



TAURANGA MOANA OUTRIGGER CANOE CLUB

CHILD PROTECTION POLICY

Implemented: 9th August 2021

Review Date: 9th August 2022

Principles

The Vulnerable Children's Act 2014 is aimed at improving the protection of children at risk of abuse or neglect, including stronger vetting of adults who work with children.

Tauranga Moana Outrigger Canoe Club Incorporated (TMOCC) is committed to the prevention of abuse and to the wellbeing of children, young people, vulnerable adults and their families.

TMOCC recognise the responsibility to provide and promote a safe environment that protects children from harm and exploitation while participating in Waka Ama. Such an environment should cater for their physical and emotional wellbeing and aim to ensure that all children and young people are treated with dignity and respect. We will help to ensure the safety and protection of all children involved in TMOCC activities through adherence to this policy. XX CLUB NAME XX will promote this policy and awareness and understanding of child protection.

All services provided by TMOCC adhere to the articles of Te Tiriti, Tino rangatiratanga, Kawanatanga, Oritetanga and the rights and responsibilities accorded by Te Tiriti o Waitangi.

All services provided by TMOCC uphold the values of Waka Ama New Zealand:

- **Manaakitanga:** *We encourage the practice of reciprocity and inclusivity through sharing of ourselves and our resources, nurturing all people and accepting our differences;*
- **Whanaungatanga:** *Is our sense of belonging, identification and collective strength, not only through kinship but being related to all within the waka ama community;*
- **Hauora:** *We support and promote the physical, mental, emotional, and spiritual well-being of all our participants; and*
- **Tū Tangata:** *We are accountable for our actions. We have respect for each other, our waka, and our environment. We stand proud in our integrity and passion.*

Purpose

This Policy is written under the consideration that:

- The welfare of children is the primary concern.
- Child protection is everyone's responsibility.
- All children, whatever their age, culture, ability, gender, language, ethnicity, socio-economic status, religious belief, and/or sexual identity have the right to protection from all the forms of harm.
- Children have the right to express views on all matters which affect them, should they wish to do so.
- Our organisation will work in partnership with children and parents/carers to promote the welfare, health, and development of children.
- Children and young people engaged with TMOCC have a right to feel safe and comfortable in that engagement.

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 TMOCC President or delegated authority. Any review will be approved by the Committee of TMOCC

TMOCC's aim of this policy is to promote good practice through:

- Promoting the health and welfare of children by providing opportunities for them to take part in Waka Ama safely.
- Helping to prevent the possibility of false accusations.
- Protecting the organisation and our community against the damage, what would result if a child under our care was abused.
- Recruiting, training, supporting and supervising staff, members and volunteers to adopt best practice to safeguard and protect children from harm and to reduce the risk of allegations or complaints against themselves.
- Respecting and promoting the rights, wishes and feelings of children.
- Responding to any allegations of misconduct or harm to children in line with this Policy and these procedures, as well as implementing, where appropriate, the relevant investigation, disciplinary and appeals procedures

Scope

The scope of this policy covers all children who interact with TMOCC whether visiting the office or being present at any programmes, events or activities delivered by TMOCC. This includes children of staff and volunteers.

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 18 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 TMOCC, whether paid or voluntary, full time, part-time or contract.

This child protection policy adheres to the following Acts:

- Health and Disability Commissioner Act 1994
- Children Young Persons and Their Families Act 1989
- Privacy Act 1993
- Human Rights Act 1993
- Education Act 1989/1998
- Domestic Violence Act 1995
- Care of Children Act 2004
- Employment Relations Act 2000
- Child Young Person and their Families Act 1989
- Code of Health and Disability Services Consumers' Rights
- Vulnerable Children's Act 2014

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.

Roles and Responsibilities of Staff

All staff have a responsibility to keep children safe and have a role in reporting concerns of potential or actual abuse.

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 TMOCC to ensure that all staff understand their roles and responsibilities in ensuring the safety of children at all times.

It is the responsibility of staff 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.

TMOCC and the services provided, sit at the centre of our communities and are uniquely placed to recognise and respond to concerns for the wellbeing of children. There are several ways or situations where concerns might be raised with a member of staff which may not involve a child making a disclosure directly to a member of staff.

Staff should, therefore, be alert and aware of the fact that a range of situations could give rise to concerns about child protection.

TAURANGA MOANA OUTRIGGER CANOE CLUB INCORPORATED CHILD PROTECTION POLICY PROCESS AND PROCEDURES:

Child Protection Procedures

This section outlines clear guidance for staff on how to respond to a concern of child abuse.

All concerns of potential, suspected or alleged abuse must be brought to the attention of the President of Tauranga Moana Outrigger Canoe Club Incorporated (TMOCC). If the President is unavailable, then consultation should occur with a designated committee member of the Health and Safety Committee. This must occur within 24 hours of the reported incident.

A decision will be made as to whether to seek further advice and/or notify Oranga Tamariki.

If a child makes a verbal disclosure to a member of staff, it is important that staff take what the child says seriously. TMOCC has a duty of care to the children it provides 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 attempt to investigate 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.

Giving information to protect children better is not a breach in confidentiality.

Wherever possible the family/whānau 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".

Recommended reporting procedures

- If the child or young person is in danger or unsafe, act immediately to secure their safety.
- Listen to the child or young person and reassure them but do not make promises or commitments you cannot keep.
- Ensure that any information or disclosures by the child or young person are written down.
- Do not formally interview the child or young person. Obtain only necessary relevant facts if and when clarification is needed.
- Inform the President of TMOCC and agree on appropriate course of action.
- If a decision is made to notify then ensure notification of Oranga Tamariki and the Police.
- After making sure the referral has gone to Oranga Tamariki or to the Police, get support for you from the appropriate people if needed.

Points to note

- Documentation may subsequently be used in court as evidence for either side.
- Avoid making judgment, simply record the facts.

- Interviewing of suspected abuse victims is a specialised procedure best left to those who are trained in such techniques.

Child Protection, Good practice guidelines:

Everyone involved in Waka Ama should strive to demonstrate exemplary behavior in order to protect themselves from false allegations. Staff, volunteers, coaches, officials, and parents are expected to follow these good practice guidelines during any activity or events held under the auspices of TMOCC or any affiliated organisation. Concerns over failure to follow these guidelines should be reported to Waka Ama New Zealand

Good practice means:

- Always working in an open environment avoiding private or unobserved situation and encouraging open communication.
- Ensure that children use appropriate protective gear and that all equipment and facilities comply with safety regulations.
- Treating all children equally with respect and dignity.
- Always putting the welfare of children first.
- Do not send children off to train alone and out of sight and supervision.
- Ensure that all physical contact with children is relevant and appropriate to the activity.
- Building balanced relationships based on mutual trust and empowering children to share in decision making.
- Involving parents / carers wherever possible.
- Ensuring that if mixed teams/groups are taken away for the day and night, they should be accompanied by both male and female chaperone or team leader who must be police checked and referee vetted for their safety around Children and young people. Always remember that same gender abuse can also occur.
- Giving enthusiastic and constructive feedback rather than negative criticism.
- Recognising the developmental needs and capacity of children –
 - avoiding excessive training or competition and not pushing them against their will.
- Securing parental consent in writing to act in loco parentis if the need arises to administer emergency first aid and/or other medical treatment.
- Keeping a written record of any injuries that occur, along with the details of any treatment given.
- Ensure that any filming or photography of children is appropriate.
- Ensure that start and finish times are communicated to caregivers and adhered to so that children are not left unsupervised.
- Request parental consent before transporting children in a vehicle. Ensure that the vehicle is insured, has the appropriate child safety seats, and has a current Warrant of Fitness and Registration and the driver has the appropriate license.
- Except in an emergency where it is unsafe to delay, ensure you have parental consent to administer first aid required.
- TMOCC is working toward all Junior teams being coached by Waka Ama NZ certified

coaches

Practices which must be avoided:

The following **must be avoided** except in emergencies. If a case arises where these situations are unavoidable (e.g. the child needs urgent and acute medical care, or a parent fails to arrive to pick a child up at the end of an event) it should be with full knowledge and consent of someone in charge or the child's parents. The circumstances of any exceptions must be reported in detail to TMOCC within 48 hours.

Practices to be avoided:

The following are never sanctioned. Staff, Coaches, officials and volunteers should never, while involved in any activity or training under the auspices of TMOCC.

- Engage in rough physical or sexual provocative games, including horseplay.
- Share a room with only one child other than your own.
- Share a room with children unless two or more are, other than their own.
- Share a room with any child of the opposite gender other than their own.
- Enter a child's room unless they are the parent or are accompanied by another adult.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child to tears by excessive verbal abuse.
- Engage in any form of verbal or emotional abuse.
- Encourage a child to engage in bullying or abuse.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or disabled adults that they can do for themselves.
- Ensuring that at events, adults (other than the children's parents) should not enter children's rooms or invite children into their rooms.
- Make overnight stopovers travelling to or from an event unless the stopover has been organised by TMOCC as part of a team's travel or the children are travelling with their parent(s)
- Do not use alcohol, cigarettes or electronic cigarettes in the presence of children and young people and do not offer any of these to children or young people under any circumstances.
- Not be under the influence of alcohol when in the care of children and young people.
- Avoid private or unobserved situations, including being alone with a child in the changing rooms.
- Always have another adult present when staying overnight anywhere with children.

Otherwise, please avoid:

- Spending excessive amounts of time along with children away from others.
- Taking or dropping off a child to an event unless accompanied by another adult or other children.
- Do not engage in communication with a child, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration.

Safe Recruitment of Staff

All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent unsupervised contact* with children or young people (eg; Tai Tamariki to J19 coaches/managers) will be conditional on **Police Vetting and safety check**. Further information regarding Safety Checking, including vetting and screening procedures, will be found in the Employment Policy. (***Unsupervised contact** means that the contact takes place with no-one else there with a specific role to facilitate, support or supervise the **contact**)

Before making any appointment, TMOCC will undertake a series of checks to ascertain the candidate's suitability and safety to work in the organisation. 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 which 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.
- Staff selection will be undertaken by a person knowledgeable and experienced in the field of child protection.
- Full records will be kept, and attention to HR practices maintained.

Training of Staff

All staff will receive child protection training at the level appropriate to their role.

Safe Working Practices

All staff are expected to behave in manners consistent with the TMOCC 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.

Allegations made against members of staff

This section outlines the procedures to follow should an allegation of inappropriate behaviour towards a child be made against a member of staff. It is important to recognise that all disclosures of abuse of a child must be taken seriously, reported, and investigated appropriately, with the safety of child being of the highest concern.

Allegations, suspicions, or complaints of abuse against staff, volunteers or representatives of other agencies must be taken seriously and reported to the Club President who will deal with them immediately, sensitively and expediently within the procedures outlined in this document. If necessary, the Club President may seek advice on how to proceed with any allegations of inappropriate behaviour of a staff person towards a child.

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.

Confidentiality:

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know bases only. However, TMOCC should not work alone in cases of suspected or reported abuse and unless a conflict of interest is involved, the Chair should also be consulted; otherwise another member of the Board should be consulted.

Confidentiality and “need to know only” dissemination applies to everyone, including the following people:

- The TMOCC President
- The Health and Safety Sub Committee of TMOCC.
- The parents of the person who is alleged to have been abused
- The person making the allegation
- Oranga Tamariki
- The Police
- The alleged abuser (and parents if the alleged abuser is a child)

Information should be stored in a secure place with limited access to designated people only.