

Child and Vulnerable Adult Protection Policy



Applicable to:	All MDC Employees	Policy Number:	MDC022
Issued by:	Chief Executive	Date of Approval:	23 July 2018
Contact person:	Human Resources Manager	Review Date:	23 July 2021

PURPOSE

The purpose of this policy is to ensure that Masterton District Council (MDC) takes all practicable steps to safeguard the wellbeing of children, young people and vulnerable adults.

SCOPE

This policy applies to all:

- MDC employees, interns and volunteers who interact with children, young people and vulnerable adults in the course of carrying out their role.
- contracted personnel providing services to children, young people and vulnerable adults on behalf of MDC.

COMMITMENT TO CHILD SAFETY

MDC is committed to its responsibilities under the Vulnerable Children Act 2014.

MDC is committed to ensuring the safety and welfare of children and vulnerable adults that use Council's services and facilities. MDC acknowledges:

- that keeping children and vulnerable adults safe is everyone's responsibility;
- that children and vulnerable adults have the right to express views on all matters which affect them; and
- the importance of working in partnership with children, vulnerable adults and parents/caregivers to promote the welfare and safety of children and vulnerable adults.

Child and Vulnerable Adult Protection Coordinator

The Child and Vulnerable Adult Protection Coordinator holds the overarching responsibility for child and vulnerable adult protection at MDC. This function is held by the Human Resources (HR) Manager, who is responsible for advising on child and vulnerable adult protection policy, training and legislation.

Designated Person for Child and Vulnerable Adult Protection

The Designated Person for Child and Vulnerable Adult Protection within a service area or team is the manager of that area or team. They are responsible for providing guidance on child and vulnerable adult protection within their team, including identifying signs of abuse, reporting and responding appropriately to allegations.

SAFE WORKING PRACTICES

MDC employees may have contact with children, young people and vulnerable adults in the course of providing Council facilities and services to the community.

Safe Working Practices have been developed to define clear expectations of behaviour for employee interaction with children and vulnerable adults (refer Appendix 1). These expectations aim to protect children and vulnerable adults from abuse or at-risk situations and protect employees from unwarranted suspicion.

SAFE RECRUITMENT

MDC is committed to ensuring that all employees, volunteers and interns who may reasonably be expected to interact with children and vulnerable adults when carrying out their role, are safety checked in accordance with the Vulnerable Children Act 2014 (s.31). Refer to Appendix 2 for the list of roles that MDC safety checks under this policy.

Safety checks will be undertaken as prescribed by the Vulnerable Children (Requirements for Safety Checks of Children's Workers) Regulations 2015, including:

- confirming the applicant's identity (see section 5 of the regulations);
- undertaking police vetting (see section 6 of the regulations);
- gathering information about the applicant's work history (including professional memberships), conducting reference checks and interviewing the applicant (see section 7 of the regulations); and
- undertaking a risk assessment to determine if the applicant poses (or could pose) any risk to the safety of children (see section 8 of the regulations).

Employees will be safety checked every three years.

IDENTIFYING, RESPONDING TO AND REPORTING CHILD ABUSE

MDC will support employees to be able to identify the signs and symptoms of abuse and have the confidence to take the appropriate action.

All cases of suspected child and vulnerable adult abuse will be taken seriously and will be handled in a manner that ensures the child's safety.

Refer to the Identifying and Responding to Child and Vulnerable Adult Abuse Procedure.

ALLEGATIONS OF CHILD ABUSE AGAINST AN EMPLOYEE

Allegations of child or vulnerable adult abuse made against an employee will be taken seriously and will be handled like any other allegation.

The HR Manager, in consultation with the employee's senior manager and in accordance with the employee's employment agreement, will immediately ensure that the employee does not have any contact with the child or vulnerable adult making the allegation.

If the Police decide to undertake a criminal investigation, MDC will await the outcome of that investigation. The employee may be suspended during the Police investigation.

If MDC is aware that a suspected employee works with children for another organisation, the Child and Vulnerable Adult Protection Coordinator will advise Oranga Tamariki - Ministry for Children or the Police, and seek advice on how to inform that organisation of the matter.

Where the suspected abuse is against a vulnerable adult, the above process should still be referred to as a general guide. However, the relevant Statutory Authority to contact would be the Police.

If a criminal prosecution is not pursued but there are reasonable grounds to suspect that misconduct has occurred, MDC may undertake an internal disciplinary investigation.

TRAINING

All staff who may reasonably be expected to interact with children and/or vulnerable adults when carrying out their role, will be provided with child and vulnerable adult protection awareness training every three years.

CONFIDENTIALITY AND INFORMATION SHARING

Keeping children and vulnerable adults safe requires the appropriate sharing of information subject to legal restrictions and the best interests of the child and vulnerable adult. MDC recognises that all staff must act within the legal requirements of the Privacy Act, Children, Young Persons and their Families Act, and other appropriate legislation.

There are provisions within each of these acts for sharing information needed to protect children 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 child.

All information relating to a child protection matter will remain strictly confidential. Advice will be sought from Oranga Tamariki - Ministry for Children) before identifying information about an allegation is shared with anyone other than the Child and Vulnerable Adult Protection Coordinator or the Designated Person for Child and Vulnerable Adult Protection.

RESPONSIBILITIES

All Employees are responsible for adhering to all requirements of this policy and, if they are unclear about their role or responsibility under this policy, seeking clarification from their manager.

The **Child and Vulnerable Adult Protection Coordinator** is responsible for ensuring appropriate policies, procedures and training opportunities are in place to ensure the safety of children, vulnerable adults and employees.

The **Designated Person for Child and Vulnerable Adult Protection** in each business area or team is responsible for:

- advising on child and vulnerable adult protection policy and legislation;
- arranging training, in conjunction with the Child and Vulnerable Adult Protection Coordinator;
- advising employees who have concerns about a child or vulnerable adult; and
- consulting with the Child and Vulnerable Adult Protection Coordinator before making decisions on how to handle an allegation.

REVIEW OF POLICY

This policy will be reviewed every three years, unless there are any significant changes to guiding legislation.

DEFINITIONS

Child: A person under the age of 18 years. For the purposes of this policy, the definition of child also includes vulnerable adults.

Child Abuse: The harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child.

Vulnerable Adult: A person who is, or may be, unable, due to detention, age, illness, trauma, disability, mental impairment or any other cause, to take care of themselves, or is unable to protect themselves against harm or exploitation.

RELATED DOCUMENTS

Identifying and Responding to Child and Vulnerable Adult Abuse Procedure

REFERENCES

- Vulnerable Children Act 2014
- Vulnerable Children (Requirements for Safety Checks of Children's Workers) Regulations 2015
- Children, Young Persons, and Their Families Act 1989
- Child Matters website www.childmatters.org.nz

VERSION CONTROL

Date	Summary of Amendments	Approved By
11/7/2017	New policy	Senior Management Team
23/7/2018	Minor amendments, predominantly to clarify that the policy applies equally to children and vulnerable adults	Human Resources Manager

APPENDIX 1: SAFE WORKING PRACTICE

These Safe Working Practices set out clear expectations of behaviour for MDC employees who interact with children and vulnerable adults in the course of carrying out their role. These expectations aim to protect children and vulnerable adults from abuse or at-risk situations and protect employees from unwarranted suspicion.

MDC employees:

- **will** encourage parents/caregivers/teachers to accompany children and vulnerable adults who use MDC's facilities and services.
- **will** ensure that any one-on-one interactions with a child and vulnerable adults (including when administering first aid, where possible) can be clearly observed by other adults or security cameras.
- **will** inform parents or carer if first aid is administered to a child and vulnerable adults.
- **will** only make contact with children and vulnerable adults for professional reasons and in accordance with any organisation policy.
- **will** ensure a minimum adult-to-child ratio is observed for all MDC-led activities or outings and supervision rules and health and safety provisions are adhered to. The suggested ratio is one staff member to 10 children, however at all times there is a need to consider the nature of the activity, and the level of the risk which may determine a different ratio.
- **will not** take any child or vulnerable adult on an outing without the written permission of their parent/caregiver or without supplying the manager (or their delegate) with full details of the outing.
- **will not** proceed with any outing where there are not at least two children and two employees attending.
- **will not** supervise any toilet requirements or changing clothing.
- **will not** use personal living space for work with children and vulnerable adults.
- **will not** drive a child and vulnerable adults unaccompanied.

APPENDIX 2: MDC POSITIONS THAT ARE SAFETY CHECKED UNDER THE CHILD PROTECTION AND VULNERABLE ADULT POLICY

The following roles have been identified as requiring safety checking:

Library Manager
Team Librarian (all)
Children's & Youth Librarian
Customer Services Librarian
Takawaenga-ā-Rohe
District Archivist
Archive Librarian
Archive Assistant
Manager Community Facilities & Activities
Property Rentals and Community Facilities Support
Community Development Advisor
Māori Liaison Advisor
Maintenance Supervisor Handyman
Animal & Bylaws Advisor
Animal Services
Events Coordinator & Community Development Support