

Document Name:	POLICY ON PROTECTION OF CHILDREN, YOUNG PEOPLE & VULNERABLE ADULTS		
Distribution:	All staff and associates as defined in Section 2 Scope below	Document No:	Policy 8.2 v.2
Approval Date:	28 Aug 2020	Next review date:	August 2023
Issued/Updated By:	CANZ Safeguarding Coordinator (AG/KG)	Approved by:	
Note:	<i>Previously approved by the CANZ Board at Board Meeting of 25 May 2018. Significant changes are being proposed in the current policy to incorporate developments in the safeguarding sphere, i.e. Caritas Internationalis, MFAT, SCHR, to name a few.</i>		

INTRODUCTION

There are three basic elements of the Catholic Church. The first one is scripture and the teaching of the apostles, the hearing and spreading of the Good News. The second is the sacraments, worship and prayer life. The third element is the social mission, action for social justice.

Social justice is to support and develop structures that serve the well-being and protect the dignity of every human person. These principles guide the work of Caritas Aotearoa New Zealand (CANZ) as it recognises the dignity of every person, and in its preferential option for those who are poor and vulnerable, CANZ recognizes the dignity and rights of children, the young and vulnerable adults towards whom it has a special responsibility and duty of care.

Caritas, its personnel, Board, committee members, volunteers, and its associates will seek to create a safe environment for the children, young people and vulnerable adults and to protect them from physical, emotional, and sexual abuse. This policy derives its standards and principles from the UN Convention on the Rights of the Child and the Caritas Internationalis Children and Vulnerable Adults Safeguarding Policy approved by the CI Executive Board on 11 October 2018.

Scope of Policy

The Policy applies to all CANZ Staff and Associates¹.

'Staff' refers to full time and part-time personnel, volunteers, interns, and governance members.

'Associates' refers to consultants and contractors and may also cover supporters (donors, sponsors, advocates, ambassadors), trustees, agencies, and any other individuals or groups that have been brought in contact with children (including their personal information and images) while working with/supporting Caritas.

Policy Components

- In the context of this policy, child protection includes the protection of children and young people from physical abuse, emotional abuse, neglect and sexual abuse. Definitions of these terms are included in Appendix 1.
- For the purposes of this policy, children and young people are those persons who are under 18 years of age.² A Vulnerable Adult, as defined by the Ministry of Health, is “a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”. We apply this further to cover those who may be at risk on account of poverty, inequality or experience of displacement or crisis.³
- *In working with children and young people in schools, staff must be sensitive to the school's responsibility to protect its students.*
- CANZ staff and associates are expected to adhere to the Caritas Aotearoa New Zealand Guidelines for Working with Children, Young People and Vulnerable Adults (Appendix 2) and follow the Procedures outlined for Handling Child Protection Incidents (Appendix 3).
- All CANZ Aotearoa New Zealand staff and associates must sign the “Code of Behaviour” which incorporates the undertakings in this policy.
- CANZ is a signatory to the Interagency Misconduct Disclosure Scheme⁴. In practice, this means that as part of our recruitment process, we are committed to systematically check with previous employers about any sexual exploitation and abuse issues relating to potential new hires. In return, we also commit to responding systematically to such checks from others.

¹ Terminology used by Caritas Internationalis in its “Children and Vulnerable Adults Safeguarding Policy”, approved by the CI Executive Board on the 11 October 2018.

² Care of Children Act 2004, s 8.

³ CI Children and Vulnerable Adults Safeguarding Policy

⁴ Inter-Agency Scheme for the Disclosure of Safeguarding-related Misconduct in Recruitment Processes within the Humanitarian and Development Sector. See <https://www.schr.info/the-misconduct-disclosure-scheme>

- As an agency of the New Zealand Catholic Bishops Conference for justice, peace and development, CANZ also observes the safeguarding guidelines issued by the National Office for Professional Standards for the Catholic Church in Aotearoa New Zealand for the prevention of and response to sexual abuse in the Catholic Church in Aotearoa New Zealand.⁵
- CANZ incorporates relevant New Zealand laws on the protection of children including, but not limited to, the Children’s Act of 2014.
 - Any recruitment process is required to comply with the Children’s Act of 2014 (CA2014) and the CI Children and Vulnerable Adults Safeguarding Policy (CI Safeguarding Policy for brevity).
 - In safety checking of volunteers under CA2014, volunteers are to be treated in the same way as paid employees or contractors. Furthermore, all staff members are required to undergo periodic police checks. (Refer to CANZ ‘Staff Recruitment and Appointment’ policy).
- The protection policies and procedures of CANZ partners will be assessed prior to funding, with particular attention given to those whose projects work with children or vulnerable groups.
- CANZ abides by the Ministry of Foreign Affairs and Trade (MFAT)’s policy on Preventing Sexual Exploitation Abuse and Harassment for the NZ Aid Programme in its capacity as delivery partner for the latter.
- This policy is further underpinned by Caritas Internationalis’ Safeguarding framework which protects children and vulnerable adults through:
 - policies that prohibit all forms of exploitation and abuse
 - focus on prevention through safe recruitment, training/education, risk assessment and management, program development and implementation
 - providing mechanisms for reporting, escalation, communication and investigation of any concern or suspicion of exploitation and abuse of a child or vulnerable adult and finally
 - ensuring the proper monitoring, evaluation, accountability and learning through data collection and protection and establishing safeguarding as a management standard for all member organisations in the Caritas Internationalis Confederation.

CONCLUSION

⁵ See National Safeguarding Guidelines in www.safeguarding.catholic.org.nz

The Caritas Confederation acknowledges that the issue of child protection is a global challenge. Caritas Aotearoa New Zealand (CANZ) clearly states that exploitation and abuse of children represents a betrayal of trust as well as a devastating failure of protection. CANZ staff and associates are committed to acting, at all times, in the best interests of children, young people and all vulnerable people.

We have a duty to do everything possible to prevent and address any breach of this policy which we become aware of. We are committed to addressing any sexual misconduct and ensure there are no outstanding incidents that are not reported or not correctly handled. This is in our work environment, or while representing CANZ during our engagement in communities.

CANZ shares the position of the Catholic Church that any Catholic agency should be an example of best practice in the issue of child protection. This policy is a step towards addressing the issue. By introducing and putting these procedures into practice CANZ commits itself to making the issue of child protection a priority in every situation in which CANZ is present.

Appendices

Appendix 1: Definitions

Appendix 2: Caritas Guidelines for Working with Children, Young People and Vulnerable Adults

Appendix 3: Caritas Procedures for Handling Child Protection Incidents

Appendix 4: CI Children and Vulnerable Adults Safeguarding Policy Report Form

DEFINITIONS**CHILD**

Any person under the age of 18. National law or local customs may use different definition; however, Caritas' position is all persons under the age of 18 should receive equal protection regardless of local age limits.⁶

YOUNG PERSON (YOUNG PEOPLE)

In the NZ context, i.e. the Oranga Tamariki Act 1989, a young person means a person over the age of 14 but under 18 years but also has an extended meaning that covers young adults from ages 18 -25 in circumstances that include caregiver and custody arrangements with the state⁷.

VULNERABLE ADULT

Any person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation⁸ We apply this further to cover those who may be at risk on account of poverty, inequality or experience of displacement or crisis.⁹

SAFEGUARDING:

The responsibility that organisations have to make sure their staff and programmes promote the welfare of children and vulnerable adults and do not expose them to the risk of harm and abuse. PSEA (Prevention of Sexual Exploitation and Abuse) and child protection come under this umbrella term.

PROTECTION:

The responsibility and measures taken to prevent and respond to abuse and exploitation of a child or vulnerable adult. This includes building awareness, promoting training, identifying and responding to all complaints, monitoring and evaluating protection structures, and taking personal responsibility.

CHILD PROTECTION

Child protection is about preventing and responding to violence, exploitation and abuse against children including sexual exploitation and abuse, trafficking, child labour and harmful traditional practices. It is part of the broader area of work known as Safeguarding.

⁶ Definition added from CI Safeguarding Policy

⁷ Oranga Tamariki Act 1989, sec. 386AAA

⁸ NZ Department of Health definition

⁹ From CI Safeguarding Policy Glossary of Terms

CHILD ABUSE

Can happen to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual, emotional, neglect, bullying child labour and family violence. Abuse can be inflicted on a child by both men and women, as well as by young people themselves and in some cases; professional and other adults working with children in a position of trust also abuse children.

DUTY OF CARE

A common law concept that refers to the responsibility of the organisation to provide children with adequate level of protection against harm. It is the duty of the organisation to protect children from all reasonably foreseeable risk of injury.

EXPLOITATION

Any actual or attempted abuse of a position of vulnerability or use of differential power or trust to profit monetarily, socially or politically. There are various types of exploitation including:

1. **Sexual Exploitation:** The actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
2. **Child Labour:** The term “child labour” generally refers to any economic activity performed by a person under the age of 15.
3. **Trafficking:** The recruitment, transportation, transfer, harbouring or receipt of children or vulnerable adults for the purpose of exploitation such as for labour, prostitution or sexual exploitation.
4. **Survival Sex:** Occurs when a child or vulnerable adult living in poverty or in an emergency situation chooses to engage in or is coerced into sex as a last resort for survival. It is transactional sex in exchange for food, water, drugs, shelter, money and/or any other essential needs for integral human survival.

PSEA (Protection from Sexual Exploitation and Abuse)

All measures that protect people from crisis affected communities from sexual exploitation and abuse by staff (e.g. of NGOs, the UN and other actors).

ABUSE

Any action or inaction that causes harm to another person. It can include physical abuse, emotional abuse, sexual abuse and neglect. It also includes abuse online and/or through mobile technology. There are various types of abuse including:

1. **Sexual abuse:** Any actual or threatened sexual act of violence perpetrated against a child or adult, whether by force or under unequal or coercive conditions. Examples of sexual abuse include rape, abusive sexual contact like unwanted touching and non-contact sexual abuse such as sexting and verbal or behavioural sexual harassment.

2. **Physical abuse:** The actual or likely physical injury to a child or adult, such as hitting, kicking or shaking, where there is definite knowledge or reasonable suspicion that the injury was inflicted or knowingly not prevented.
3. **Emotional abuse:** Harm done by persistent or severe emotional ill-treatment or rejection such as degrading punishments, threats, bullying and not giving care and affection.
4. **Neglect:** When basic needs such as food, warmth and medical care are not met, or when there is a failure to prevent exposure to any kind of danger.

SUSPECT

An individual, who is suspected of having abused, exploited or knowingly allowed the ill treatment of a child or vulnerable adult. Such abuse or exploitation may cause physical, sexual, emotional, psychological or other harm to an individual. Investigation would determine whether the suspect is guilty or not.

REPORTER

An individual who identifies and reports suspected incidents of abuse or exploitation of a child or vulnerable adult. All CANZ Staff are required to report whenever a suspicion of abuse or exploitation involving CANZ Staff or other humanitarian workers is raised, even when they may not have all the facts at hand.

Caritas Aotearoa New Zealand
Guidelines for Working with Children, Young People and Vulnerable Adults

There are some simple rules and procedures that will minimise the risk of an incident occurring or being alleged. Most of these are common sense and will already be followed, but it is important that staff and volunteers specifically check that they are being implemented in any work or event that involves children or young people.

Maintain professional boundaries

- Treat children, young people and vulnerable adults with respect, recognising their right to personal privacy.
- Avoid inappropriate physical or verbal contact with others, especially children.
- Do not develop relationships with young people and vulnerable adults which may compromise your role and which may put the young person at risk of physical or emotional distress.
- Avoid being drawn in to inappropriate behaviour, such as tantrums or crushes.
- Avoid showing favouritism to any individual.
- Never make suggestive remarks or gestures, even in fun.
- Caution should be exercised in taking and using photographs of children.
- Obtain permission from the guardian and, where appropriate, the child, for use of photographs.

Support children

- Encourage children, young people and vulnerable adults to feel comfortable enough to point out attitudes and behaviour they do not like.
- Provide access for children and young people to talk to others about any concerns they have.
- Always take disclosures seriously and act according to CANZ agreed procedures. Do not trivialise or exaggerate child abuse issues.

Act with integrity

- Protect your reputation - remember that someone else may misinterpret your actions, no matter how well intentioned.
- Foster visibility in the workplace so that both you and the child can be seen at all times by others. Recognise that caution is required in all one-to-one situations if they cannot be avoided.
- Do not take children alone in a car, even for short journeys, unless this is unavoidable for safety reasons. If this is unavoidable, make sure an adult carer or another member of staff is aware it is happening.
- In New Zealand only registered teachers can be left alone with a class.
- All information technology, including computers and cameras, owned or used by CANZ personnel and CANZ contractors must be free of objectionable, suggestive or pornographic material.

Portray children in a respectful, appropriate and consensual way

- A child should always be portrayed in a dignified and respectful manner and not in a vulnerable or submissive manner.
- Children should not be portrayed in isolation; instead, they should be portrayed as part of their community.
- Images should be an honest representation of the context and the facts.
- Children should not be portrayed as weak, isolated and vulnerable. Images of children should portray them as resilient human beings and as partners in the development process.
- Informed consent must always be sought and documented for the use of a child's story or image. When asking for consent, details should be given as to how long the story, information and or image will be used.
- Further guidance on the use of children's images and stories is included in the CANZ 'Image gathering and Use Policy'.

Working with Partners

- CANZ includes clauses on child protection standards in all partnership agreements and contracts.
- CANZ works with partners to undertake a child protection risk assessment for all programmes and activities involving or affecting children, this is monitored throughout the life of the project.
- CANZ determines a partners' status as a child safe organisation by including child protection in our partner appraisal process. Through Caritas Internationalis Management Standards, CANZ commits to a process of strengthening our partners ability to protect children in our programs by investing in targeted capacity building, training and awareness raising on child protection for CI member organisations and all other programme partners.

Caritas Aotearoa New Zealand Procedures for Handling Child Protection, Young People and Vulnerable Adult Incidents

These procedures should be used as a guide if CANZ personnel become aware of the possible abuse of a child in the course of their work for Caritas.

The nature of CANZ work, both in New Zealand and overseas, means that the CANZ person is usually a visitor in the place where the alleged abuse is taking place. Any CANZ person who becomes aware of possible abuse of a child, young person or vulnerable adult should aim to ensure that:

- The child, young person or vulnerable adult is safe from further harm
- Responsibility for further investigation and action is handed over to an appropriate person in a position of authority in relation to the alleged offender
- The child, young person or vulnerable adult has a local advocate who will provide accompaniment and support while the issue is dealt with.
- CANZ staff need to be aware when organizing TOR, the name of the relevant person in country to contact, if they become aware of an event or incident of concern.

Awareness

If a child, young person or vulnerable adult discloses abuse to you:

- Take what the child, young person or vulnerable adult says seriously, and make no judgement about what is being said.
- Let the child, young person or vulnerable adult speak freely and DO NOT press for information.
- Reassure the child, young person or vulnerable adult, that he/she has done the right thing in talking to you.
- Let the child, young person or vulnerable adult know you need to tell someone else. Do not promise total confidentiality.
- Let the child, young person or vulnerable adult know what you are going to do next and that you will let them know what happens.
- Record carefully what you have heard whilst it is still fresh in your mind. Include the date, time and place of your conversation.

If you become aware of possible abuse from someone other than the child:

- Record what you have heard, from whom, when and where.
- If necessary check with someone else who may be in a position to corroborate what you have heard.

Action

Knowledge of abuse carries with it the responsibility for action. This responsibility requires that leaving the country or community may need to be delayed until the following steps have been carried out:

- Enlist the assistance of a person you can trust to act as the child's advocate and whom the child will trust (or is likely to trust if knowledge of the abuse has not come directly from the child).
- Work with that person to determine any immediate danger to the child and how the child's safety is to be assured.
- Tell a person who has authority in relation to the alleged offender what you know, using the notes you have written and preferably in the presence of the child's advocate.
- Make it clear that you are handing responsibility for the matter over to the person in authority, and seek some indication as to what action they may take.
- Write notes about the meeting, including time, place, who was present and what action is likely to be taken. Notes are to be treated as confidential and not to be shared other than to persons with the appropriate authority (see next item).
- You should contact the Director at some point after you become aware of the alleged abuse, and preferably before talking with the person in authority. The timing of this contact will to some extent be dictated by events, but you must let the Director know what has happened (comms systems allowing) before leaving the country.
- Complete 'Sample' Reporting Form for Suspicion of abuse

Caritas Internationalis Children and Vulnerable Adults Safeguarding Policy

Annex IV-Report Form

Suspicion of Abuse or Exploitation of a Child or Vulnerable Adult

Instructions

Any suspicion or concern of abuse or exploitation of a child or an adult involving Caritas staff and associates must be reported as required in the Caritas Internationalis Complaint Handling Policy and Procedure and Children and Vulnerable Adults Safeguarding Policy. If you are unable to complete all of the sections, fill in what you do know. If there is more than one victim, please complete a separate report for each victim. The reporter's identity will not be disclosed except on a "need to know" basis. If the reporter believes danger is imminent to themselves or anyone involved, you should alert the Caritas Internationalis Secretary General at once. Caritas Internationalis is committed to addressing and responding to all reports.

If an immediate threat to life exists or if emergency assistance is needed, please contact your local authorities and alert local senior management at once. The purpose of the Report Form is to report any suspicious activity of abuse or exploitation for Caritas Internationalis to assess and determine next course.

REPORTED

BY:

Does the **Reporter** wish to be identified?

Yes No

If yes, Reporter name and contact information

First Name: _____ M.I.: _____ Last Name: _____

Phone Number *Include the area code or country code (Preferred):* _____ *(Alternative):* _____

Email: _____

Name of Organization: _____ Job Title: _____

VICTIM:

Is the victim a child or an adult?

Child Adult

Victim Identity:

First Name _____ Last Name _____ Nick Name _____

Unknown

(If you are unable to provide the victim's identity, check Unknown.)

Approximate age: _____ Gender _____

Child refers to all persons under the age of 18

Provide any additional information

Caregiver/Guardian/Relative:

First Name _____ M.I. _____ Last Name _____ Unknown

(If you are unable to provide the caregiver/Guardian/Relative's identity, check Unknown.)

Physical Address: _____

(Examples include: name of village, street name, city, house, building)

Phone Number Include the area code or country code (Preferred): _____ (Alternative): _____

Email: _____

Approximate age _____ Gender _____

INCIDENT DETAILS

Type of incident:

(Check all that apply)

- Sexual Abuse *(e.g. fondling, kissing, non-contact sexual activity, rape)*
- Exploitation *(e.g. sex trafficking, forced prostitution, survival sex, child labor)*
- Emotional Abuse *(e.g. intimidation, threats, humiliation, bullying)*
- Physical Abuse *(e.g. hitting, kicking, shaking)*
- Other (Define other)

Location:

Address/Physical location of incident: _____ Country

(Examples include: name of village, street name, city, house, building) **Dates:**

Approximate Date of Incident: Month _____ Date _____ Year _____

Date Reported: Month _____ Date _____ Year _____

Physical and Emotional State:

Physical and Emotional state of victim *(Check all that apply)*

- Cuts, bruises, welts, scratches
- Physical Abuse *(e.g. angry, crying, acting out, withdrawn, sudden illness)*
- Other

Please further describe the physical and emotional state of the victim.

Impairment or Disability:

Does the victim have a physical impairment or disability?

Yes No Don't know

If yes, describe the impairment or disability.

Become Aware:

How did the reporter become aware of this incident?

Witnessed it Other (Define other) _____

Safety of Victim:

Was the victim in immediate danger prior to completing this form?

Yes No

Were the proper authorities and senior management contacted (as appropriate)?

Yes No

Please provide any additional information.

SUSPECT:

First Name _____ M.I. _____ Last Name _____ Unknown

(If you are unable to provide the suspect's identity, check Unknown.)

Phone Number *(Include the area code or country code (Preferred))* _____ *(Alternative)* _____

Email _____ Approximate age _____

Sex _____

Physical Description of Suspect:

Physical Address _____ Unknown

(Examples include: name of village, street name, city, house, building)

Name of Organization _____ Job Title _____

MORE INFORMATION:

Are there any other persons with more information?

Yes No

If yes, provide details: