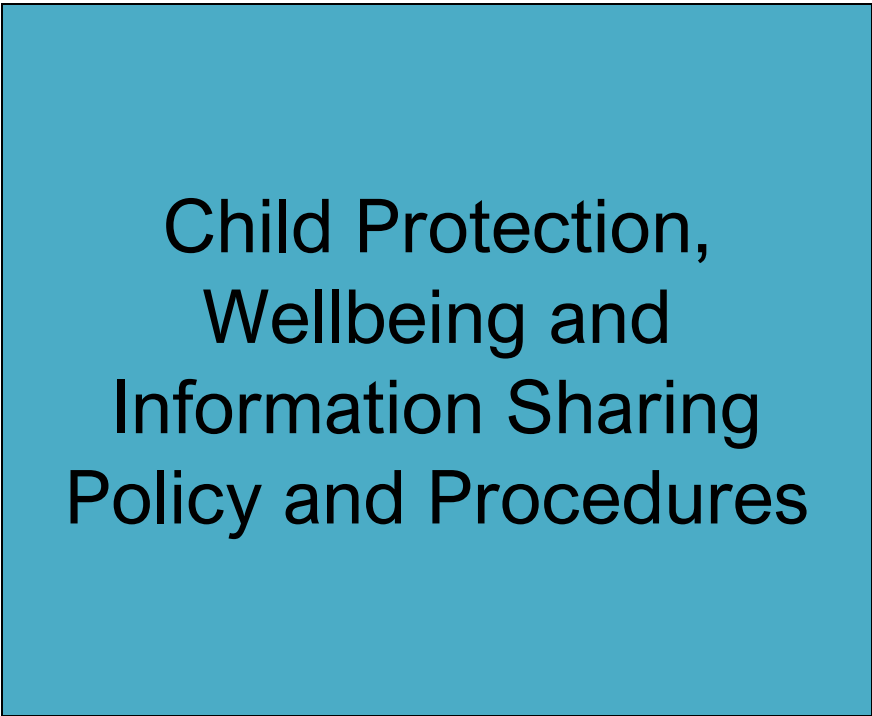


Compensation Advisory Services



Child Protection, Wellbeing and Information Sharing Policy and Procedures

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CHILD PROTECTION POLICY AND PROCEDURES

1. Executive Summary

Compensation Advisory Services is committed to the protection of children/tamariki and young people/rangatahi. A paramount goal of our company is to ensure the wellbeing and safety of tamariki and rangatahi, including the prevention of child abuse, neglect, and maltreatment.

This Child Protection policy and procedures document provides guidance for the company's staff on how to identify and respond to concerns about the wellbeing of a Tamariki or rangatahi, including instances when child abuse and neglect is reported to Compensation Advisory Services or suspected by Compensation Advisory Service's staff. All staff, including any contractors or volunteers, are expected to be familiar with, and implement, this policy and procedures.

The process for responding to a concern about a tamariki or rangatahi is in section 8.2 (page 12) of this policy and procedures document. Compensation Advisory Services will support the statutory agencies (Oranga Tamariki and the New Zealand Police) to investigate abuse and neglect and will report suspected cases and concerns to these agencies as outlined in this document.

The company's Designated Person for Child Protection is Nicki King. Staff are expected to consult with the General Manager and the Designated Person for Child Protection when they suspect and/or observe child abuse and/or neglect. Compensation Advisory Services will ensure all staff have access to the Child Protection training they require.

2. Purpose / Whāinga Poto

The purpose of the Compensation Advisory Services Child Protection Policy and Procedures is to provide guidelines for the company and its staff to create a safe environment for children. This policy and procedures seek to:

- Protect the safety and promote the wellbeing of tamariki and rangatahi under 18 years ¹ who are receiving services from any member of Compensation Advisory Services staff, or are associated with adults who are receiving services from any member of Compensation Advisory Services staff
- Protect both children and staff by clearly defining what action is required to keep children safe and ensure a consistency of behaviour so that all staff follow the same process
- Demonstrate the company's commitment to tamariki and provide public confidence of the company's safe practices.

3. Aims/Whainga

Compensation Advisory Services recognises the important role all the company's staff must play in protecting tamariki and rangatahi and promoting their wellbeing. In line with this recognition, the aims of the Compensation Advisory Services Child Protection policy and procedures are to:

- Provide guidelines for assisting the company's staff to identify signs of abuse and/or neglect
- Provide procedures to support the company's staff to respond appropriately and in a timely manner to potential or actual child protection concerns, including suspected child abuse or neglect and/or vulnerability
- Provide procedures to guide the company's human resource obligations in relation to child protection and staff professional development activities

4. Policy Scope

This Child Protection policy and procedures apply to all staff, including volunteers and part-time or temporary roles and contractors, and should be used wherever abuse or neglect is suspected or identified, regardless of whether the child is being supported by the company. In essence, the policy is intended to protect all tamariki encountered by the

¹ In the context of this policy the definition of a child and the definition of a young person have been sourced from the Children, Young Persons and Their Families Act 1989. In this Act a "child means a boy or girl under the age of 14 years"; and a "young person means a boy or girl 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" This policy and procedures may also extend to rangatahi who are older than 18 years but younger than 25 years who are living with a caregiver or residing in a residence. (For more information access the following link: http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147094.html?search=sw_096be8ed80fa5807_age+and+child_25_se&p=1).

company's staff including siblings of a client who receives services from Compensation Advisory Services and the children of adults accessing the company's services.

5. Policy Principles

A set of principles underpin Compensation Advisory Services Child Protection policy and procedures. These principles are intended to inform our company's decision-making about child abuse and neglect and promote child protection as a key aspect of our agency culture.

The principles underpinning Compensation Advisory Services Child Protection policy and procedures are:

- The rights, wellbeing, and safety of children/tamariki and young people/rangatahi are a paramount consideration
- Recognising the rights of the child/tamariki and young person/rangatahi to participate, in age-appropriate ways, in decision-making about themselves
- Recognition of the culture of the family/whānau, its importance, and the rights of family/whānau to participate in decision-making about their children, wherever possible and appropriate
- A commitment to open and transparent relationships with clients/tangata whaiora, including being willing to share concerns about child safety issues with the family/whānau in consultation with statutory agencies, unless this would result in an escalation of risk
- Recognition of the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children
- Children/tamariki and young people/rangatahi and their families/whānau receive Compensation Advisory Services within a culturally safe environment

- A commitment to ensure that all staff can identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response through the company's policy and procedures structures and professional development programme
- A commitment to share information in a timely way and to discuss any concerns about an individual child/tamariki or young person/rangatahi with the General Manager and the Designated Person for Child Protection.
- A commitment to comply with relevant statutory and contractual obligations

6. Authority and Application/Mana Whakahaere me Tautono

6.1 Authority

This Child Protection policy and procedure is issued by the Compensation Advisory Services Managing Director who holds overall authority to ensure that all the company's staff are aware of this policy and associated procedures and that it is implemented with integrity.

6.2 Application

The application of this policy and procedures obliges the company's staff to discuss any child protection concerns with the General Manager and the Designated Person for Child Protection; and obliges management and/or the Designated Person for Child Protection to ensure that the appropriate authority is notified when a staff member has a belief that a child or young person has been, or is likely to be, abused or neglected. This obligation extends to ensuring that all known information about the tamariki, rangatahi and their family/whānau is shared in full with the appropriate authority, to determine the most appropriate response.

The specific 'child protection' responsibilities of Compensation Advisory Services management, staff and Designated Person for Child Protection are outlined below.

6.2.1 Compensation Advisory Services Management

Management at Compensation Advisory Services will ensure:

- That the company's Child Protection policy and procedures comply with legislative requirements, the principles of Te Tiriti o Waitangi, Disability Support Services Ministry of Social Development audits and best practice standards
- Company procedures exist to provide appropriate and adequate support for, and supervision of, staff affected by child abuse and neglect

6.2.2 Compensation Advisory Services Staff

Compensation Advisory Services staff are required:

- To become familiar with the contents of the Child Protection policy and procedures document and apply the procedures when issues of suspected and/or actual child abuse and neglect arise
- To understand the statutory referral processes and responses to identified or suspected child abuse and neglect
- To attend child protection training appropriate to their area of work
- To immediately contact the company's Designated Person for Child Protection and the General Manager when they identify or suspect child abuse and neglect.

To facilitate this familiarization with the company's Child Protection policy and procedures, the Strategy, Policy and Community Engagement Manager will be responsible for providing all its current staff with a briefing about the contents of the Child Protection policy and procedures document and, upon appointment, the Strategy, Policy and Community Engagement Manager will inform all new staff about this policy and procedures document and invite them to become familiar with its contents during induction.

The Training Manager will, on behalf of the company, take responsibility for arranging Child Protection training for all staff.

6.2.3 Designated Person for Child Protection

The responsibilities of the Designated Person for Child Protection include:

- Ensuring the company's Child Protection policy and procedures is reviewed at least every three years, or as required

- Coordinating a system-wide response to child abuse and neglect, when required
- Ensuring that the company's Training Plan includes Child Protection education and training. Such company-wide Child Protection training and education will be implemented on a cyclical basis every two years.
- Ensuring tools are in place and accessible to the company's employees for recording care and protection concerns (i.e., Child Protection Incidents and Concerns Register; procedures for recording identified or suspected child abuse and neglect)
- Ensuring an audit process is in place to assess the company's Child Protection policy, processes, and practice
- Developing functional internal and external relationships with key child protection stakeholders (government, local government, and community-based organisations)
- Providing support and advice to staff regarding child abuse and neglect.

7. Definitions / Kupu Whakamarama

Abuse: The harming (whether physically, emotionally, or sexually), ill-treatment, neglect, or deprivation of any child.² Typically, abuse is defined under five categories: physical abuse; psychological/emotional abuse; sexual abuse; identity abuse; and neglect. Detailed definitions of these categories of abuse are noted in the following text box.

Figure 1: Definitions of Categories of Child Abuse

Abuse Category	Definition
<i>Physical abuse</i>	Defined as the threat of harm or any behaviour that, intentionally or accidentally, causes physical/bodily

² Source: Children Young Persons and Their Families Act 1989 [Oranga Tamariki Act 1989 | New Zealand Legislation](#)

	harm or property destruction. It is a non-accidental act on a child 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.
<i>Psychological / Emotional abuse</i>	Defined as any act or omission resulting in adverse or impaired psychological, social, intellectual, and emotional functioning or development. This can include: ▪ Patterns of isolation, degradation, constant criticism, or negative comparison to others. Isolating, corrupting, exploiting, or terrorising a child can also be emotional abuse. ▪ Exposure to family/whānau or intimate partner violence
<i>Sexual abuse</i>	Defined as any act that involves forcing or enticing a child to take part in sexual activities, including child sexual exploitation, whether or not they are aware of what is happening. Such forced or coerced sexual acts or behaviours are motivated to acquire power and control over a person. It is not only forced sexual contact, but also non-contact sexual abuse that demeans or humiliates the child/person and instigates feelings of shame or vulnerability.
<i>Identity abuse</i>	Defined as using personal characteristics to demean, manipulate and control the child/tamariki. This category of abuse is comprised of the social “isms,” including racism, sexism, ageism, able-ism, beauty-ism, as well as homophobia. ³
	The Oranga Tamariki Act defines

³ The literature also identifies other types of abuse, such as financial abuse.

Financial abuse is the use or misuse, without the person’s freely given consent, of the financial or other monetary resources of the person or of the relationship. Examples of financial abuse include: taking credit cards, money, or cheque book; forging the person’s signature on financial documents; forbidding the person to work or jeopardizing the person’s employment by using such tactics as excessive calls to work or creating conflict with co-workers; controlling shared resources, including bank accounts and common property; and/or demanding the person sign over pay cheques or denying access to liquid assets, like mutual funds.

Neglect

neglect as the persistent or ongoing failure to meet a child or young person's basic physical and/or psychological needs. This failure results in, or is likely to result in, serious impairment to the child's development or physical, mental, or emotional well-being.⁴

Neglect is any act or omission that results in impaired physical functioning, injury and/or development of the person. It may include:

- *Physical neglect*: failure to provide the necessities to sustain life or health (e.g. not providing the necessities of life such as a warm home, food, or clothing)
- *Emotional neglect*: (e.g. not providing comfort, attention, and love)
- *Neglectful supervision*: failure to provide developmentally appropriate and/or legally required supervision of a child/young person, leading to an increased risk of harm (e.g. leaving children without someone safe to look after them)
- *Medical neglect*: failure to seek, obtain or follow through with medical care for the child/young person resulting in their impaired functioning and/or development and/or not taking care of health needs
- *Educational neglect*: allowing chronic truancy, failure to enrol in education or inattention to education needs
- *Abandonment*: leaving a child/young person in any situation without arranging necessary care

⁴ The Oranga Tamariki Act (1989) notes that 'child abuse means the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect or deprivation of any child or young person' (section 14 B, Oranga Tamariki Act 1989).

	for them and with no intention of returning ▪ <i>Refusal to assume parental responsibility</i>: unwillingness or inability to provide appropriate care or control for a child or young person.
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Child: Any child or young person aged under 18 years and who is not married or in a civil union ⁵

Child Protection: Activities carried out to ensure that children are kept safe in cases where there is suspected abuse or neglect or are at risk of abuse and neglect

Disclosure: Information given to a staff member by a child, parent, or caregiver or third party in relation to abuse or neglect

Designated Person for Child Protection: The Designated Person for Child Protection is responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about the company's Child Protection policy and procedures

Children's Services: Any organisation that provides services to children or to adults where contact with children may be part of the service

Workforce Restriction: A restriction on the employment or engagement of people with certain specified convictions under the Children Act 2014

⁵ In the context of this policy the definition of a child and the definition of a young person have been sourced from the Oranga Tamariki Act 1989. In this Act a "child means a boy or girl under the age of 14 years"; and a "young person means a boy or girl of or over the age of 14 years but under 18 years and also has an extended meaning that includes some young adults for certain purposes under [section 386AAA](#); but does not include any person who is or has been married or in a civil union" (Source: http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147094.html?search=sw_096be8ed80fa5807_age+and+child_25_se&p=1).

Oranga Tamariki: The agency responsible for investigating and responding to suspected child abuse and neglect and for providing care and protection for children found to be in need

New Zealand Police: The agency responsible for situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work and investigating cases of abuse and neglect where an offence may have occurred

Given the link between family harm, intimate partner violence and child abuse; that exposure to intimate partner violence is a form of child abuse; and that the research shows a high rate of co-occurrence between intimate partner violence and the physical abuse of children, the following definitions are included:

Family Violence: The Family Violence Act 2018 defines ‘family violence’ as violence against a person by any other person with whom that person is, or has been, in a family relationship (e.g., a partner or spouse or ex-partner or ex-spouse; any family member, e.g. grandparent/grandchild, nephew/aunt, siblings, etc.; someone who ordinarily shares a household, e.g. flatmates; any close, personal relationship).

Violence against a person is defined as physical, sexual and/or psychological abuse that includes a pattern of behaviour that is coercive (uses force or threats) and controlling, and which causes cumulative harm. This can either be with the intention or with the effect of coercing or controlling the person. It also includes dowry-related violence that relates to gifts, money/property given or received for a (proposed) marriage. Violence may be a single act that is clearly abuse, such as a physical assault, or a number of acts that form a pattern of behaviour which amount to abuse, even though acts viewed in isolation may appear minor or trivial.

8. Procedures for Responding to Actual or Suspected Abuse or Neglect/ Nga

Raupapa Mahi mo te Whakautu me te Whakaaro Tukino, Tikape Ranei

In circumstances where a Compensation Advisory Services member of staff becomes aware of a situation of abuse or neglect (that is abuse or neglect has been disclosed, detected, or suspected), they must act and report using the following procedures.

8.1 Identifying Child Abuse and Neglect ⁶

The approach to identifying child abuse and neglect recognises that every situation is different and that it is important for the company's staff to consider all available information about a child and their environment before reaching any conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury, or the arrival of a new sibling. However, within this context the company recognises the following indicators of potential abuse and neglect.

Figure 2: Signs of Potential Abuse and Neglect ⁷

Signs of Potential Abuse	
<i>Physical signs</i>	e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases
<i>Developmental delays</i>	e.g., small for their age, cognitive delays, falling behind in school, poor speech, and social skills
<i>Emotional abuse/ neglect</i>	e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness, and evidence of self-harm
<i>Behavioural concerns</i>	e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression
<i>Child talking about things that indicate abuse (sometimes called an allegation or disclosure)</i>	
Signs of Potential Neglect	
<i>Physical signs</i>	e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight
<i>Developmental delays</i>	e.g., small for their age, cognitive delays, falling behind in school, poor speech, and social skills

⁶ The Appendix 2 contains more examples of the signs of physical abuse, sexual abuse, psychological/emotional abuse, financial abuse, identity abuse, and neglect.

⁷ More information about how to recognise that a child has been abused or neglected or is at risk of being abused or neglect can be found on the Child Matters website ([Child Matters | Identifying and Responding to Child Abuse](#)); and on Oranga Tamariki website, in particular that agency's 'Working Together Guide' <https://www.orangatamariki.govt.nz/assets/Uploads/Support-for-families/Support-programmes/Working-together-seminars/Working-together-guide-2021.pdf>

<i>Emotional abuse/neglect</i>	e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness, and evidence of self-harm
<i>Behavioural concerns</i>	e.g., disengagement/neediness, eating disorders/substance abuse, aggression
<i>Neglectful supervision</i>	e.g., out and about unsupervised, left alone, no safe home to return to
<i>Medical neglect</i>	e.g., persistent nappy rash or skin disorders or other untreated medical issues

8.2 Identifying any Protective Factors

Identify any protective factors either individual, or family or community. This will provide additional information with which to share with the Designated Person for Child Protection, the General Manager and government agencies.

Figure 3: Protective Factors

Individual protective factors	• Caregivers who create safe, positive relationships with children. • Caregivers who practice nurturing parenting skills and provide emotional support. • Caregivers who can meet basic needs of food, shelter, education, and health services. • Caregivers who have a college degree or higher and have steady employment
Family protective factors	• Families with strong social support networks and stable, positive relationships with the people around them. • Families where caregivers are present and interested in the child. • Families where caregivers enforce household rules and engage in child monitoring. • Families with caring adults outside the family who can serve as role models or mentors
Community protective factors	• Communities with access to safe,

	stable housing. • Communities where families have access to high-quality preschool. • Communities where families have access to nurturing and safe childcare. • Communities where families have access to safe, engaging after school programs and activities. • Communities where families have access to medical care and mental health services. • Communities where families have access to economic and financial help. • Communities where adults have work opportunities with family-friendly policies.
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8.3 Responding to Suspected or Actual Abuse and/or Neglect

8.3.1 Consult Following Identification

In all cases where a Compensation Advisory Services employee has a concern about a child/tamariki or young person/rangatahi being or likely to be abused or neglected (i.e. a disclosure or indicators are recognised) by an adult or other child/tamariki or young person/rangatahi, immediately report such concerns and consult with the General Manager and the Designated Person for Child Protection. No decisions or actions in respect of suspected or actual abuse or neglect should be made by the staff member alone, unless there are immediate concerns for the safety of the child/young person or themselves. The company will always act on the recommendations of the statutory agencies, including Oranga Tamariki and the New Zealand Police; and only inform the family/whānau about the suspected or actual abuse after the matter has been discussed with these agencies and found to be safe and appropriate in order to ensure the ongoing protection and support of the child/young person by their caregiver.

Compensation Advisory Services will provide support for staff throughout the process (e.g. access to consultation) and supervision.

8.3.2 When to Contact the New Zealand Police

No decisions or actions in respect of a suspected or actual incident of abuse or neglect will be made by a member of staff without consultation with the company's General Manager and Designated Person for Child Protection, unless there are concerns for the immediate safety of the person. Staff should contact the New Zealand Police if they:

- Observe a child/young person who has been severely abused
- Abuse has occurred and is likely to escalate or recur
- The alleged offender has access to the child/young person
- Consider there is immediate danger of death or harm
- Observe a child home alone. In such cases call the Police and stay with the child until they arrive.
- Consider their own safety is compromised

8.3.3 When to Contact Oranga Tamariki

Issuing a Report of Concern to Oranga Tamariki should be undertaken in circumstances when:

- Child or young person has injuries which seem suspicious, or are clearly the result of physical abuse
- Interaction between the child or young person and the parent or caregiver seems threatening or aggressive
- Child or young person states that they are fearful of parent(s), caregiver(s), or have been hurt by parent(s) or caregiver(s)
- Multiple risk indicators exist (e.g. domestic violence and abuse in family relationships; alcohol/drug abuse by caregivers; caregivers' avoidance of health agency contact; etc)
- Unsure about the most appropriate response to suspected care and protection issues

In such cases Oranga Tamariki can be notified via their National Contact Centre (Call 0508 326 459 or email contact@ot.govt.nz to speak with a social worker, report concerns, or seek support. The service is available 24/7, with after-hours support focused on emergencies. The Oranga Tamariki Act 1989 provides specific protection from legal action to anyone reporting to Oranga Tamariki in good faith.

The company's child protection actions should be taken following consultation with statutory agencies (i.e. Oranga Tamariki and/or the New Zealand Police). Examples where

child protection actions may not need to be discussed with the victim's parents or caregivers could include situations where it is believed that:

- It will place either the child or the company's staff member in danger
- The family/whānau may close ranks and reduce the possibility of being able to help a child
- The family/whānau may seek to avoid care and protection agency staff.

In most circumstances, decisions about notifying the authorities (e.g. New Zealand Police, Oranga Tamariki) will be made following the discussion with the General Manager and the Designated Person for Child Protection.

8.3.4 Document all Observations, Process and Assessment Thoroughly

In all cases when Compensation Advisory Services responds to suspected or actual child abuse and/or neglect, accurate informative documentation is essential and must be recorded in a confidential Child Protection Incidents and Concerns Register. This Register is to be kept separate from other company records and access is strictly controlled.

Document facts, observations, impressions, and communications as soon as possible after the event in conjunction with discussions with the General Manager and the Designated Person for Child Protection. This Report should include:

- Facts and/or observations, not 'feelings'
- Clearly differentiate what was seen and heard and what was reported or suspected and by whom
- Detail who was present at the time
- Include date and time
- In situations where there was a disclosure, write what was said in quotation marks (verbatim)
- A body diagram can be used to record bruises, cuts, and other injuries
- Include signature and designation

8.2.5 Reporting or Referral

If following consultation with the General Manager and the Designated Person for Child Protection, abuse and/or neglect is identified or suspected, then the incident should be reported to the New Zealand Police and/or Oranga Tamariki, as appropriate.

In all situations when suspected or actual abuse or neglect has been encountered, complete an Incident/Accident Report. The company's management will consider the contents of such Reports and take appropriate corrective action. Copies of these Reports will be held by the company's General Manager.

Figure 4: Responding When a Child Discloses Abuse

Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
Reassure the child	Let the child know that they: ▪ Are not in trouble ▪ Have done the right thing
Ask open- ended prompts – e.g., “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can't be kept, e.g., “I will keep you safe now.”
If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they can participate in ordinary activities
If the child is not in immediate danger	Re-involve the child in ordinary activities and explain what you are going to do next.
If the child is in immediate danger	Contact the Police immediately
As soon as possible formally record the disclosure	Record: ▪ Word for word, what the child said ▪ The date, time and who was present

Figure 5: Recording and Notifying Oranga Tamariki of Suspected Child Abuse

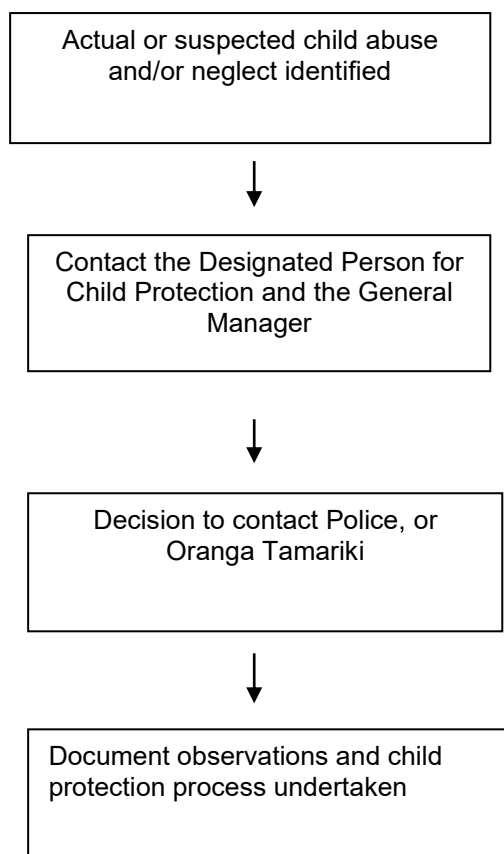
What process to follow	For example,	Key considerations
Recording	Formally record: ▪ Anything said by the child ▪ The date, time, location, and the names of any staff that may be relevant ▪ The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural, or developmental concerns)	Relevant information can inform any future actions

	▪ The action taken by Compensation Advisory Services ▪ Any other information that may be relevant	
Decision-making	Discuss any concern with the General Manager and the Designated Person for Child Protection	No decision should be made in isolation
Notifying authorities	Notify Oranga Tamariki promptly if there is a belief that a child has been or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact with Oranga Tamariki (see contact details below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 326 459 Email: contact@ot.govt.nz	Oranga Tamariki will: ▪ Make the decision to inform the parents or caregivers, in consultation with Compensation Advisory Services ▪ Advise what, if any, immediate action may be appropriate, including referring the concern to the Police
Following the advice of Oranga Tamariki	Oranga Tamariki advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police	Oranga Tamariki is responsible for looking into the situation to find out what may be happening, whether Compensation Advisory Services needs to work with the family/whānau or put them in touch with people in the community who can help
Storing relevant information	Securely store: ▪ The record of the abuse and/or neglect concern ▪ A record of any related discussions (including copies of correspondence, where appropriate) ▪ A record of any advice received ▪ The action Compensation Advisory Services took, including any rationale ▪ This concern with any earlier concerns, if the notification is based	Records assist in identifying patterns

	on an accumulation of concerns (rather than a specific incident)	
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Figure 6: Child Abuse and Neglect Identification, Consultation and Reporting Flowchart

Figure 6 summarises the main steps that Compensation Advisory Services requires the company's staff to follow in cases where they identify actual or suspected child abuse and/or neglect.



9. Confidentiality and Information Sharing ⁸

Compensation Advisory Services will seek advice from Oranga Tamariki and/or the New Zealand Police before identifying information about an allegation is shared with anyone, other than the General Manager and the Designated Person for Child Protection. The company's staff should be aware that:

- Under sections 15 and 16 of the Oranga Tamariki Act 1989 any person who believes that a child has been or is likely to be, harmed physically, emotionally or sexually or ill-

⁸ Appendix 3 contains information about 'New Zealand Legislation, Privacy Issues, and Information Sharing.

treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the New Zealand Police and provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them

- When collecting personal information about individuals, it is important to be aware of the requirements of the privacy principles – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their information
- Staff may, however, disclose information under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety (see privacy principle 11/Code rule 11). Disclosure about ill-treatment or neglect of a child/young person may also be made to the New Zealand Police or Oranga Tamariki under sections 15 and 16 of the Oranga Tamariki Act 1989.

10. Child Safe Practice Guidelines

Guidance about safe working practices at Compensation Advisory Services is intended to not only ensure the safety of children and young people, but it also reduces the chances of allegations being made against a member of staff.

Comprehensive guidance about child safe working practices is available on the Safeguarding Children website: [SG Culture Version - 2025](#)

Some examples of child safe working practices that may apply in the context of working at Compensation Advisory Services include:

- *Home Visiting*: When working with children, young people and their families/whānau in their homes, refer to the guidance about home visiting located in section 6.5 of the company's Remote Working policy and procedures.
- *Open Door Policy*: Wherever possible, avoid situations where Compensation Advisory Services staff may be alone with children and use an 'open door policy'

- *Providing Physical Assistance:* Where a child or young person requires assistance, if possible, involve the parents/caregivers and/or another professional
- *Transportation:* The company's staff should not provide transport to a child or young person, unless an emergency requires it.
- *Use of Photographs:* If a photograph is to be included in documents about a child or young person, informed written consent from parents or caregivers, and where possible the child or young person, should always be sought before the image is taken and used for this purpose.

11. Allegations or Concerns about Compensation Advisory Services Staff

All matters involving allegations against Compensation Advisory Services staff need to be escalated to the General Manager and the Managing Director – two people are required to deal with such matters.

To ensure the child is kept safe, the company's General Manager and the Managing Director may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual employment contract and relevant employment law, including the company's human resources disciplinary procedures.

The company's General Manager and the Managing Director will consult with Oranga Tamariki and/or the New Zealand Police before taking any further actions.

Compensation Advisory Services commits not to use 'settlement agreements,' where these are contrary to a culture of child protection. Some 'settlement agreements' allow a member of staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerns the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

Figure 7: When an Allegation is made Against a Compensation Advisory Services Member of Staff

Disclosure/allegation of child abuse by a staff member
Notify General Manager and Managing Director
• General Manager and the Managing Director to consult with Oranga Tamariki or the New Zealand Police before advising the staff member • General Manager and the Managing Director to refer to the company's Disciplinary policy and be guided by the relevant employment contract and relevant statutory obligations
Oranga Tamariki and/or management (Managing Director and General Manager) to advise employee and provide an opportunity to respond (depending on outcomes of discussion with statutory agencies)
• Employee advised of their right to seek legal advice • Employee will be advised of their right to seek support/advice from appropriate representatives • Management to contemplate removal of employee from the service environment, subject to the employment contract • Management to maintain close liaison with Oranga Tamariki or the New Zealand Police

12. Staff Support and Safety / Ratonga Oranga me nga Tautokonga mo nga Kaimahi

In any case where Compensation Advisory Services staff have been involved in the reporting and/or management of abuse or neglect, they should seek approval from the General Manager to access debriefing, supervision, or counselling from an appropriately trained professional. Staff may also access the company's Employee Assistance Programme.

Compensation Advisory Services will ensure that the company's employees are available to participate in family, interagency or court proceedings to address specific cases of abuse and neglect.

13. Recruitment and Employment

While Compensation Advisory Services is not required to undertake safety checking in accordance with the Children Act 2014 and as described in the Children (Requirements for Safety Checks of Children's Workers) Regulations 2015 (Regulations), the company carries out a range of pre-employment checks including: identity verification; referee checks; professional membership confirmation and verification; and a Ministry of Justice check. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

- *Identity Confirmation* either by:
 - Use of an electronic identity credential (e.g. the RealMe identity verification service), and a search of personnel records to check that an identity has not been claimed by someone else; or
 - Checking two forms of identity documents – an original primary identity document (e.g. a New Zealand passport or full birth certificate) and an original secondary identity document (e.g. driver licence, or Community Services Card or New Zealand issued utility bill issued not more than 6 months earlier). If these documents do not include a photograph or if the person has changed their name, the company will require further evidence of their identity, such as the employee using an independent identity referee (i.e. someone who has known the employee for 12 months, who is over 16 year and not a family member and does not live at the same address). The employee will be required to supply their independent identity referee's name and contact details; and to produce a photograph of themselves authenticated by the identity referee (who is required to write 'certified true likeness of 'name of person' on the back of the photograph and sign and date the certification). In addition, the company must search its personnel records to make sure that no one else has claimed that identity.
- *Professional membership*: The company is required to establish whether each employee has a current membership with a professional body or is currently licensed with a licensing authority or currently registered with a registration authority. This requirement can be met by contacting the relevant professional body or by searching its public-facing records (e.g., an online register).

- *Ministry of Justice Check*: Compensation Advisory Services apply for a Ministry of Justice check which will provide the company with information about any convictions an employee may have.

To initiate a Ministry of Justice check Compensation Advisory Services must gain the consent of each job applicant. Each job applicant should be provided with a Request and Consent Form to complete and sign.

In situations where the results of the Ministry of Justice check show that a job applicant has a history of specified offences listed in Schedule 2 of the CA, they must apply for an Exemption.

If a job applicant has citizenship in another country or has lived in another country for 12 months or more during the past 10 years, then they must provide a Police Certificate.

14. Training and Professional Development

Compensation Advisory Services management will support and arrange initial child protection training for all the company's employees. All the company's employees are required to undertake child protection training. This training will be included in the company's annual Training Plan and include:

- Initial child protection training
- Refresher child protection training

This Child Protection policy and procedures will be part of the company's induction programme for all new employees.

For the Designated Child Protection role, the person must undertake Advanced Child Protection Training (e.g., Child Matters Diploma or the Child Matters 5-day workshop).

15. Associated Documents / Whakarōputanga Tuhinga

Legislation:

- Children's Amendment Act (2018) (2018 No 58).
[Children's Amendment Act 2018 | New Zealand Legislation](#)
- Oranga Tamariki Act (1989) (and Amendments 1994/95)
<http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147088.html>
- Care of Children Act (2004)
<http://legislation.govt.nz/act/public/2004/0090/latest/DLM317233.html>
- United Nations Convention on the Rights of a Child (UNCROC)
<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- Privacy Act (2020)

[Privacy Act 2020 | New Zealand Legislation](#)
- Health Information Privacy Code (2020)
- [Office of the Privacy Commissioner | Health Information Privacy Code 2020](#)
- Health Act (1956)
<http://www.legislation.govt.nz/act/public/1956/0065/latest/DLM305840.html>
- Code of Health and Disability Services Consumers Rights (1996)
[Code of Health and Disability Services Consumers' Rights — Health & Disability Commissioner](#)
- Family Violence Act (2018)
[Family Violence Act 2018 | New Zealand Legislation](#)

- Victims' Rights Act (2002)
<http://www.legislation.govt.nz/act/public/2002/0039/latest/DLM157813.html>

LifeLinks Documents:

- Recruitment and Selection Policy and Procedures
- Induction Policy and Procedures
- Health and Safety Policy and Procedures
- Supervision Policy and Procedures
- Disciplinary Matters and Personal Grievances Policy and Procedures
- Complaints Policy and Procedures
- Confidentiality and Privacy Policy and Procedures
- Training Plan

Additional Resources

- Enabling Good Lives principles <https://www.enablinggoodlives.co.nz/>
- Oranga Tamariki has developed the *Working Together* guide on inter-agency working to identify and respond to potential abuse and neglect.

<https://orangatamariki.govt.nz/assets/Uploads/Support-for-families/Support-programmes/Working-together-seminars/Working-together-guide-2021.pdf>
- Murphy, C. et al. (2013). *Understanding connections and relationships: Child maltreatment, intimate partner violence and parenting*. NZ Family Violence Clearing House. Issues Paper 3. April.
- The Office of the Privacy Commissioner has published a set of guidelines, which includes a range of helpful advice about confidentiality and information sharing
[*Sharing Personal Information of Families and Vulnerable Children*](#)
- *Protecting Children with Disabilities: Identifying and Responding to Vulnerabilities*, August 2015 (Child Matters Training PPP): Datto, Training Folder

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Appendix 1:

Definition of Abuse and Neglect in New Zealand Legislation

1. Family Violence Act (2018)

The Family Violence Act (2018) provides the following meaning of domestic violence:

Meaning of family violence

(1) In this Act, **family violence**, in relation to a person, means violence inflicted—

(a) **against that person; and**

(b) **by any other person with whom that person is, or has been, in a family relationship.**

(2) In this section, **violence** means all or any of the following:

(a) **physical abuse:**

(b) **sexual abuse:**

(c) **psychological abuse.**

(3) Violence against a person includes a pattern of behaviour (done, for example, to isolate from family members or friends) that is made up of a number of acts that are all or any of physical abuse, sexual abuse, and psychological abuse, and that may have 1 or both of the following features:

(a) it is coercive or controlling (because it is done against the person to coerce or control, or with the effect of coercing or controlling, the person):

(b) it causes the person, or may cause the person, cumulative harm.

(4) Violence against a person may be dowry-related violence (that is, violence that arises solely or in part from concerns about whether, how, or how much any gifts, goods, money, other property, or other benefits are—

(a) given to or for a party to a marriage or proposed marriage; and

(b) received by or for the other party to the marriage or proposed marriage).

(5) Subsection (2) is not limited by subsections (3) and (4) and must be taken to include references to, and so must be read with, [sections 10](#) and [11](#).

Compare: 1995 No 86 [s 3\(1\), \(2\)](#)

10 Meaning of abuse

- (1) A single act may amount to abuse.
- (2) A number of acts that form part of a pattern of behaviour (even if all or any of those acts, when viewed in isolation, may appear to be minor or trivial) may amount to abuse.
- (3) This section does not limit [section 9\(2\)](#).

Compare: 1995 No 86 [s 3\(4\)](#)

11 Meaning of psychological abuse

- (1) Psychological abuse includes—
 - (a) threats of physical abuse, of sexual abuse, or of abuse of a kind stated in paragraphs (b) to (f):
 - (b) intimidation or harassment (for example, all or any of the following behaviour that is intimidation or harassment:
 - (i) watching, loitering near, or preventing or hindering access to or from a person's place of residence, business, or employment, or educational institution, or any other place that the person visits often:
 - (ii) following the person about or stopping or accosting a person in any place:
 - (iii) if a person is present on or in any land or building, entering or remaining on or in that land or building in circumstances that constitute a trespass):
 - (c) damage to property:
 - (d) ill-treatment of 1 or both of the following:
 - (i) household pets:
 - (ii) other animals whose welfare affects significantly, or is likely to affect significantly, a person's well-being:
 - (e) financial or economic abuse (for example, unreasonably denying or limiting access to financial resources, or preventing or restricting employment opportunities or access to education):
 - (f) in relation to a person unable, by reason of age, disability, health condition, or any other cause, to withdraw from the care or charge of another person, hindering or removing (or threatening to hinder or remove) access to any aid or device, medication, or other support that affects, or is likely to affect, the person's quality of life:
 - (g) in relation to a child, abuse stated in subsection (2).
 - (2) A person psychologically abuses a child if that person—
 - (a) causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a family relationship; or

(b) puts the child, or allows the child to be put, at real risk of seeing or hearing that abuse occurring.

(3) However, the person who suffers the abuse in subsection (2)(a) and (b) is not regarded, under subsection (2), as having (as the case may be)—

(a) caused or allowed the child to see or hear that abuse; or

(b) put the child, or allowed the child to be put, at risk of seeing or hearing that abuse.

(4) Psychological abuse may be or include behaviour that does not involve actual or threatened physical or sexual abuse.

(5) This section does not limit [section 9\(2\)\(c\)](#).

Compare: 1995 No 86 [s 3\(3\)](#), [\(5\)](#)

12 Meaning of family relationship: general

For the purposes of this Act, a person (**A**) is in a **family relationship** with another person (**B**) if A—

(a) is a spouse or partner of B; or

(b) is a family member of B; or

(c) ordinarily shares a household with B (see also [section 13](#)); or

(d) has a close personal relationship with B (see also [section 14](#)).

Compare: [1995 No 86 s 4\(1\)](#)

13 Meaning of family relationship: sharing household

For the purposes of [section 12\(c\)](#), a person (**A**) is not regarded as sharing a household with another person (**B**) by reason only of the fact that—

(a) A has, with B,—

(i) a landlord-tenant relationship; or

(ii) an employer-employee relationship; or

(iii) an employee-employee relationship; and

(b) A and B occupy a common dwellinghouse (whether or not other people also occupy that dwellinghouse).

Compare: 1995 No 86 [s 4\(2\)](#)

14 Meaning of family relationship: close personal relationship

(1) A person (**A**) is not regarded as having a close personal relationship with another person (**B**) under [section 12\(d\)](#) by reason only of the fact that A has, with B,—

- (a) an employer-employee relationship; or
 - (b) an employee-employee relationship.
 - (2) A person (**A**) is not prevented from having a close personal relationship with another person (**B**) under [section 12\(d\)](#) by reason only of the fact that A has, with B, a recipient of care-carer relationship.
 - (3) In determining whether a person (**A**) has a close personal relationship with another person (**B**) under [section 12\(d\)](#), the court must have regard to—
 - (a) the nature and intensity of the relationship, and in particular—
 - (i) the amount of time A and B spend together:
 - (ii) the place or places where that time is ordinarily spent:
 - (iii) the manner in which that time is ordinarily spent:
 - (b) the duration of the relationship.
 - (4) Despite subsection (3)(a), it is not necessary for a person (A) to have a sexual relationship with another person (B) in order for A to have a close personal relationship with B.
 - (5) Subsections (2), (3), and (4) do not limit the matters to which a court may have regard in determining, under [section 12\(d\)](#), whether a person has a close personal relationship with another person.
- Compare: 1995 No 86 [s 4\(3\)](#), [\(4\)](#)

2. Oranga Tamariki Act (1989)

The Oranga Tamariki Act (1989) defines a child or young person in need of care or protection as follows:

14 Definition of child or young person in need of care or protection

- A child or young person is in need of care or protection within the meaning of this Part if—
 - (a) the child or young person is being, or is likely to be, harmed (whether physically or emotionally or sexually), ill-treated, abused, or seriously deprived; or

- (b) the child's or young person's development or physical or mental or emotional well-being is being, or is likely to be, impaired or neglected, and that impairment or neglect is, or is likely to be, serious and avoidable; or
 - (c) serious differences exist between the child or young person and the parents or guardians or other persons having the care of the child or young person to such an extent that the physical or mental or emotional well-being of the child or young person is being seriously impaired; or
 - (d) the child or young person has behaved, or is behaving, in a manner that—
 - (i) is, or is likely to be, harmful to the physical or mental or emotional well-being of the child or young person or to others; and
 - (ii) the child's or young person's parents or guardians, or the persons having the care of the child or young person, are unable or unwilling to control; or
 - (e) in the case of a child of or over the age of 10 years and under 14 years, the child has committed an offence or offences the number, nature, or magnitude of which is such as to give serious concern for the well-being of the child; or
 - (f) the parents or guardians or other persons having the care of the child or young person are unwilling or unable to care for the child or young person; or
 - (g) the parents or guardians or other persons having the care of the child or young person have abandoned the child or young person; or
 - (h) serious differences exist between a parent, guardian, or other person having the care of the child or young person and any other parent, guardian, or other person having the care of the child or young person to such an extent that the physical or mental or emotional well-being of the child or young person is being seriously impaired; or
 - (i) the ability of the child or young person to form a significant psychological attachment to the person or persons having the care of the child or young person is being, or is likely to be, seriously impaired because of the number of occasions on which the child or young person has been in the care or charge of a person (not being a person specified in subsection (2)) for the purposes of maintaining the child or young person apart from the child's or young person's parents or guardians.
- The persons referred to in subsection (1)(i) are as follows:

- (a) any person who has custody of the child or young person pursuant to the order of any court, whether or not that court is a court within the meaning of this Act:
- (b) any person who has the child or young person in that person's care—
 - (i) pursuant to an agreement under [section 139](#) or [section 140](#) or [section 141](#) or [section 142](#); or
 - (ii) for the purpose of adoption, and the requirements of [section 6](#) of the Adoption Act 1955 are being complied with:
- (c) any person who is caring for the child or young person in—
 - (i) any residential accommodation provided for children or young persons attending a registered school within the meaning of the [Education Act 1989](#):
 - (ii) a hospital care institution within the meaning of [section 58\(4\)](#) of the Health and Disability Services (Safety) Act 2001.

Source: <http://www.legislation.govt.nz/act/public/1989/0024/latest/whole.html#DLM149457>

Appendix 2:

Examples of Signs and Symptoms of Abuse and Neglect

Physical Abuse

- Hitting, beating, choking, pushing, slapping, kicking, pulling hair, biting, punching, backhanding, arm twisting, shoving, kicking, or burning
- Holding the person down or preventing the person from leaving
- Throwing and/or threatening with objects
- Locking the person out of the home
- Refusal to get the person help or medical attention
- Forced use of substances (e.g. alcohol and drugs)
- Depriving the person of medication
- Denying or interfering with the person meeting his basic physical needs (e.g. eating and sleeping)
- Smashing, damaging, stealing, or selling the person's possessions
- Threatening to use or the use of a weapon against the person (e.g. hammer, knife, gun, etc.)
- Driving recklessly
- Punching walls or doors
- Stalking

Physical abuse also can be used against children and pets, as well as the person's friends and family.

Sexual Abuse

Sexual abuse is any forced or coerced sexual act or behavior motivated to acquire power and control over the person. It is not only forced sexual contact but also contact that demeans or humiliates the person and instigates feelings of shame or vulnerability – particularly in regards to the body, sexual performance, or sexuality.

Common examples are:

- Unwanted touching

- Demeaning remarks about the partner's body or appearance
- Minimization of the partner's sexual needs
- Berating the partner about his sexual history
- Demeaning remarks about the partner being too femme or butch
- Forcing sex or sexual actions on the partner without consent
- Using force or roughness that is not consensual, including forced sex (rape)
- Rape with an object
- Refusing to comply with the partner's request for safe sex
- Coercing the partner into sex with others
- Purposefully and repeatedly crossing the partner's sexual boundaries
- Violating an agreement for monogamy by having sex with others
- Exposing the partner to sexually transmitted diseases
- Treating the partner as a sex object
- Criticizing sexual performance or desirability
- Withholding sex as a punishment
- Unwanted sadistic sexual acts

Psychological/Emotional Abuse

Psychological / emotional abuse is any use of words, voice, action or lack of action meant to control, hurt or demean another person. Emotional abuse typically includes ridicule, intimidation, or coercion. Verbal abuse usually is included in this category. Psychological / emotional abuse is repeated hurtful exchanges with disregard for the person's feelings aimed at gaining power and/or exerting control over the person. For example, telling the person over and over again that "no one else would have you" or repeatedly calling the person "stupid" or "worthless".

Behaviours include:

- Verbal threats
- Demeaning the partner in front of friends, family or strangers
- Name-calling and use of abusive language
- Constant criticism or humiliation
- Disproportionate anger or yelling to intimidate
- Irrational blaming of the person
- Withholding affection, approval, or appreciation as a punishment
- Obsessive jealousy and accusations of unfaithfulness
- Instilling in the person the belief that "nothing he does will ever be good enough"

- Use of intimate knowledge (e.g. the person has herpes) to generate vulnerability
- Abusing or threatening to abuse the person's children is included here when the intent is to emotionally harm the person through the children
- Abusing or threatening to abuse pets is included here, when the intent is to emotionally harm the person through the pets
- Being irresponsible with money
- Using insults, sarcasm, or sneering
- Laughing at the person
- The abuser harming or threatening to harm himself/herself

Financial Abuse

Financial abuse is the use or misuse, without the person's freely given consent, of the financial or other monetary resources of the person or of a partnership.

Common examples of financial abuse include:

- Forbidding the person to work
- Jeopardizing the person's employment by such tactics as excessive calls to work; creating conflict with co-workers, supervisor, or clients; creating scenes with co-workers; forcing the person to miss work through threats, injuries, or coerced substance use
- Refusing to work, yet contributing to expenses
- Controlling shared resources, including bank accounts and common property
- Demanding the person sign over pay cheques or denying access to liquid assets, like mutual funds
- Demanding the person account for all the money the abuser spends
- Coercing the person to pay for all expenses, including rent, food, and utilities
- Stealing the person's property, such as valuables or assets
- Destroying or threatening to destroy the person's property as a means of affecting their financial situation
- Using the person's identity to charge expenditures to partner
- Taking credit cards, money, or cheque book
- Forging the person's signature on financial documents

Identity Abuse

Identity abuse is using personal characteristics to demean, manipulate and control the person. This category is comprised of the social "isms", including racism, sexism, ageism, able-ism, beauty-ism, as well as homophobia

Examples are:

- Outing or threatening to out the person to such people as family, boss, or neighbours
- Using the person's own homophobia to demean them or make them fearful
- Asserting that the person will never have another relationship because they are too ugly or too old
- Blaming the abuse on the person's identity (gay, bisexuality, transgender) or behaviour
- Using racial epithets and negative stereotypes
- Ridiculing the person's physical challenges or exploiting them
- Ridiculing the person's gender identity: appearance, dress, voice quality, grooming, etc.

Since the introduction of the Privacy Act (2020) and the Health Information Privacy Code (2020), agencies and individuals have become concerned about how much information can be given to statutory social workers or the Police. Both documents make provision for the disclosure of information necessary to prevent harm to any individual.

As well, all privacy restrictions are over-ridden by certain sections of the Oranga Tamariki Act (1989). These provide for the reporting of child abuse and protection of an individual from proceedings when disclosing child abuse to either a statutory social worker or police.

This Appendix lists the relevant legislation and the sections that relate to sharing information in cases of abuse and neglect.

1. Oranga Tamariki Act 1989

S15 Reporting of ill treatment or neglect of child or young person

Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected, or deprived may report the matter to a social worker or a member of the police.

S16 Protection of person reporting ill treatment or neglect of child or young person

No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person pursuant to section 15 of this Act of information concerning a child or young person (whether or not that information also concerns any other person), unless the information was disclosed or supplied in bad faith.

S66 Government Departments may be required to supply information

Agencies to supply information

(1) Every agency (within the meaning of [section 7\(1\)](#) of the Privacy Act 2020, which includes a person) must, on request, supply to the chief executive, a care and protection co-ordinator, or a constable any information held by the agency that may relate to or affect the safety or well-being of a child or young person, if the information is—

- (a) required to determine whether a child or young person is in need of care or protection or assistance under [section 17\(2\) and \(2A\)](#); or
- (b) required for the purposes of any proceedings under this Part (including a family group conference).
- (2) Despite subsection (1), an agency may refuse to disclose any information that may be withheld on the grounds of legal professional privilege.
- (3) Information obtained under subsection (1)—
- (a) must not be used for the purposes of investigating any offence; and
- (b) is not admissible in any proceedings other than proceedings under this Part.

2. Privacy Act

Principle 11

means that an organisation may generally only disclose personal information for the purpose for which it was originally collected or obtained. Sometimes other reasons for disclosure are allowed, such as disclosure for a directly related purpose, or if the person in question gives their permission for the disclosure.

For instance, an organisation may disclose personal information when:

- disclosure is one of the purposes for which the organisation got the information
- the person concerned authorises the disclosure
- the information is to be used in a way that does not identify the person concerned
- disclosure is necessary to avoid endangering someone's health or safety
- disclosure is necessary to uphold or enforce the law.

3. Health Information Privacy Code

Rule 11 subsection 2 (d) (ii)

that the disclosure of the information is necessary to prevent or lessen a serious threat to— (i) public health or public safety; or (ii) the life or health of the individual concerned or another individual

4. Health Act 1956

Section 22 (2) (c) Disclosure of Health Information

a Social Worker or a Care and Protection Co-ordinator within the meaning of the [Oranga Tamariki Act 1989](#), for the purposes of exercising or performing any of that person's powers, duties, or functions under that Act

Always seek advice from the company's General Manager prior to release of information.