

# Kaupapa-here | Child Protection Policy

## Mō wai me te whānuitanga | Audience and scope

This Policy applies to:

- All employees of Te Pūkenga, contracted staff, consultants and secondees providing services for Te Pūkenga, and those on fixed term agreements (collectively referred to as **kaimahi** in this Policy document). This also extends to homestay carers, volunteers and any Te Pūkenga approved accommodation provider; and
- Ākonga (learners) who come into contact with a child during the course of their studies, including where they have course placement in regulated industries as part of their studies with Te Pūkenga.

This policy is a national policy adopted by Te Pūkenga during its transition phase. It is intended to be an overarching policy that applies to Te Pūkenga head office but also sits across the policies and procedures of each business division of Te Pūkenga.

In accordance with the Transitioning (Grandparenting) Former Subsidiaries Policies, the policies and procedures of a business division will continue to apply to the operations of the business division to the extent they are consistent with this policy.

This policy will be reviewed, monitored and amended as the People, Culture and Wellbeing functions in each business division (and at Te Pūkenga head office) transition into the organisational design for the national People, Culture and Wellbeing function.

## Mokamoka whakaaetanga | Approval details

<b>Version number</b>	1	<b>Issue date</b>	15 March 2023
<b>Approval authority</b>	Te Pūkenga Council	<b>Date of approval</b>	November 2022
<b>Procedure sponsor (has authority to make minor amendments)</b>	Chief People Officer	<b>Procedure owner</b>	Chief People Officer
<b>Contact person</b>	Keri-Anne Tane	<b>Date of next review</b>	March 2024

## Ngā whakatikatika | Amendment history

<b>Version</b>	<b>Effective date</b>	<b>reviewed by</b>	<b>Reason for review/comment</b>
1	15 March	Joy Whiteman, Sinead Hart	New National Policy

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## Kaupapa-here | Child Protection Policy

### 1. Pūtake | Purpose

- 1.1. The purpose of this Policy is to:
  - a) Affirm the commitment of Te Pūkenga to the safety and wellbeing of children to whom it provides a service
  - b) Ensure that Te Pūkenga meets its obligations under the Children's Act 2014 and other relevant legislation, recognising the important role kaimahi and ākongā have in the identification and reporting of potential or actual abuse or neglect of a child

### 2. Ngā Mātāpono | Principles

- 2.1. Te Pūkenga will act in the best interests of children to whom Te Pūkenga provides a service and will comply with all relevant legislation.

#### Safety Checking

- 2.2. Te Pūkenga is committed to ensuring that Te Pūkenga processes and practices are compliant with the Children's Act 2014, including identification of Children's Workers roles and the robust recruitment and safety checking of these roles.
- 2.3. Te Pūkenga will Safety Check:
  - a) Any kaimahi who may be a Children's Worker in the context of their work with Te Pūkenga; and
  - b) Any ākongā who may be a Children's Worker as a consequence of a placement in a Regulated Service as part of their programme of study.
- 2.4. Te Pūkenga will undertake Safety Checks, including risk assessments as prescribed under the Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015, and in accordance with Te Pūkenga or its business divisions' procedures.
- 2.5. Te Pūkenga reserves the right to appropriately restrict a person's Te Pūkenga based activities where:
  - a) A Safety Check identifies that they may pose a risk to children and/or
  - b) A police vet identifies that a person is not permitted to work with children under the Children's Act 2014; or
  - c) No Safety Check has been completed.
- 2.6. Te Pūkenga recognises that kaimahi or ākongā, where otherwise restricted, may obtain an exemption from the Chief Executive of a Key Agency which allows them to work as a Children's Worker and will consider this where an exemption is provided.
- 2.7. Nothing in this Policy shall limit Te Pūkenga taking what it considers are all the necessary steps to meet its legislative obligations.

## Education, Training and Support

- 2.8. Te Pūkenga will provide induction, education and training to ensure that kaimahi and ākonga in Regulated Services are up to date and aware of their responsibilities under this Policy and its related procedures including:
- a) Being able to identify the signs and symptoms of potential abuse and neglect and able to take action in response
  - b) Sharing information in a timely way and discussing any child protection concerns about an individual child, as appropriate and in accordance with Te Pūkenga procedures
  - c) Ensuring kaimahi understand the obligations around privacy, confidentiality and information sharing.

## Reporting Child Abuse or Neglect

- 2.9. Kaimahi and ākonga who, in the course of their work or study at Te Pūkenga, come to believe that a child may have been, or may be at risk of being, abused, neglected, or otherwise harmed, should take appropriate action as outlined in Te Pūkenga or relevant business division procedures.
- 2.10. Kaimahi and ākonga who carry out part of their Te Pūkenga work or study in the context of a Regulated Service or other providers of children’s services, must be aware of and adhere to any child protection policies in place in those organisations.

## 3. Ngā Haepapa | Responsibilities

Role	Responsibilities
<b>Designated Person</b>	Key people who have received child protection training will be given the responsibility of assessing a person’s suitability to engage with children at Te Pūkenga or its business divisions.
<b>Kaimahi and ākonga</b>	It is the responsibility of all kaimahi and ākonga to discuss any child protection concerns, including suspected abuse or neglect, with an appropriate person. These are: <ol style="list-style-type: none"> <li>a) Their manager for kaimahi</li> <li>b) Another Te Pūkenga manager</li> <li>c) A health centre nurse</li> <li>d) An appointed Designated Person</li> <li>e) People, Culture and Wellbeing team; or</li> <li>f) In the case of an ākonga, their supervisor or person in a relevant leadership position.</li> </ol>
<b>Managers</b>	Managers will support any administrative processes as necessary to uphold the Child Protection Policy.
<b>People, Culture and Wellbeing</b>	The People, Culture and Wellbeing team will coordinate and oversee the administration of safety checking processes for kaimahi and the coordination of kaimahi training as required under this policy.

<b>Police Vetting Administrators</b>	The function or teams within Te Pūkenga business divisions responsible for vetting of ākonga who will be Children’s Workers as part of their course of study at Te Pūkenga.
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#### 4. Ngā Tikanga | Definitions

<b>Term</b>	<b>Definition</b>
<b>Child</b>	A person who is under the age of: <ul style="list-style-type: none"> <li>a) 18 years; or</li> <li>b) 21 years and has been “in care” (as defined in the Children’s Act 2014):</li> <li>c) a person who is under the age of 25 years and is receiving transition support from the department under Part 7 of the Oranga Tamariki Act 1989</li> </ul>
<b>Children’s Worker</b>	A person who works in, or provides, a Regulated Service, and the person’s work: <ul style="list-style-type: none"> <li>a) may or does involve regular or overnight contact with a child or children (other than with children who are co-workers); and</li> <li>b) takes place without a parent or guardian of the child, or of each child, being present</li> </ul>
<b>Designated Person</b>	Key people who have received child protection training within Te Pūkenga or its subsidiaries. Note that some subsidiaries may not have designated persons.
<b>Key Agency</b>	Agencies whose Chief Executives are able to grant an exemption under the Children’s Act 2014: <ul style="list-style-type: none"> <li>a) Ministry for Health</li> <li>b) Ministry for Education</li> <li>c) Ministry for Justice</li> <li>d) Ministry for Social Development</li> <li>e) Oranga Tamariki – Ministry for Children</li> </ul>
<b>Regulated Service</b>	A regulated service is any service listed in Schedule 1 of the Children’s Act 2014 including Health Services, Welfare, Support and Justice Services and Education Services (as defined in that Schedule).
<b>Safety Check</b>	A series of checks which aim to ensure a safe and competent children's workforce. This includes gathering a range of key information about a person and evaluating this information to determine whether they pose any risk in being employed working with children. Information includes but is not limited to: <ul style="list-style-type: none"> <li>a) Verification of identity</li> <li>b) Police Vetting</li> </ul>

	c) Risk assessment
<b>Te Pūkenga Procedures</b>	Local procedures held within business divisions that give effect to national policy.

## 5. Ngā Hononga ki Tuhinga kē | Links to Other Documents

<p><b>Related Policies</b></p> <p>Recruitment Policy</p> <p>Privacy Policy</p>
<p><b>Processes, Procedures</b></p> <p>Child Protection Procedure (in development)</p> <p>Recruitment Procedure (in development)</p> <p>Employment Vetting Procedure (in development)</p>
<p><b>Legislation</b></p> <p>Care of Children Act 2004</p> <p>Children’s Act 2014</p> <p>Criminal Records (Clean Slate) Act 2004</p> <p>The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021</p> <p>Domestic Violence Act 1995</p> <p>Education and Training Act 2020</p> <p>Employment Relations Act 2000</p> <p>Health and Disability Commissioner Act 1994</p> <p>Human Rights Act 1993</p> <p>Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017</p> <p>Privacy Act 2020</p>