff member, both the staff member’s and tamariki or rangatahi rights are to be attended to. This means that the safety of the tamariki and/or rangatahi is of first concern, and that the staff member must have access to legal and professional advice.
- The person managing the tamariki and/or rangatahi abuse concern will not be the same person as that managing the employment issue.
- **The suspected staff member will be prevented from having further unsupervised access to tamariki and/or rangatahi during any investigation and will be informed fully of their rights.**
- Staff will declare to a senior person any situation where there could be a conflict of interest, and provision made on a case-by-case basis about who will handle the process.
- NMO and Pirirakau Hauora will adhere to the principles of the Employment Contract’s Act and give the staff member all information regarding their rights.
- NMO and Pirirakau Hauora recognise the added stress to fellow staff in such a situation, and will ensure support is available.
- 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 evidence gathered that might prejudice a criminal investigation.
- If NMO or Pirirakau Hauora is aware that a member of staff it has placed on precautionary suspension also works with tamariki and/or rangatahi for another organisation, either as an employee or volunteer, it should ensure that the other organisation is informed of the suspension and the subsequent outcome. Consultation with Oranga Tamariki or the Police will determine how this information is conveyed.
- NMO and Pirirakau Hauora should liaise with Oranga Tamariki and the Police regarding the process of the investigation.
- If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is “reasonable cause to suspect” that abuse may have occurred. The allegation may represent inappropriate behaviour or poor

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practice by a staff member which needs to be considered under internal disciplinary procedures.

### 6.5 Roles and Responsibilities of Staff

NMO and Pirirakau Hauora are committed to ensuring that all staff are clear of their role and responsibilities to keep tamariki and/or rangatahi safe. This includes the safe recruitment and training of staff. All staff are aware and understand their expectations and the organisations responsibilities outlined in Supporting Parents, Healthy Children Guidelines.

*Refer to Human Resource Manual: Recruitment, Selection and Appointment Policy*

#### **Recruitment**

All persons recommended for appointment will be safety checked/police vetted. That is, potential staff members will be checked and assessed in relation to their suitability for appointment in accordance with external funding agency requirements, child protection concerns and general best practice principles.

#### **Training**

##### ***Induction***

- All new staff will undertake an induction programme that requires them to read and understand specific material and information about tamariki and rangatahi abuse.
- A tamariki and rangatahi protection component will be part of the induction programme for the Board of Trustees.
- All staff, volunteers and Trustees will read and have a copy of the Vulnerable Whānau Policy.

##### ***Refresher Training***

- Reference to the policy will be made on a regular basis in staff meetings and training sessions, so that staff remain familiar with and up to date with the policy statements and procedures.
- The Vulnerable Whānau Policy and relevant protocols and resources will be included in the organisation’s training programme at least every three years.
- While it is desirable that all staff attend the Certificate in Child Protection Studies, the organisation will endeavour to ensure that a minimum of two staff members have completed this level of training.

##### ***Training Budgets and Resources***

- NMO and Pirirakau Hauora acknowledge that trained staff are essential and will provide time, resources and funding to support this process.
- Opportunities for inter-agency training will be provided as available and when time and human resources allow.

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### Safe Working Practices

NMO and Pirirakau Hauora recognise the need for high standards of staff behaviour in order to protect tamariki and rangatahi from abuse and at-risk situations, and to protect staff from unwarranted suspicion. *Refer to Resource: Safe Working Practices/Behaviour*

- NMO and Pirirakau Hauora believes that as far as possible, staff working with tamariki, rangatahi and whānau should keep their personal and professional lives separate, and do not encourage close personal relationships or care-taking activities outside the work environment.
- All staff members, whether paid or voluntary, are expected to follow guidelines that clarify appropriate behaviour. NMO and Pirirakau Hauora will review these regularly with staff to ensure that the guidelines meet the needs arising from ever-changing environments and situations.
- All staff are to have a clear understanding of, and agree to NMO and Pirirakau Hauora Code of Ethics and Code of Conduct.
- Staff are to inform their senior manager of any existing relationships with members, students, clients or their whānau which could constitute a conflict of interest or place the staff member in a position of compromise.
- No staff member is to enter into any relationship with a tamariki, rangatahi, young person or whānau, which could be interpreted that any section of this policy is compromised.

### 7. REVIEW

The Vulnerable Whānau Policy and all associated protocols and procedures will be reviewed every three years unless there is an issue related to risk or a change in national standards or relevant legislation.

### 8. RELATED DOCUMENTS

Legislation	<ul style="list-style-type: none"> <li>• Care of Children Act 2004</li> <li>• Children, Young Persons and Their Families Act 1989</li> <li>• Code of Health and Disability Services Consumers’ Rights</li> <li>• Crimes Act 1961</li> <li>• Domestic Violence Act 1995</li> <li>• Education Act 1989/1988</li> <li>• Employment Relations Act 2000</li> <li>• Health and Disability Commissioner Act 1994</li> <li>• Human Rights Act 1993</li> <li>• Ministry of Social Development: Standards for Approval</li> <li>• NZS 8134:2008 Health and Disability Services Standards</li> </ul>
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	<ul style="list-style-type: none"> <li>• Privacy Act 1993</li> <li>• Vulnerable Children’s Act 2014</li> <li>• Supporting Parents, Healthy Children Guidelines</li> </ul>
External Resources	<ul style="list-style-type: none"> <li>• Child Matters: Creating a Safe Organisation 2014</li> <li>• Child Matters: Safer Recruitment Safer Children</li> <li>• NZ Police: Keeping Kids Safer</li> <li>• Oranga Tamariki Interagency Guide Working Together</li> </ul>
Policy	<p><i>Policies Under Development</i></p> <ul style="list-style-type: none"> <li>• Client Records and Privacy</li> <li>• Code of Conduct</li> <li>• Code of Ethics</li> <li>• Complaints Management</li> <li>• Computer Usage</li> <li>• Confidentiality</li> <li>• Conflict of Interest</li> <li>• Email</li> <li>• Harassment and Bullying</li> <li>• Home Visiting</li> <li>• Induction</li> <li>• Induction of Trustees</li> <li>• Internet</li> <li>• Privacy</li> <li>• Recruitment, Selection and Appointment</li> <li>• Serious Incidents</li> <li>• Training &amp; Development</li> <li>• Transport</li> </ul>
Forms	<p>ORG6.1 Record of Issue or Concern</p> <p>ORG.2 Vulnerable Whānau Register</p>
Internal Resources	<p>ORG.3 Signs of Abuse and Neglect, NZ CYFS 2001</p> <p>ORG.4 Dealing with Disclosures of Child Abuse, Child Matters</p> <p>ORG 6.5 Safe Working Practices/Behaviours, Child Matters</p> <p>ORG6.6 Recognising Elderly Abuse, Age Concern NZ, Manaakitanga Kaumatua</p> <p>ORG 6.7 Recognising Domestic Violence, Women’s Refuge NZ</p>

**Table 1: Key External/Support Agencies**

New Zealand Police	111	Emergency: Tamariki and/or rangatahi is in immediate danger
	07 577 4300	Local station: Ask to speak to a child protection team detective or a youth aid officer
Oranga Tamariki	0508 326 459 0508 FAMILY <a href="mailto:contact@ot.govt.nz">contact@ot.govt.nz</a>	Lines open 24/7
Te Manu Toroa Family Start	021 1956671	Whānau home visiting programme
Tauranga Moana City Clinic	07 571 2017	Medical services
Tauranga Hospital	07 579 8000	Medical services
Barnados	800 472 7368	Child and family services
Plunketline	0800 933 922	Telephone advice service 24/7
Youthline	0800 376 633	24/7 confidential teen crisis helpline
Relationship Services	0800 735 283	Stopping violence programme
Citizens Advice Bureau	0800 367 222 <a href="http://www.cab.org.nz">www.cab.org.nz</a>	Free and confidential advice and support
Internet Safety	0508 638 723 <a href="http://www.netsafe.org.nz">www.netsafe.org.nz</a> <a href="mailto:queries@netsafe.org.nz">queries@netsafe.org.nz</a>	On line safety
Child Matters	07 838 3370 <a href="http://www.childmatters.org.nz/">http://www.childmatters.org.nz/</a>	Educating to prevent child abuse



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I hereby understand and accept the terms and conditions of Pirirakau Hauora Vulnerable Whanau Policy.

Employee Signature:	Date:
Manager Signature:	Date:

Please sign and give this policy to your Manager for filing on your personal file.

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