

## Waka Ama New Zealand

### Child Safeguarding and Protection Policy

Implemented: May 2020

Reviewed: January 2025

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#### **Background**

Waka Ama New Zealand (Waka Ama NZ) is committed to the well being and the prevention of abuse of children and young people. Waka Ama NZ acknowledges the responsibility to establish and promote a safe environment that protects children and young people from harm and exploitation while participating in waka ama. This safe environment should prioritise their hauora (well-being) including their physical, mental, emotional, and social well-being and ensure that all children and young people are treated with dignity and respect.

By adhering to this policy, we will ensure the safety and well-being of all children and young people participating in waka ama activities. Waka Ama NZ will advocate for this policy, and raise awareness and understanding of child safeguarding and protection. All services provided by Waka Ama NZ adhere to the rights and responsibilities accorded by Te Tiriti o Waitangi.

All services provided by Waka Ama NZ uphold the values of our organisation:

- **Manaakitanga:** We encourage the practice of reciprocity and inclusivity through sharing of ourselves and our resources, nurturing all people and accepting our differences
- **Whanaungatanga:** Is our sense of belonging, identification and collective strength, not only through kinship but being related to all within the waka ama community
- **Hauora:** We support and promote the physical, mental, emotional, and spiritual well-being of all our participants;
- **Tū Tangata:** We are accountable for our actions. We have respect for each other, our waka, and our environment. We stand proud in our integrity and passion.

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#### **Purpose**

This policy gives details of Waka Ama NZ's commitment to the protection of children and young people.

The policy:

- Sets standards to highlight the wellbeing of children and young people is the top priority and children and young people involved with waka ama have a right to feel safe and comfortable during their engagement.

- Sets standards to protect children and young people, our staff, volunteers and contractors.
- Highlights the responsibility of everyone to safeguard children and young people regardless of age, culture, ability, gender, language, ethnicity, socioeconomic status, religious belief, and/or sexual identity, all children and young people deserve protection from any harm.
- Contains procedures for our staff to guide them in identifying and reporting child abuse and neglect to meet our obligations under the Children’s Act 2014 and other relevant procedures.
- Ensures Waka Ama NZ creates a safe environment and that all staff know what to do if there are concerns about a child or young person.

Waka Ama NZ is committed to upholding this Child Safeguarding and Protection Policy by:

- Promoting children and young people’s health and well-being by providing safe opportunities for them to participate in waka ama.
- Putting children and young people’s welfare first in every decision we make.
- Ensuring all children and young people feel respected, listened to, valued and encouraged to enjoy and participate in waka ama.
- Safeguarding the organisation and the community from potential harm that could occur if a child or young person under their care was mistreated.
- Ensuring that staff, members, and volunteers are recruited, trained, supported, and supervised to adhere to best practices in safeguarding children and young people and mitigating the risk of allegations or complaints against them.
- Respecting and advocating for the rights, wishes and emotions of children and young people.
- Responding to any allegations of misconduct or harm to children and young people in line with this policy and these procedures, as well as implementing, the relevant investigation, disciplinary and appeals procedures where necessary.

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## **Scope**

This policy applies to all staff who are employed, volunteer or are engaged/contracted by Waka Ama NZ, including board members. This policy applies to all children and young people who engage with Waka Ama NZ whether visiting the office or participating in any programmes, events or activities delivered by Waka Ama NZ.

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## **Definitions**

For this policy the following definitions apply:

- “Waka Ama NZ” or “WANZ” means Waka Ama New Zealand
- “Child” or “Children” means a person or people under the age of 14 years
- “Young person” or “Young people” means a person or people of or over the age of 14 years but under 18 years; but does not include any person who is or has been married or in a civil union (Children, Young Person, and Their Families Act 1989, Section 2)

- “Staff” means all those employed by Waka Ama NZ whether paid or voluntary, full-time, part-time or contract
- “Child Safeguarding” means the actions we take to prevent harm to children and young people, and promotes their overall wellbeing
- “Child Protection” is how we respond when children and young people are or may be being harmed or abused

### **Definition of Child Abuse**

The Children, Young Persons and their Families Act, 1989, defines child abuse as "...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person". See appendices for further definitions.

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### **Relevant Acts**

This child protection policy adheres to the following Acts:

- Health and Disability Commissioner Act 1994
  - Children Young Persons and Their Families Act 1989
  - Privacy Act 2020
  - Human Rights Act 1993
  - Education Act 1989/1998
  - 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
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### **Roles and Responsibilities of Staff**

All staff have a duty of care to safeguard children and young people and play a part in reporting any potential or actual abuse. Waka Ama NZ aims to ensure that all staff understand their roles and responsibilities in ensuring the safety of children and young people at all times. All staff will receive training at the level appropriate to their role. This training will be refreshed/renewed as per industry best practice standards.

Staff must be vigilant, be knowledgeable with the signs of neglect and abuse and promptly report any concerns, suspicions or allegations of abuse promptly and ensure the matter is addressed.

All staff must adhere to the Waka Ama NZ Code of Conduct. All staff are expected to behave in a manner that maintains appropriate professional boundaries and avoids behaviour that could be misinterpreted.

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## **Processes and Procedures**

Waka Ama NZ has a duty of care to the children and young people it provides services to and failure to report a significant concern about a child or young person is a breach of that child or young person's human rights.

### **Procedure 1: Responding to potential, suspected, alleged, or actual harm**

This section outlines clear guidance for staff on how to respond to a breach of child protection, including potential, suspected, alleged, and/or actual.

- If the child or young person is in immediate danger, call the POLICE on 111. If you are unsure contact either the Waka Ama NZ CEO (027 548 4612) or Oranga Tamariki (0508 326459) for advice.
- When responding to a potential, suspected, alleged, and/or actual breach of child protection:
  - Respond immediately and ensure the safety of the child or young person
  - Respond to the child or young person in a safe, clear, and informative manner
  - Do not undertake an investigation yourself or ask investigative questions
  - Do not make promises to the child or young person
  - Do not make decisions or handle the situation alone
  - Inform the child or young person what will happen next
- All concerns of potential, suspected, alleged, and/or actual abuse should be reported to the Waka Ama NZ CEO immediately and within 24 hours. If the CEO is unavailable, then consult with the Waka Ama NZ Board Chair or General Manager immediately and within 24 hours of the reported incident.
- A decision will be made on whether to seek further advice and/or notify Oranga Tamariki.
- If a child or young person discloses verbally to a staff member it is important to take what the child or young person says seriously.
- Record all information you have heard and observed, all information provided by the child or young person, relevant times and dates, the actions taken, and any other relevant information regarding the situation. Keep all information factual and do not add interpretation.
- All decisions taken, including if the concern does not require notifying Oranga Tamariki, must be recorded and kept securely in the Waka Ama NZ Child Protection file with the reasons identified and explained.
- Sharing information to safeguard children and young people is not a breach of confidentiality.
- Wherever possible the family/whānau should be kept informed of what information has been shared and with which agency, and for what purpose.
- Guidance of sharing information with family/whanau is to be sought from either the Police or Oranga Tamariki. Principle 11 of the Privacy Act, 2020, states "disclosure of the information is necessary to prevent or lessen a serious threat".

## **Procedure 2: Responding to an allegation against a staff member or volunteer**

This section outlines clear guidance for staff on how to respond to a breach of child protection by a staff member or volunteer, including potential, suspected, alleged, and/or actual. All allegations must be taken seriously as the safety of the child or young person is of the highest concern.

- If the child or young person is in immediate danger, call the POLICE on 111. If you are unsure contact either the Waka Ama NZ CEO (027 548 4612) or Oranga Tamariki (0508 326459) for advice.
- All concerns should be reported to the Waka Ama NZ CEO immediately and within 24 hours. If the CEO is unavailable, then consult with the Waka Ama NZ Board Chair or General Manager immediately and within 24 hours.
- Record all information you have heard and observed ensuring to keep all information factual and do not add interpretation.
- It is NOT the responsibility of staff to investigate allegations and appropriate actions will be taken by the Waka Ama NZ CEO
- If the Police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. No internal investigation must be undertaken, and no evidence gathered that might prejudice the criminal investigation.

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## **Reporting Procedures**

- Ensure you use the Waka Ama NZ Child Protection Reporting Form (see appendix) and send the completed copy to the Waka Ama NZ CEO.
- Ensure that all information and disclosures are recorded and documented accurately. Obtain only necessary and relevant facts, and ask for clarification where required.
- Update and record any follow up actions including responses and actions from involved parties and relevant agencies.
- The Waka Ama NZ CEO is responsible for reviewing and monitoring all reports received and providing relevant updates to involved parties, including the impacted whānau, involved staff, and relevant agencies. This will include any other further necessary actions. And filing all reports securely.

Further information:

- Documentation may be required to be used in court as evidence for either side.
  - Interviewing suspected abuse victims is a specialised procedure and should be conducted by a professional.
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## **Confidentiality**

All reporting and actions in response to child protection breaches is a confidential process. Waka Ama NZ is committed to handling and disseminating any relevant information appropriately in accordance with this policy. Waka Ama NZ should not work alone in cases of suspected or reported abuse and unless a conflict of interest is involved, the Waka Ama NZ Board Chair should also be consulted; otherwise, another member of the Waka Ama NZ Board should be consulted.

Confidentiality and “need to know only” dissemination applies to all Waka Ama NZ staff, the relevant and involved parties concerning the matter, and relevant agencies including the Police and Oranga Tamariki.

Information will be stored in a secure place with limited access to designated people only.

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## **Child Safeguarding & Protection Practices**

The following Child Safeguarding and Protections Practices will be implemented by Waka Ama NZ.

### **Child Safeguarding Representative**

- To support staff to be able to respond sensitively, effectively and efficiently to concerns, we have appointed a Child Safeguarding Representative who is responsible for anything concerning child safeguarding or protection.
- The Child Safeguarding Representative is to take responsibility for safeguarding and child protection by raising awareness, managing and responding to concerns, working with others, and commitment to training.
- The Waka Ama NZ Child Safeguarding Representative is the Waka Ama NZ CEO.

### **Information Sharing and Confidentiality**

Waka Ama NZ knows that sharing information is essential to protect the wellbeing and safety of children and young people. Waka Ama NZ will:

- Share information about a child or young person with appropriate people or organisations if we have genuine concerns about a child or young person’s safety and wellbeing.
- Be proactive when sharing information if we believe it will increase the safety of a child or young person, or it will help assess the risk for a child or young person.
- Follow our Privacy Policy, all current relevant legislation and guidelines and will ensure the safety of information sharing by always following these procedures.
- Assess the need to share information about concerns for a child or young person in accordance with our Child Safeguarding and Protection Procedures and respond accordingly.

## Privacy

Waka Ama NZ is committed to ensuring child and young people's privacy is protected and relevant information is only used appropriately. Waka Ama NZ will:

- Only use any personal information to carry out relevant Waka Ama NZ work activities.
- Do due diligence to keep all personal information stored securely and privately.
- Not disclose information about children or young people to family/whānau unless there is a clear legal right to access that information.

## Media and Social Media

Waka Ama NZ utilises various media and social media platforms to promote and celebrate waka ama through photography and videography. Waka Ama NZ is committed to ensure any content of children and young people is not used inappropriately or illegally. Waka Ama NZ will:

- Ensure any filming or photography of children and young people is appropriate and prior consent/notification has been given.
- Ensure no names or personal information is shared with photos or videos, unless prior consent is given by parents/caregivers
- Ensure any contracted photographers, videographers, and/or content creators are aware of this policy
- Check the photographer's identity, the legitimacy of their role, and the purpose and use of the images to be taken

## Accommodation

All children and young people must be provided with safe accommodation when participating in Waka Ama NZ activities. For relevant Waka Ama NZ activities, including Waka Ama NZ team travel and national events, Waka Ama NZ will:

- Ensure any accommodation organised by Waka Ama NZ for children and young people meets the standards set out in this Policy.
- Provide separate facilities for males and females, for mixed gender accommodation.
- For marae stay accommodation where sleeping arrangements are communal, efforts will be made to separate genders across the room.
- Ensure no adults are shared with children or young people, unless they are their own.
- Ensure two or more adults are present at accommodation for any overnight stays.

## Transportation

All children and young people must be provided with safe transportation when participating in Waka Ama NZ activities. For relevant Waka Ama NZ activities, including Waka Ama NZ team travel, Waka Ama NZ will:

- Ensure all drivers have a current full NZ driver licence
- Ensure all drivers are safety conscious and implement relevant safety measures whilst transporting children and young people, including wearing seat belts whilst in transit.
- Obtain parental consent before transporting children and young people, ensuring the vehicle is insured, has proper child safety seats, and meets safety and licensing requirements.

## **Safe use of Changing Facilities**

All children and young people must be safe in changing facilities. Responsible adults will keep children and young people safe and respect appropriate boundaries. For relevant Waka Ama NZ activities, including Waka Ama NZ team travel and national events, Waka Ama NZ will:

- Ensure changing facilities are not used by adults and children/young people at the same time and ensure no adults are entering changing facilities unless truly necessary.
  - Provide separate facilities for males and females, for mixed-gender activities.
  - If disabled children and young people need to use changing facilities, make sure they are accessible and their whānau are involved in deciding if and how they should be assisted.
  - Prohibit the use of mobile phones and/or photographic equipment with video recording capabilities in changing facilities.
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## **Good Practices Guidelines**

Everyone involved in Waka Ama NZ must demonstrate exemplary behaviour to safeguard and protect children and young people, and themselves from any allegations. Waka Ama NZ encourages the following best practice guidelines to be upheld:

- Work in an open environment avoiding private or unobserved situations and encouraging open communication.
- Ensure children and young people wear suitable protective and safety gear and that all equipment and facilities meet safety standards.
- Treat all children and young people equally with respect and dignity and prioritize the well-being of children and young people at all times. Including positive communication.
- Ensure any physical contact with children and young people is relevant and suitable for the activity.
- Foster balanced relationships based on trust and empower children and young people to be involved in decision-making.
- Involve parents or caregivers whenever possible and relevant.
- Consider the developmental needs of children and young people, avoiding excessive training or competition and respecting their autonomy.
- Communicate and stick to start and end times to avoid leaving children and young people unsupervised.
- Obtain written parental consent to act on behalf of parents in emergencies requiring first aid or medical treatment, unless in an emergency.

## **Practices to avoid**

The following must be avoided except where intervention is required in emergencies:

- Avoid engaging in rough physical or sexually provocative games, including horseplay, and prohibit any form of inappropriate touching or sexually suggestive comments.



- Do not allow children and young people to use inappropriate language, address and correct any inappropriate language
  - Avoid any form of verbal or emotional abuse and discourage bullying or abusive behaviour in children and young people.
  - Do not encourage children and young people to do things of a personal nature for themselves
  - Do not use alcohol, cigarettes or electronic cigarettes in the presence of children and young people and do not offer any of these to children or young people under any circumstances.
  - Spending excessive amounts of time alone with children and young people away from others.
  - Do not engage in communication with a child, on a one-on-one basis, through social media, texting or email, other than for relevant coach/athlete feedback or administration.
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### **Safe Recruitment of Staff**

Waka Ama NZ is committed to ensuring all staff and volunteers who work with children and young people are safe and appropriate to work with children. All staff recruitment (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent unsupervised contact\* with children or young people will be conditional on Police Vetting and safety checks. These will adhere to the statutory obligations contained within the legislation such as the Privacy Act, the Human Rights Act and Children Act.

Further information regarding Safety Checking, including vetting and screening procedures, will be found in the Employment Policy. Further information on Police Vetting can be found on the NZ Police website:

<https://www.police.govt.nz/advice-services/businesses-and-organisations/nz-police-vetting-service>

\*Unsupervised contact means that the contact takes place with no one else there with a specific role to facilitate, support or supervise the contact.

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### **Policy Review**

This policy will undergo annual reviews and regular updates based on operational experience, changes in legislation and associated policies. The responsibility for the review and implementation of this policy rests with the Waka Ama NZ staff. Any review will be approved by the Waka Ama NZ Board

## **Appendices**

### **Appendix 1: Definitions**

Physical abuse is a non-accidental act on a child or young person that results in physical harm. This includes, but is not limited to, 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 is the persistent emotional ill treatment of a child or young person 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 the ill-treatment of others.

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 sexual images, sexual activities and sexual behaviours.

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 is physical, emotional, sexual and other abuse by someone (usually but not always a man) of a person (usually but not always a woman) with whom they have or have had some form of intimate relationship with, such as marriage or cohabitation, in order to maintain power and control over a person. It is important to be vigilant to any signs, particularly if children are being affected.

### **Appendix 2: Reporting Form**

Please provide the following information when reporting a breach of child protection.

- Child or young persons details:
  - Full Name, DOB, contact details (if possible)
- Parent/Caregiver information:
  - Full Name, relationship to child, contact details (phone number and email address)
- Reporting information:
  - Reasons for concern
  - Detailed information on what has occurred
  - Record of child or young persons information given
  - Key timelines including times and dates
  - Record of any injuries
  - Engagement with parent/caregiver
  - Actions taken or to be taken
- Action and Review (to be completed by Waka Ama NZ CEO)
  - Information on action taken (incl. dates, times, agencies and parties involved)
  - Follow up actions with child or young person's whānau
  - Follow up with staff involved