

Policy on Protection of Children Young People and Vulnerable Adults

May 2018

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 (Caritas) as it recognizes the dignity of every person, and in its preferential option for those who are poor and vulnerable, Caritas recognizes the dignity and rights of children and young people towards whom it has a special responsibility and duty of care. Caritas, its' staff, Board, committee members and volunteers, 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 is based on the standards and principles contained within the UN Convention on the Rights of the Child.

Scope of Policy

The Policy applies to all Caritas Personnel and Associates.

'Personnel' refers to: full time, part time, international and national and also those engaged on short term contracts such as; consultants and contractors (including researchers, photographers etc.)

Others/Associates' refers to: visitors to our programs (including media), volunteers, board members, interns, 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 Appendix1.
- For the purposes of this policy, children and young persons are those persons who are under 18 years of age.¹Vulnerable Adults are (defined by the Department of Health New Zealand) “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”.
- In working with children and young people in schools Caritas personnel must be sensitive to the school’s responsibility to protect its students.
- Any child protection matter that arises for personnel and associates, in New Zealand or internationally, must be reported in accordance with Complaints policy.
- All Caritas Aotearoa New Zealand personnel and associates must sign the “*Caritas Code of Conduct – Protection of Children and Young People and Vulnerable Adults*” (Appendix 2 of this policy) (*This may be replaced by the Code of Behaviour*)
- Any recruitment process is required to comply with the Vulnerable Children’s Act 2014 (the VCA). Safety checking of Volunteers is also required to be carried out in accordance with the VCA i.e Volunteers are to be treated in the same way as paid employees or contractors under the VCA. Furthermore, all staff members are required to undergo a police check. Refer to Caritas ‘Staff Recruitment and Appointment’ policy.
- Caritas personnel and associates are expected to adhere to the Caritas Aotearoa New Zealand Guidelines for Working with Children, Young People and Vulnerable Adults (Appendix 3) and follow the Procedures outlined for Handling Child Protection Incidents (Appendix 4).
- The protection policies and procedures of partners will be assessed prior to funding, with particular attention given to those whose projects work with children or vulnerable groups.
- Caritas will pursue the development of strong protection policies and monitoring systems within the multilateral partnerships of which we are a part.
- Caritas is committed to educating personnel and associates in child protection and abuse, in the CPP, in how to reduce risks and create child safe environments. Caritas will promote child safe practices which keep children safe in the organisation and in their own community, and provide information about child protection to the children and community in which we work. Staff with specialist child protection responsibilities will be

¹ Care of Children Act 2004, s 8.

supported to attend child protection training delivered externally to stay informed of current practice.

CARITAS CORE VALUES

Caritas expects all personnel and associates to be committed to and guided by the following fundamental values and principles of the Caritas Confederation:

Caritas derives its being and inspiration from the witness of Christian Scripture and a living tradition of Catholic social teaching. Caritas **strives to uphold the dignity of the human person at all times.**

The vision of Caritas Internationalis is a civilisation of love.

It is a world:

- which reflects the Reign of God, where justice, peace, truth, freedom and solidarity prevail
- in which the dignity of the human person, made in the image of God, is paramount
- in which exclusion, discrimination, violence, intolerance and dehumanising poverty are no more
- where the goods of the earth are shared by all
- where all creation is cherished and held in trust for the common good of future generations
- where all people, especially the poorest, the marginalised and the oppressed, find hope and are empowered to come to the fullness of their humanity as part of a global community.

(Caritas Internationalis Strategic Plan, 1999)

CONCLUSION

The Caritas Confederation acknowledges that the issue of child protection is a global challenge. Caritas Aotearoa New Zealand clearly states that exploitation and abuse of children represents a betrayal of trust as well as a devastating failure of protection. Caritas Aotearoa New Zealand personnel and associates are committed to acting at all times in the best interests of children, 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 Caritas during our engagement in communities.

Caritas 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 Caritas commits itself to making the issue of child protection a priority in every situation in which Caritas Aotearoa New Zealand is present.

Document Control

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Appendices

Appendix 1: Definitions

Appendix 2: Caritas Code of Conduct – Protection of Children, Young People and Vulnerable Adults

Appendix 3: Caritas Guidelines for Working with Children, Young People and Vulnerable Adults

Appendix 4: Caritas Procedures for Handling Child Protection Incidents

Appendix 5: Sample Reporting Form for Suspicions of Abuse

APPENDIX 1

DEFINITIONS

Child protection is the term used to describe the responsibilities and activities undertaken to prevent or stop children being abused or maltreated.

Child abuse happens 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 is 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.

Physical abuse is actual or likely physical injury to a child, such as hitting, kicking or shaking, where there is definite knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

Emotional abuse is harm done by persistent or severe emotional ill-treatment, isolation or rejection, such as degrading punishments, threats, not giving care and affection and bullying, resulting in adverse affects on the behaviour and emotional development of a child, young person, or vulnerable adult.

Neglect occurs when basic needs such as food, warmth and medical care are not met, or when there is failure to protect a child from exposure to any kind of danger, resulting in serious impairment of a child's or young person's health or development.

Sexual abuse occurs if a child or young person is pressurised or forced to take part in any kind of sexual activity, whether or not the child is aware of or consents to what is happening. Sexual abuse includes incest, rape and fondling. It may also include non contact activities such as showing pornography or internet based activity. Sexual abuse may involve siblings or other family members, or persons outside the family.

Exploitation. Commercial or other exploitation of a child refers to the use of the child in work or other activities for the benefit of others that are to the detriment of the child's physical and mental health, education, or moral and social-emotional development. It includes, but is not limited to, child labour, child trafficking and child sexual exploitation.

Vulnerable Adult – (Department of Health New Zealand) defines a vulnerable adult as 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. In Caritas, we recognise that people in humanitarian and development situations may be vulnerable due to their lack of access to basic human needs like food, water and shelter.

APPENDIX 2

Caritas Aotearoa New Zealand CODE OF CONDUCT – Protection of Children, Young People and Vulnerable Adults

Preamble

Caritas Aotearoa New Zealand commits itself to creating and maintaining an environment which promotes its core values and prevents abuse and sexual exploitation. Caritas personnel and associates are expected to contribute to building a harmonious workplace based on team spirit, mutual respect and understanding. All personnel and associates are expected to uphold the dignity of beneficiaries served by Caritas organisations by ensuring that their personal and professional conduct is of the highest standard at all times.

Abuse occurs when adults or other children hurt children, young people under the age of 18, or vulnerable adults, either physically or in some other way. Sexual abuse occurs if a child or young person is pressurised or forced to take part in any kind of sexual activity, whether or not the child is aware of or consents to what is happening. Sexual abuse includes incest, rape and fondling. It may also include non-contact activities such as sexual conversations, showing pornography or internet-based activity. Sexual abuse may involve siblings or other family members, or persons outside the family.

1. Abuse and sexual exploitation constitute acts of gross misconduct and are therefore grounds for termination of employment. All relevant legal steps should be taken corresponding to the legal and social conditions of the local situation.
2. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
3. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not an excuse.
4. Where a Caritas personnel or associate develops serious concerns regarding abuse or sexual exploitation s/he must report such concerns to the appropriate body within the Caritas concerned and local legal authorities where appropriate.
5. Caritas personnel and associates may not engage in any form of harassment, discrimination, physical or verbal abuse, intimidation, favouritism or exploitative sexual relations.

6. Caritas personnel and associates may not photograph, video or interview a child without the informed and documented consent of the child and his/her parents or guardians
7. Caritas personnel and associates are expected to behave in accordance with Caritas values.
8. Caritas personnel or associates will be proactive in protecting children, young people and vulnerable adults. If they become aware of any misconduct during their engagement with communities they will follow Caritas Guidelines - Appendix 1, 2, 3, 4,
9. Request the communities they are engaging with when working in Oceania to be committed to child safe practices. This will require they are advised ahead of visits the appropriate person to raise any concerns with.

I, _____ have carefully read the Policy on the Protection of Children, Young People and Vulnerable Adults together with the Caritas Code of Conduct and discussed its contents with my supervisor and/or colleagues in order to understand it clearly. I recognize that I must comply with the Core Values of Caritas and I am aware that Caritas expects me to uphold at all times the standards of behaviour described in the Code of Conduct above. I also understand that disciplinary measures and legal steps will be taken in case of non-compliance.

Signature _____ Date _____

APPENDIX 3

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 Caritas 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 Caritas personnel and Caritas 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 Caritas 'Image gathering and Use Policy'.

Working with Partners

- Caritas includes clauses on child protection standards in all partnership agreements and contracts.
- Caritas 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.
- Caritas determines a partners' status as a child safe organisation by including child protection in our partner appraisal process. Through Caritas Internationalis Management Standards, Caritas 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.

APPENDIX 4

Caritas Aotearoa New Zealand Procedures for Handling Child Protection, young people and Vulnerable Adult Incidents

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

The nature of Caritas work, both in New Zealand and overseas, means that the Caritas person is usually a visitor in the place where the alleged abuse is taking place. Any Caritas 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.
- Caritas 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. *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

Appendix 5

CHILD PROTECTION POLICY FRAMEWORK



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Sample Reporting Form for Suspicions of Abuse

Part One: About You

Name:

Your role in Caritas:

Details of any other organisation involved:

Your relationship to the child or young persons concerned:

Part Two: About the Child/Young Person(s)

Name(s):

Sex:

Age:

Address:

Who does the child or young person live with?

Part Three: About Your Concern

How did you come to have a concern: was abuse observed or suspected?
.....

Was an allegation made? Did a child disclose abuse?
.....

Date, time and place of any incident(s):
.....

Nature of concern/allegation:
.....

Observations made by you (e.g., child's emotional state, any physical evidence):
.....

Write down exactly what the child said, and what you said:
.....

Any other relevant information? (e.g., disability, language)
.....

Were other children involved or aware?
.....

Have you reported this to parents or caregivers or any other child protection personnel or agencies?
.....

Time and date of reporting:
.....

Person(s) to whom report was made:
.....

Advice given:
.....

Action taken:
.....