



Presbyterian Church
of Aotearoa New Zealand

Child Protection Policy

SUPPLEMENTARY PROVISION TO THE BOOK OF ORDER

Issued by the Council of Assembly 11 December 2018

Updated following approval from 2023 General Assembly

Key changes in this document from the December 2020 version include:

- Major restructure of policy document to aid user accessibility, including reorganisation of provisions and appendixes, and addition of a table of contents
- Clarification of timing requirements for 'warrant of fitness' refresher courses (Part 4)
- Clarification of obligation of responsibility to report abuse, and including the option to obtain advice from national support agencies (Part 7)
- Removal and replacement of references to repealed legislation
- Inclusion of full list of offences from Children's Act 2014 that make one unsuitable for ministry to young people (Appendix 3)

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Part 1: Background

A. Purpose

This Supplementary Provision outlines the policy and practices determined by the Council of Assembly of the Presbyterian Church of Aotearoa New Zealand (“the **Church**”) to be applied by all parts of the Church in relation to child protection.

The Church believes it is critical to have competent and committed governance and leadership which develops and maintains a child safe culture. For the policy to be effective it requires awareness and knowledge in all parts of the Church. It requires a commitment to shared personal responsibility to ensure children are protected.

¹ *Book of Order: Section 3.3 Delegation to the Council of Assembly*

B. Scope of this policy

This Policy applies to every part of the Church including, but not limited to, ministers, elders, lay workers and employees, volunteers or helpers, church councils, presbyteries, Presbyterian campsites, the Assembly, synods, trusts and other bodies that oversee, work with and/or care for people under the age of 18.

This Policy must be applied when people in the Church have responsibility for children and young people.

For the purposes of this policy, the term **child** refers to any person under the age of 18 years. When used as a standalone term, **young person** refers to someone over the age of 14 and under the age of 18 years.

C. Roles and responsibilities

All parts of the wider Church have a full and active part to play in protecting children and young people from harm. It is the responsibility of the Church to be vigilant, have knowledge and awareness of the indicators of neglect and abuse, whether actual or potential, and to report any concerns, suspicions or allegations immediately. The Church has a responsibility to take seriously any concern, suspicion or allegation raised.

a) All People working with children and young people

All people (paid or voluntary) working with children or young people must have a clear understanding of the Church’s Child Protection Policy.

b) Congregation Child Protection Officers

Each church council must appoint a Child Protection Officer who is responsible to ensure that the Church’s Child Protection Policy is implemented within the congregation.

The Child Protection Officer is a person within the church council who is responsible for the safeguarding of children. This person is responsible for ensuring that child

protection is a key focus within the Church, both at a strategic level and on a day to day basis.

Responsibilities include:

- i. Ensuring safe recruitment (including police vetting)
- ii. Ensuring all volunteers and employees who work with children or young people are trained in the PCANZ Safety Warrant of Fitness
- iii. Ensuring all volunteers and employees who work with children or young people are following safe working practices
- iv. Ensuring any suspected child abuse is reported appropriately

c) Presbytery Child Protection Officers

Each presbytery must appoint a Child Protection Officer who is responsible to ensure that the Church's Child Protection Policy is implemented within all congregations and bodies in the presbytery and to support the congregation Child Protection Officers

D. Related legislation

This child protection policy has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with the following Acts:

- Crimes Act 1961
- Health and Disability Commissioner Act 1994
- Oranga Tamariki Act 1989
- Privacy Act 2020
- Human Rights Act 1993
- Education and Training Act 2020
- Domestic Violence Act 1995
- Care of Children Act 2004
- Employment Relations Act 2000
- Code of Health and Disability Services Consumers' Rights
- Children's Act 2014

Part 2: Statement of beliefs regarding child protection

A. What we believe

The Church believes that all people, including children, are made in the image of God and thereby have an inherent value and dignity. It is committed to providing safe environments for all people, including children, so that they may live life in all its fullness. It is committed to protecting children from physical or mental harm and neglect, including sexual abuse and exploitation.

Children are gifts of God to be received, welcomed and to be cared for responsibly and justly. The Gospel also directs us to listen to and learn from children.

The Code of Ethics of the Church commits it “to conducting itself in accordance with the Gospel so that all people are treated with honesty, transparency, dignity and respect.” This policy outlines what is expected of all parts of the Church including voluntary or paid workers who work with or have responsibility for work with children or young people.

All children who are involved in the Church’s activities, services, events or programmes have a right to feel and be safe. The Church is committed to provide safe environments where children are cared for, respected and nurtured:-

We recognize that abuse may take many forms where inadequate or improper care of children and young people for whom we are responsible results in serious harm.

As abuse thrives on secrecy, the Church is committed to developing and maintaining an open and aware culture.

The Church commits itself to the creation and maintenance of a child safe culture to ensure the care, protection and safety of all children engaging with the Church in any of its entities.

The Church will do all in its power to safeguard children from all forms of abuse and will uphold the law including the requirement to report abuse.

B. Safety and protection mission statement

We will do all in our power to ensure that children and young people in our care will be nurtured and cared for in a safe environment and be protected from harm.

Part 3: Safe Recruitment

Before making any appointment (paid or voluntary) where the person might be expected to work with children or young people, a robust safety checking process must be conducted to ascertain the suitability and safety of the potential employee or volunteer to work with children and young people. All appointments, including of volunteers, must also follow the requirements of the Church's Conditions of Service Manual (section 3), and elaborated here.

All aspects of the Safe Recruitment procedures must be completed before any person commences working with children or young people.

All employees and volunteers working with children or young people must go through the police vetting process every three years.

A. Safe recruitment processes

The safe recruitment procedures listed below will apply to all prospective employees and volunteers who are working with children and young people.

All aspects of the Safety Recruitment must be completed before any person commences.

a) Identify verification

In order to confirm the identity of the applicant, two forms of ID as approved by the Police Vetting Service must be sighted.

Appointees must provide personal contact details.

b) Police vetting

Employees and volunteers will be vetted using the New Zealand Police Vetting service provided through the Assembly Office once every three years.

- i. It is important to note that police vetting of a potential worker will only render information relevant to offences relating to family violence, abuse and other violations of human dignity irrespective of the time of occurrence. Minor convictions such as theft, parking or speeding violations are only flagged in the vetting process for seven years after the offence. Offences that make one unsuitable for working with children and young people are listed in (Appendix 3).
- ii. For more details on what information Police may release go to: <http://www.police.govt.nz/advice/businesses-and-organisations/vetting/information-about-vetting>
- iii. On receipt of an adverse police vetting report the church council must take immediate action. The person should be stood down immediately from working with children and young people.
- iv. An adverse vetting report does not necessarily exclude the applicant from serving in other areas of the Church in which they will not be working with children and young people and certainly does not exclude them from church membership.

For the latest guidelines on how to use the New Zealand Police Vetting service through the Assembly office:

<https://www.presbyterian.org.nz/for-parishes/employing-and-managing-staff/police-checks>

c) Interview

In an interview, questions will be asked to provide answers to help assess suitability for a position.

- i. Views and attitudes on disciplining children and keeping safe around children.
- ii. Experiences and relationships in working with children.
- iii. Whether the person has ever committed or been accused of any acts of child molestation or abuse.

d) Reference check

All potential employees must give a minimum of 3 referees, at least one of whom is not related to the applicant. Referees should be able to vouch for the applicant's skills, attitudes, values, past behaviours and relationships.

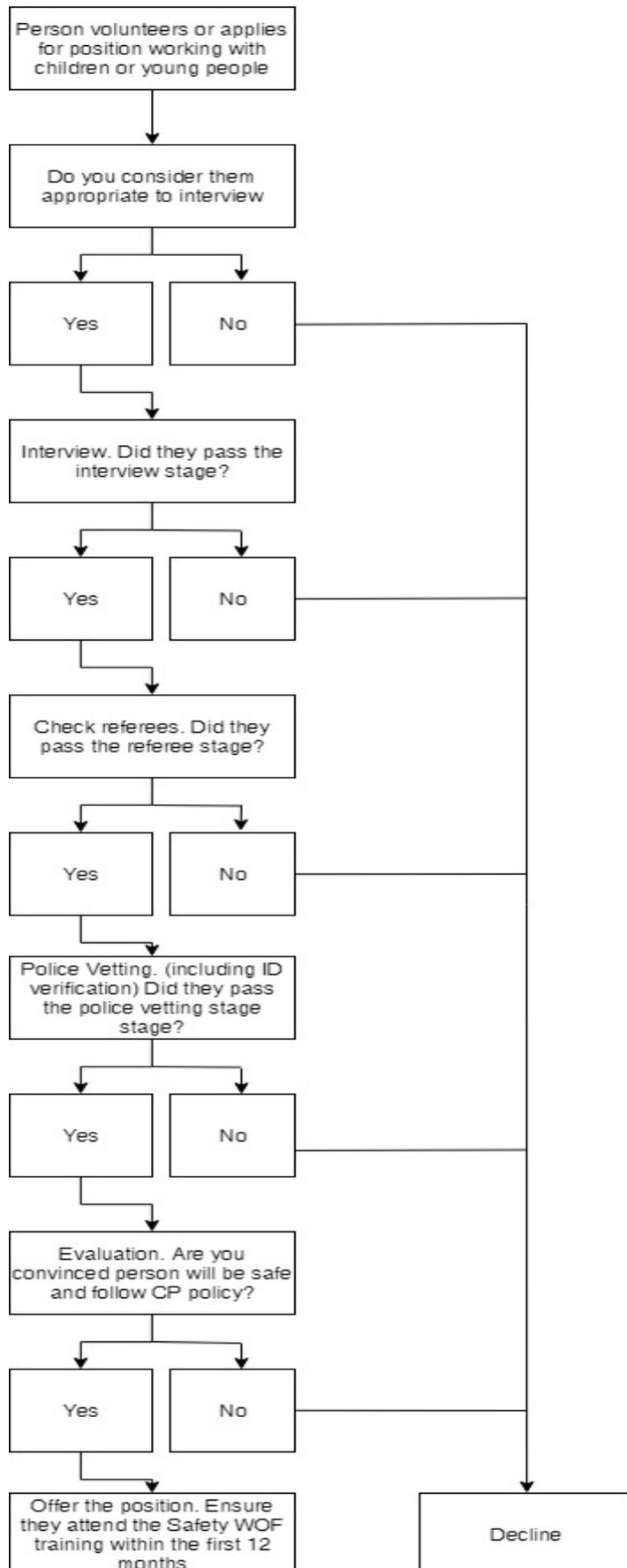
If the potential volunteer is not already well known to the church council they should also be required to provide referees.

e) Evaluation and risk assessment

The Church Council or the other relevant body must be convinced the person will:

- i. Be a safe person to work with children and young people.
- ii. Actively contribute to a culture of child protection.
- iii. Support and adhere to the child protection policy.
- iv. Be prepared to make the safety of children a priority.

B. Safe recruitment flow chart



Part 4: Training

The councils of the Church, namely the Assembly, presbytery and/or church council, will ensure that everyone in the part of the church for which the relevant council has responsibility has adequate and appropriate information and training about child abuse in order to protect children and to recognise and respond when children are at risk.

Anyone who is to have contact in the course of their work with children and young people must be given appropriate training covering basic awareness of child protection. This will include an overview of the signs and indicators of abuse, as well as the procedure for responding to actual or suspected abuse.

All employees and volunteers who work with children or young people, including congregational and presbytery Child Protection Officers, are required to undertake the following training:

- a) the Church's Safety Warrant of Fitness training day, within the first 12 months of appointment, and a one-hour refresher course every three years thereafter;
- b) an annual refresher course of the Church's Child Protection Policy and local church health and safety policies for the relevant employees and volunteers in congregations

Those taking on positions as local congregation and presbytery Child Protection Officers will require specific training for their roles, in addition to the above.

Part 5: Safe working practices

This is a “First Do No Harm” policy and should be applied in conjunction with the Church’s Health & Safety policy to be found in the Conditions of Service Manual, Section 3.10.

- a. All employees and volunteers working with children and young people must have a thorough understanding and agree to apply:
 - i. The Church’s Code of Ethics;
 - ii. The Church’s Code of Conduct for those Working with Young people (Appendix 1)
- b. All volunteers and employees who work with children or young people have an understanding of the Children’s and Youth Ministry Code of Ethics (Appendix 2)
- c. Programme leaders will ensure that for each programme and event involving children or young people there is a safety strategy which includes:
 - i. Risk management plan
 - ii. Hazard inspection
 - iii. Reporting of accidents and incidents
 - iv. Access to first aid

Part 6: Guidelines for identifying abuse and neglect

A. Key definitions

Child abuse can involve ongoing, repeated or persistent abuse, or it may arise from a single incident.

Physical Abuse

Physical abuse is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, bullying, 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

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 seeing or hearing about the ill treatment of others. It may also include discrimination on the grounds of cultural practices, ethnicity, gender or sexual orientation.

Sexual Abuse

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 pornography such as sexual images, sexual activities and sexual behaviours.

Those in the Church (voluntary and paid) with responsibility for children and young people should be aware of their 'duty of care' which precludes developing a sexual relationship with or grooming of a child. A sexual relationship between a leader and a child will always be wrong, unequal and unacceptable.

Neglect

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

Family Violence can take many forms and includes not only acts of physical violence, but also intimidating behaviour such as threatening to harm people, pets or property. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

B. Indicators of abuse and neglect

It is not always easy to recognise that a child is being hurt or is at risk, so abuse is often undetected. This section outlines some indicators (signs, symptoms or clues) that, either on their own or in various combinations, can point to possible abuse, neglect or family violence.

These indicators do not necessarily prove that a child has been harmed. They alert us that abuse may have occurred and that a child may require help or protection. Sometimes indicators can result from life events that do not involve abuse, such as divorce, accidental injury, the arrival of a new sibling, etc.

Categories of indicators for child abuse

The indicators for child abuse and neglect fall into three general categories:

- **Physical indicators:** Injuries to a child that are severe, occur in a pattern or occur frequently. These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given.
- **Behavioural indicators:** The child's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.
- **Caregiver indicators:** Caregivers who abuse, neglect or exploit children are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child, seek advice from your Child Protection Officer, Team Leader or Oranga Tamariki.

Indicators of emotional abuse

- Physical Indicators
 - Bed wetting or bed soiling with no medical cause
 - Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
 - Non-organic failure to thrive
 - Pale, emaciated
 - Prolonged vomiting and/or diarrhoea
 - Malnutrition

- Dressed differently to other children in the family
- Behavioural Indicators:
 - Severe developmental lags with obvious physical cause
 - Depression, anxiety, withdrawal or aggression
 - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Running away from home, avoiding attending at school
 - Nightmares, poor sleeping patterns
 - Anti-social behaviours
 - Lack of self esteem
 - Obsessive behaviours
 - Eating disorders
- Caregiver Indicators:
 - Labels the child as inferior or publicly humiliates the child (e.g. name calling)
 - Treats the child differently from siblings or peers in ways that suggest dislike for the child
 - Actively refuses to help the child
 - Constantly threatens the child with physical harm or death
 - Locks the child in a closet or room for extended periods of time
 - Teaches or reinforces criminal behaviour
 - Withholds physical and verbal affection
 - Keeps the child at home in role of servant or surrogate parent
 - Has unrealistic expectations of the child
 - Involves the child in adult issues such as separation or disputes over the child's care
 - Exposes the child to situations of arguing and violence in the home

Indicators of neglect

- Physical Indicators:
 - Dressed inappropriately for the season or the weather
 - Often extremely dirty and unwashed
 - Severe nappy rash or other persistent skin disorders
 - Inadequately supervised or left unattended frequently or for long periods
 - May be left in the care of an inappropriate adult
 - Does not receive adequate medical or dental care
 - Malnourished – this can be both underweight and overweight
 - Lacks adequate shelter
 - Non-organic failure to thrive
- Behavioural Indicators:
 - Severe developmental lags without an obvious physical cause
 - Lack of attachment to parents/caregivers
 - Indiscriminate attachment to other adults
 - Poor school attendance and performance
 - Demanding of affection and attention
 - Engages in risk taking behaviour such as drug and alcohol abuse
 - May steal food
 - Poor social skills

- No understanding of basic hygiene
- Caregiver Indicators:
 - Puts own needs ahead of those of the child
 - Fails to provide for the child's basic needs
 - Demonstrates little or no interest in the child's life – does not attend school activities, social events
 - Leaves the child alone or inappropriately supervised
 - Drug and alcohol use
 - Depression

Indicators of physical abuse

- Physical Indicators:
 - Bruises, welts, cuts and abrasions
 - Burns – small circular burns, immersion burns, rope burns etc.
 - Fractures and dislocations – skull, facial bones, spinal fractures etc.
 - Multiple fractures at different stages of healing
 - Fractures in very young children
- Behavioural Indicators:
 - Inconsistent or vague explanations regarding injuries
 - Wary of adults or a particular person
 - Vacant stare or frozen watchfulness
 - Cringing or flinching if touched unexpectedly
 - May be extremely compliant and eager to please
 - Dresses inappropriately to hide bruising or injuries
 - Runs away from home or is afraid to go home
 - May regress (e.g. bedwetting)
 - May indicate general sadness
 - Could have vision or hearing delay
 - Is violent to other children, or to animals
- Caregiver Indicators:
 - Inconsistent or vague explanations regarding injuries
 - May appear unconcerned about the child's wellbeing
 - May state the child is prone to injuries or lies about how they occur
 - Delays in seeking medical attention
 - May take the child to multiple medical appointments and seek medical treatment without an obvious need

Indicators of sexual abuse

- Physical Indicators:
 - Unusual or excessive itching or pain in the genital or anal area
 - Torn, stained or bloody underclothing
 - Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
 - Blood in urine or stools
 - Sexually transmitted infections
 - Pregnancy
 - Discomfort in sitting or fidgeting as unable to sit comfortably

- Behavioural Indicators:
 - Age-inappropriate sexual play or language
 - Bizarre, sophisticated or unusual sexual knowledge
 - Refuses to go home, or to a specific person's home, for no apparent reason
 - Fear of a certain person
 - Depression, anxiety, withdrawal or aggression
 - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
 - Overly compliant
 - Extreme attention seeking behaviours or extreme inhibition
 - Dresses inappropriately to hide bruising or injuries
 - Eating disorders
 - Compulsive behaviours
- Caregiver Indicators:
 - May be unusually over-protective of the child
 - Accuses the child of being sexually provocative
 - Misuses alcohol or drugs
 - Invades the child's privacy (e.g. during dressing, in the bathroom)
 - May favour the victim over other children

Indicators of family violence

- Indicators in the tamariki or rangatahi:
 - Physical injuries consistent with the indicators of Physical Abuse
 - Absenteeism from school
 - Bullying or aggressive behaviour
 - Complaints of headaches or stomach aches with no apparent medical reason
 - Talking or describing violent behaviours
- Indicators in the victim:
 - Physical Injuries including: bruising to chest and abdomen, injuries during pregnancy
 - Depression and/or anxiety
 - Inconsistent explanations for injuries
 - Fearful
 - Submissive
- Indicators in the offender:
 - Isolates and controls partner and children
 - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
 - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour

Part 7: Recording, reporting and responding to suspected abuse

A. General principles

Where child abuse is known or suspected, everything must be done to ensure the ongoing safety of the child concerned, along with the ongoing safety of any other child who is in close connection to the alleged offender.

The child is the primary concern and all other concerns (including the guilt or innocence of the alleged offender) must be secondary. This does not mean that the alleged offender is to be considered guilty without due investigation, but that the child's concerns and safety come first. In no way must any child be left in a harmful, or potentially harmful, situation.

All people working with children and young people must notify the parish Child Protection Officer of any concerns or allegations of child abuse promptly on becoming aware of these allegations. If there is a clear incidence of abuse you or the Child Protection Officer must without delay notify Oranga Tamariki (0508 326 459) as soon as possible. If you have concerns and need assistance to decide the best action steps please consider referring to one of the following national support agencies for advice on the matter.

- <https://www.areyouok.org.nz/support-available/family-violence-services/>
- <https://www.victimsinfo.govt.nz/>
- <https://www.shinelawyers.co.nz/blog/abuse-law/reporting-child-abuse-in-new-zealand-your-obligations/>
- <https://nzfvc.org.nz/links> -

If an urgent response is required to ensure the child's safety the concern should be reported to the New Zealand Police (111).

See the **Child Protection Procedures Flowchart** at the end of this Part.

B. Processes for reporting and responding to suspected abuse

Child abuse may come to light in a number of different ways. These can include, but are not limited to:

- Direct or indirect disclosure by the child or someone known to the child;
- Suspicions of abuse by those involved with the child, including from indicators of abuse;
- Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;
- Direct witnessing of abuse.

When disclosures of abuse come directly from a child, it is important that you take what the child says seriously. This applies irrespective of the setting, or your own opinion on what is being said. When a child tells you what has been happening to them, or when you witness or suspect child abuse, it is important that you, as the adult, remain calm and confident. It is also possible that an adult may disclose their concerns about abuse happening to a child they know. The steps below will help you respond to any disclosure that a child or adult makes to you, or any concerns that you have for a child's safety.

RESPOND: Respond to the person (adult or child) –Accept without judgement what they tell you and/or what you see. You must:

- stay calm
- listen and hear
- give time to the child or adult to say what they want
- reassure them that they were right to tell
- tell the child or adult that they are being taken seriously and that they are not to blame
- explain that you may have to pass on what the child or adult has told you as soon as you are aware that the child is making a disclosure
- give an age appropriate explanation to a child of what the child can expect to happen next
- **Record in writing** what was said as soon as possible, using the child's own words where possible.
- Report the concern to the appropriate statutory agency, in consultation with the Child Protection Officer.

You must not:

- make the child repeat the story unnecessarily
- promise to keep secrets
- enquire into the details of the alleged abuse, this is a specialised job for the Police or Oranga Tamariki
- ask leading questions

SAFETY: Ensure the safety of the child. Always take action in the short term to ensure the immediate safety of the child. This will mean contacting Oranga Tamariki **(0508 326 459)** or the Police **(111)** if you think there is an immediate risk to the child.

RECORD: Record immediately all initial statements, observations and concerns to avoid misinterpretations or confusion at a later date. Date and sign the document.

CONSULT: Where possible do not make decisions alone unless someone is in immediate danger. As soon as possible, you should discuss the matter with your Child Protection Officer. You can also seek advice about best action steps from one of the national support agencies listed on page 16. If your Child Protection Officer is unavailable or is involved in the allegation or suspicion, consultation is to occur with a Minister. Oranga Tamariki is also available to give advice.

You can also email Oranga Tamariki on contact@ot.govt.nz and they will contact back when one of their staff are able.

REPORT: If you have any concerns, you or the Child Protection Officer must report these immediately to Oranga Tamariki (0508 326 459) or the Police (111). Inform the Child Protection Officer as soon as possible. Oranga Tamariki are going to want to know the child's name and address, and any details about the abuser.

Note: Oranga Tamariki take your safety seriously too. When you report a concern they will ensure that you are not mentioned in any communication with the family being investigated.

RECORD: Record in writing all conversations and actions taken and keep these records securely in the Child Protection Register, this is a confidential paper and or electronic file that only key staff, leaders and your churches Child Protection Officer can have access to. All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely in the Child Protection Register with the reasons clearly identified and explained. Effective documentation, including referrals and notifications, must include the following:

- A record of facts, including observations, with time and date
- What was said and by whom, using the person's words
- What action has been taken, by whom and when

FOLLOW UP: If you have told the person you believe is responsible for taking action and they do not act, take further action yourself. This includes following up with Oranga Tamariki to ensure appropriate actions are being carried out.

SUPPORT: Seek support for yourself. Responding to a child protection issue can be stressful.

Think “what if I’m right?” Not “what if I’m wrong?”

It's not our job as volunteers, staff, team leaders or as church child protection officers to investigate to decide if abuse really is happening. Our job is simply to report any concerns we have.

It is the job of the Police and Oranga Tamariki to investigate and decide on any appropriate support or actions.

*All concerns or allegations of abuse **must** be reported to Oranga Tamariki and /or the NZ Police.*

C. Allegations or suspicions regarding church leaders or personnel

If a Church minister, elder, deacon, or employee is suspected or accused of abuse, the processes in Chapter 15 of the Book of Order should also be initiated without delay by reporting the matter to the Complaints and Disputes Manager, or the local contact person. Unless immediate action is needed as envisaged in 15.12, internal investigation or collection of evidence will generally not occur until the police or Oranga Tamariki has concluded their investigation.

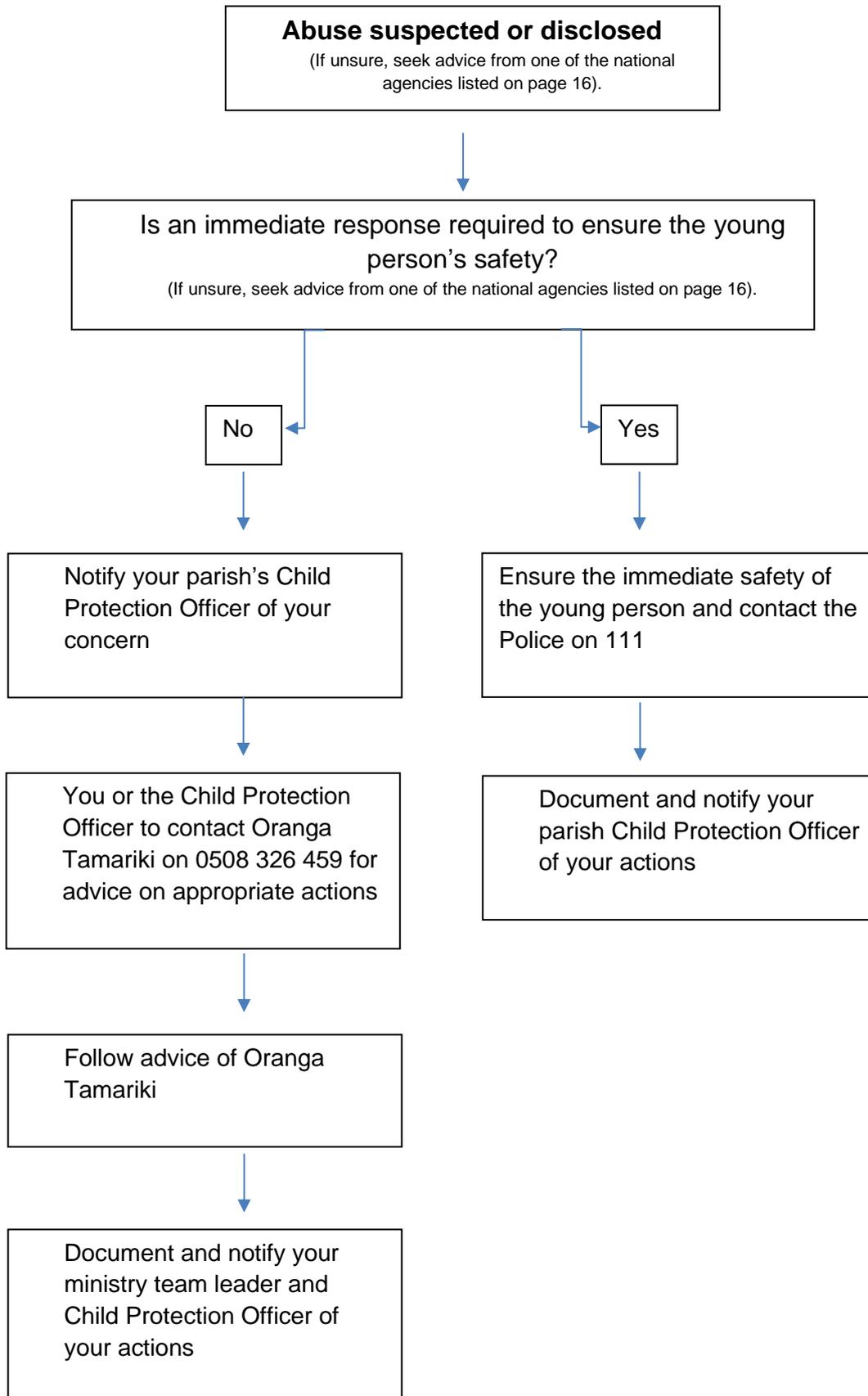
D. Keeping the Family Informed

Although the parent or caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen in circumstances when:

- the parent or caregiver is the alleged perpetrator
- it is possible that the child may be intimidated into silence
- there is a strong likelihood that evidence will be destroyed
- the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision”

The PCANZ wishes to acknowledge the contribution of Child Matters in the drafting of material for Parts 5 and 6. www.childmatters.org.nz

E. Child Protection procedures flowchart



Part 8: Confidentiality and requests for information

Information regarding any abuse is highly sensitive and must be handled with appropriate confidentiality. In dealing with such information, the Church, staff, and volunteers must comply with the Privacy Act 2020, in particular, referring to the *Principles* (section 22: 1-12).

Giving information to protect children better is not a breach of confidentiality. Wherever possible, the family/whanau should be kept informed of what information has been shared and to which agency, and for what purpose. Principle 11 of the Privacy Act, states "disclosure of the information is necessary to prevent or lessen a serious threat".

Should the Church be contacted with a request for information or access to interview a child then as well as noting the privacy requirements above, consider such things as:

- confirming the identity and credentials of person requesting information
- notifying the Child Protection Officer
- identifying the specific information required and the purpose
- checking that the Church holds the information requested
- the reason for the request, and potential risk to children, as judged case by case,
- informing the family/whānau that information has been requested, by whom and seek permission. If this is a child protection issue, permission from the family/whānau is not required
- documenting all steps in the process

Part 9: Contacts

Church councils must make this policy readily available to all who work with children and young people and to those in leadership positions. The following contact details should be publicized:

- Congregation: Congregation Child Protection Officer
(name:.....phone.....)
- Presbytery: Presbytery Child Protection Officer
(name:.....phone.....)

If it is suspected that a child is in immediate danger, the police must be contacted on 111. All suspected abuse or neglect will be reported to Oranga Tamariki (Ministry for Children); Telephone: 0508 FAMILY or 0508 326 459 (lines open 24/7), Email: contact@ot.govt.nz

For further information about police vetting, check out the [Presbyterian website](#) or contact the Assembly Office, phone (04) 801 6000.

Part 9: Relationships with external agencies:

The Church will maintain a good working relationship with Oranga Tamariki and with Police, and will implement the laws that serve to protect children from abuse (noted in Procedures). Relevant assembly and presbytery staff (including presbytery Child Protection Officers) will consult with Oranga Tamariki, the Police, and with other appropriate agencies that have specialist knowledge to help protect children from abuse.

Part 10: Policy review

This Policy will be reviewed annually and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.

The overall responsibility for review of this policy rests with the Assembly Executive Secretary.

Appendix 1: The Code of Conduct of the Presbyterian Church of Aotearoa New Zealand for those Working with Children and Young People

Leader's Responsibilities towards children

1. Ensure the safety and well-being of all children in your care.
2. Make certain that all activities are undertaken with sufficient suitably qualified staff and approved resources.
3. Treat all children as individuals, with dignity and sensitivity, avoiding favouritism, respecting their culture, their home background, their age and their physical and mental abilities.
4. Neglect, harassment, bullying, sarcasm, and bad language are unacceptable, as is any degree of physical, emotional, mental or spiritual abuse,
5. Respect children's privacy at all times, particularly where activities include sleeping, changing of clothing, bathing and ablutions.
6. Remain in sight of others, even if out of hearing, when dealing with an individual child. Avoid unaccompanied and unobserved activities and inappropriate physical contact (e.g. not kissing or tickling a child or doing anything that is potentially sexual).
7. Not touching children on any part of their body that would normally be covered by swimming togs.
8. Preventing visitors from accessing children without the supervision of an approved leader.

Leader's responsibilities towards parents/guardians

1. Take the time to know all parents/guardians.
2. Keep parents/guardians informed, inviting them to participate in or observe the programmes being provided.
3. Find out if children have any special needs or medical requirements.
4. Obtain written consent from parents/guardians prior to undertaking activities off centre premises.

Leader's responsibilities to the Church

1. Conduct yourself in a manner in keeping with Christian principles and ethics.
2. Be a healthy role model.
3. Be educated in the recognition of the warning signs and symptoms of abuse.

Leader's responsibilities to self

1. Keep contact with the Minister or person in charge for support and advice
2. Avoid placing yourself and your co-workers in compromising situations and protect yourself from actions that may be misconstrued.
3. Support your colleagues, and develop good relationships with them.
4. Report to the Minister or person in charge any anxieties you have regarding questionable behaviour of any person participating in children's programmes. This is to safeguard the integrity of leaders from potential accusations of abuse.

Appendix 2: The Children’s and Youth Ministry Code of Ethics

The Children’s and Youth Ministry Code of Ethics provides an agreed set of guidelines specifically created for children’s and youth ministry in Aotearoa to ensure that ministry is carried out in a safe, skilled, ethical manner. This document is based on the *Ara Taiohi Code of Ethics for Youth Work in Aotearoa New Zealand – Second Edition*. In discussion with Ara Taiohi, PYM and Children and Family Ministry have sought permission to modify the original document to better fit our children’s and youth ministry context. To view this document please use the following link:

<http://safetywof.org.nz/coe>

Appendix 3: Offences that make one unsuitable for ministry to young people

Children's Act 2014

1 An offence against any of the following sections of the Crimes Act 1961 is a specified offence for the purpose of Part 3:

- (1) section 98 (dealing in slaves)
- (2) section 98AA (dealing in people under 18 for sexual exploitation)
- (2A) section 124A (indecent communication with young person under 16)
- (3) section 128B (sexual violation)
- (4) section 129 (attempted sexual violation and assault with intent to commit sexual violation)
- (5) section 129A (sexual conduct with consent induced by certain threats)
- (6) section 130 (incest)
- (7) section 131 (sexual conduct with dependent family member)
- (8) section 131B (meeting young person following sexual grooming, etc)
- (9) section 132 (sexual conduct with child under 12)
- (10) section 133 (indecenty with girl under 12)
- (11) section 134 (sexual conduct with young person under 16)
- (12) section 135 (indecent assault)
- (13) section 138 (sexual exploitation of person with significant impairment)
- (14) section 139 (indecent act between woman and girl)
- (15) section 140 (indecenty with boy under 12)
- (16) section 140A (indecenty with boy between 12 and 16)
- (17) section 141 (indecent assault on man or boy)
- (18) section 142A (compelling indecent act with animal)
- (19) section 143 (bestiality)
- (20) section 144A (sexual conduct with children and young people outside New Zealand)
- (21) section 144C (organising or promoting child sex tours)
- (22) section 154 (abandoning child under 6)
- (23) section 172 (punishment of murder)
- (24) section 173 (attempt to murder)
- (25) section 177 (punishment of manslaughter)
- (26) section 178 (infanticide)
- (27) section 182 (killing of unborn child)
- (28) section 188 (wounding with intent)
- (29) section 189(1) (injuring with intent to cause grievous bodily harm)
- (30) section 191 (aggravated wounding or injury)
- (31) section 194(a) (assault on child)
- (32) section 195 (ill-treatment or neglect of child or vulnerable adult)
- (33) section 195A (failure to protect child or vulnerable adult)
- (34) section 198 (discharging firearm or doing dangerous act with intent)
- (35) section 204A (female genital mutilation)
- (36) section 204B (further offences relating to female genital mutilation)
- (37) section 208 (abduction for purposes of marriage or sexual connection)
- (38) section 209 (kidnapping)

(39) section 210 (abduction of young person under 16)

2 An offence that is equivalent to an offence against any section of the Crimes Act 1961 referred to in clause 1, but that was committed against a provision of the Crimes Act 1961 that has been repealed, is a specified offence.

3 An attempt to commit any offence referred to in clause 1 or 2, where the offence is not itself specified as an attempt and the provision does not itself provide that the offence may be completed on an attempt, is a specified offence.

4 A conspiracy to commit any offence referred to in clause 1 or 2 is a specified offence.

4A An accessory after the fact to any offence referred to in clause 1 or 2 is a specified offence.

5 An offence against any of the following sections of the Films, Videos, and Publications Classification Act 1993 is a specified offence for the purpose of Part 3:

- (a) section 124 (offences relating to objectionable publications, involving knowledge):
- (b) section 127(4) (exhibition to persons under 18):
- (c) section 131A (offences relating to possession of objectionable publications, involving knowledge).

6 An offence against section 390 of the Customs and Excise Act 2018 is a specified offence for the purpose of Part 3.