Child Protection Policy

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MTSCT Operational	2016	Mountains to Sea Conservation Trust – Co-Director Poutokomanawa - National Child Protection Officer - Samara Nicholas

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Purpose

The Mountains to Sea Conservation Trust (MTSCT) www.mountainstosea.org.nz and its programmes 'Experiencing Marine Reserves' and the Whitebait Connection are committed to the safety and wellbeing of children. This policy applies to all contractors/coordinators, defined as any MTSCT member, or any person associated with that member, volunteers and any other person(s) engaged in work for or delivery of the MTSCT programmes, referred to here on as 'our team'. When working with schools, our Child protection Policy is implemented in conjunction with the schools policy.

We do not define ourselves as a children's worker. A children's worker works in, or provides a regulated service and their work involves regular or overnight contact with a child or children. However, we do regularly engage with children during our school delivery and public community engagement events and have developed this policy as a result of the Children's Act 2014 (formerly the Vulnerable Children Act 2014).

This policy recognises 'our teams' responsibility to promote safe practices and well-being as well as to protect children and young people from harm, abuse and exploitation while participating in or associated with MTSCT operations and activities. In a medical or physical emergency arising during school-based delivery, the school is responsible for transporting any students to emergency services if required (see Respond, below). The purpose of this policy is to:

- Protect all children and young people, whatever their culture, disability, gender, language, racial origin, socioeconomic status, religious belief and/or sexual identity, from all forms of harm.
- Respect and promote the rights and feelings of children and young people.
- Raise awareness of the importance of our role in maintaining the safety, welfare, and interests of any child and young person that staff or volunteers come into contact with, through their work.
- Promote and implement appropriate procedures to safeguard the well-being of children and young people and protect them from abuse.
- Provide guidelines, training, support and supervision to staff and volunteers to adopt best practice to safeguard and protect children and young people from abuse and to reduce risk to themselves.
- Identify procedures for staff and volunteers to follow, should a suspected case arise or an accusation be made about inappropriate behaviour by any person, by providing training, support, and guidance to staff and volunteers.
- Work in partnership with children and young people and parents/caregivers along with other organisations and agencies to promote the welfare, health and development of children and young people.
- Regularly monitor and evaluate the implementation of this policy and procedures.

Introduction

All staff and volunteers who come into contact with children and young people and families in their work, including those who do not have a specific role in relation to safeguarding children and young people, have a duty to safeguard and promote the welfare of children and young people. All staff and volunteers must comply with this policy and the attached Appendices.

Definitions

The following definitions apply to this policy

- Child – any child or young person aged under 17 years, and who is not married or in a civil union.
- Child Abuse - the harming (whether physically, emotionally, or sexually), ill treatment, abuse, neglect, or deprivation of any child or young person. Forms of Child Abuse: Emotional abuse occurs when a child or young person's emotional, psychological, or social wellbeing and sense of worth is continually battered. Neglect is the persistent failure to meet a child or young person's basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development. Physical abuse can be caused from punching, beating, kicking, shaking, biting, burning, or throwing the child or young person. It can also result from excessive or inappropriate discipline or violence within the family. Sexual abuse includes acts or behaviours where an adult, older, or more powerful person uses a child or young person for a sexual purpose.
- Child protection – activities carried out to ensure that children and young people are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect.
- Oranga Tamariki - also known as the Ministry for Children is the government department responsible for the well-being of children and young people, specifically children and young people at risk of harm, youth offenders and children and young people of the State.
- Safeguarding - the action that is taken to promote the welfare of young people and protect them from harm as well as help manage the risk of unsuitable persons entering the children and young people's workforce.
- Safety check - means verifying identity and gathering information through application forms, face to face conversations, police vetting, and reference checks.
- Whistleblowing – is the term used when a person passes on information concerning wrongdoing via an open, transparent and safe working environment where people feel able to speak up.
- Vetting - means the formal process of obtaining checks from another agency, e.g., the Police vetting service, criminal record checks.

Defining child abuse

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". The definitions set out below provide some indicators of abuse and these should not be seen as an exhaustive list or as a checklist.

Physical Abuse

Physical abuse 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.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects 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 imposition of age or developmentally inappropriate expectations. It also includes seeing or hearing the ill treatment of others.

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, kissing, touching, masturbation, molesting, sexual assault) as well as non-contact acts such as involving children in looking at or production of images of sexual activities and sexual behaviours.

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.

Related Document, Policies and Procedures

- Children's Act 2014 Crimes Act 1961 (Section 195A)
- Crimes Amendment Act (No 3) 2011 Films, Videos, and Publications Classifications Act 1993 Health and Safety at Work Act 2015
- Oranga Tamariki Act 1989
- Privacy Act 1993

Policy: Recruitment and Training

All new MTSCT staff (coordinators not volunteers), whether permanent or seasonal (coordinators and Regional Coordinators in the role of delivering our programmes to schools and communities), who are likely to interact with children and young people are required to undergo police vetting and safety checks prior to confirmation of their appointment. Refer to appendix 1. Existing MTSCT are to be re-checked every 3 years (including police vet). Samara Nicholas is the national child protection officer.

We require all our Regional Providers organisations to identify who their Regional Child Protection Lead (CPL) is. A Child Protection Lead (CPL) needs to be able to observe programme delivery on the ground. All CPL's need some baseline training to upskill and check their own systems are sufficient (ideally you will have a CPL that is involved in both EMR and WBC delivery or you might have to have separate CPL representing a programme each). All WBC/EMR staff are required to sign (via your annual Health and safety mandatory quiz or signing the document direct) a 'Code of Conduct' and be rechecked including police vet every three years.

We require all identified CPL's register for a FREE online 'Child Protection in Play, Active Recreation and Sport' as a minimum requirement or there is a slightly higher level webinar with Safeguarding Children direct called Recognising & Responding to Child Abuse and Neglect for a fee. We strongly recommend the 1.5 hours long 'Child Protection in Play, Active Recreation and Sport' online course for all EMR and WBC Coordinators.
CPL's meet once every six months and keep any concerns in a central location (MTSCT Restricted Access Google Drive).
We strongly recommend the 1.5 hours long 'Child Protection in Play, Active Recreation and Sport' online course for all EMR and WBC Coordinators. It's free and can be done at any time.
All Regional Coordinators will receive child or young person protection training appropriate for their role and operational level.

Roles and Responsibilities of Staff and Volunteers

Our team is aware of their 'duty of care' which precludes any inappropriate contact with children. When working with schools our team also agrees to adhere to the schools ‘Child Protection Policy’. The overall supervision of students getting changed into their wetsuits and or other equipment is the reasonability of the school. The school is responsible for making sure any of our activities (snorkelling or stream investigation for example) are not in breach with the schools Child Protection Policy.

Volunteers are not required to be vetted unless, MTSCT makes a risk assessment on the event/programme and MTSCT has identified it would be best practise to do so or if there was an event where volunteers have regular or overnight contact with children. This would not apply if a parent or guardian was in direct supervision of their child (e.g. Poor Knights annual competition trip)

It is the responsibility of all staff and volunteers to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse, and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

Allegations and Complaints

Any allegation or concern that a child or young person may have been harmed or abused must be taken seriously and dealt with sensitively and promptly.
Any allegation or concern that a staff member or volunteer may have behaved in a manner that has harmed or abused a child or young person must be taken seriously and dealt with sensitively and promptly.

In situations where a staff member or volunteer is alleged to have caused harm or abuse to a child or young person, and where an investigation is initiated, or likely to be initiated by the NZ Police and/or Oranga Tamariki, the staff member or volunteer will be temporarily suspended until an outcome has been achieved. Suspension is not punitive but a safety measure for both the staff member or volunteer and the child or young person.

In the case of an allegation where the NZ Police and/or Oranga Tamariki are not involved, the staff member or volunteer may be required to undertake alternative duties to avoid direct contact with children and young people until an outcome has been achieved.

Procedures: Recruitment and Training

When working with school groups, if our team have concerns of abuse, they are to inform the teacher or Designated Person(s) for Child Protection in charge on behalf of the school/group, so the issue can be dealt with in conjunction with the schools 'Child Protection Policy'. We will regularly discuss this policy at our annual training wananga and will review our policy every three years.

The process of filling staff and positions requiring contact or interaction with children and young people should include:

1. having written role descriptions
2. following up on referees
3. interviewing preferred candidate/s
4. undertaking safety checks of the preferred candidate/s

In addition to the pre-selection safety checks, the child or young person protection process must include subsequent monitoring and training of staff and volunteers in order to:

1. ensure that staff and volunteers are working safely and effectively with children and young people
2. identify and respond to any unacceptable behaviour or practices
3. enable staff and volunteers to analyse their own behaviour and practices against MTSCT Safeguarding
4. respond in a positive way to concerns raised about any staff or volunteer behaviour, e.g., via training to improve practices.

RESPOND – RECORD – CONSULT – REPORT/ MONITOR approach

Should be implemented at all times.

Respond

If there is an immediate risk of harm to the child or young person, emergency medical treatment is needed, or a crime against a child or young person has been committed, staff or volunteers should call 111 and inform MTSCT Co-Directors. If an allegation is against a MTSCT Co-Director, inform the MTSCT chairperson.

Where the medical or physical emergency occurs during school-based delivery, the school is responsible for arranging and undertaking transport of any affected student(s) to emergency services, in line with the school's own emergency procedures. MTSCT staff or volunteers will

support the school by calling 111, providing first aid within their training, and staying with the group until the school has the situation in hand.

If a child or young person makes a disclosure, react calmly and show that you are listening and concerned.

Take what the child or young person has said seriously and allow the child or young person to continue at their own pace, without interrupting.
Do not give assurances of confidentiality but explain that the information will need to be passed on to those that need to know. Tell the child or young person what will happen next and offer reassurance that the issue will be taken seriously.

Keep questions to an absolute minimum, only to establish and clarify what the child or young person is saying and not to investigate; this is the role of the NZ Police and/or Oranga Tamariki.
MTSCT supports 'whistleblowing' for the protection of a child or young person. MTSCT will support staff or volunteers who report any behaviour or practice that may contravene this policy and/or pose a possible risk to children or young people.

Record

When allegations or disclosures occur, make a comprehensive record of what was said and done. The record should include the following:

1. a verbatim record of the child or young person's account of what occurred, in their own words, which should not include the assumptions or opinions of others. This record could be used later in a criminal trial and needs to be as accurate as possible.
2. a description of any visible injury.
3. the date, time, and place of the alleged incident, of the conversation, and any other potentially useful information.

Transfer all notes to Report Form keeping all original notes attached to the form, as they may be needed as evidence.

Following an allegation or disclosure, MTSCT National Child Protection Officer must be informed as soon as practicable, detailing what has happened and what (if any) actions have been taken in response to the incident.

Never work alone, nor investigate, nor question an alleged offender or contact the child or young person's family without prior approval from Oranga Tamariki and/or the NZ Police, and only in consultation with MTSCT's National Child Protection Officer.

Report/Monitor

Once an Incident Report Form has been submitted to the National Child Protection Officer, they will assess whether a Report of Concern should be made to Oranga Tamariki and/or the NZ Police. The National Child Protection Officer will seek guidance from Oranga Tamariki and/or the NZ Police as to what further actions MTSCT and/or the club are permitted to take, if any.

Where permitted, the National Child Protection Officer will advise all parties of the process and progress, which may include one or more of the following:

1. informing parents, staff, volunteers and any organisation responsible for the child or young person.
2. talking to the child or young person.
3. contacting the alleged offender.

MTSCT will not enter into any settlement agreement where a child or young person's safety and/or protection is a concern, i.e., where a settlement agreement contradicts a culture of safeguarding and child protection.

In the instance a child, young person and/or the alleged party leaves MTSCT, while a complaint is in progress or where a complaint arises after their departure, the National Child Protection Officer in consultation with the trustees and relevant authorities shall determine what actions will be taken to uphold the intent of this policy.

MTSCT's Safeguarding Code of Conduct

MTSCT and its staff recognise that the welfare of children and young people is paramount, and will ensure that staff and volunteers;

1. Are familiar with, and understand their safeguarding responsibilities.
2. Promote best safeguarding practices for staff, volunteers, children and young people.
3. Are supported to meet MTSCT's safeguarding expectations.
4. Adopt and demonstrate safeguarding as a shared responsibility.
5. Are responsible for their own actions and behaviours, to ensure safe practices at all times.
6. Practices and behaviours are in accordance with MTSCT's safeguarding policies and procedures, making certain any breaches are openly recorded and reported.
7. Are supported by having a code for children and young people. This is their version of their responsibilities and behaviour towards staff, volunteers and other children or young people.
8. Are supported by having a code for parents/caregivers. Refer to Appendix D. This is their version of their responsibilities and behaviour towards staff and volunteers, as well as children or young people in their care.

9. Recognise that this Code of Conduct relates to every child and young person, and applies to every staff member or volunteer no matter their position or seniority.

Staff and Volunteers must:

1. Staff only commence MTSCT duties upon completion of all safer recruitment elements including police vetting.
2. Immediately notify the National Child Protection Officer, as soon as practicable, of any changes relating to known or possible criminal charges/convictions during their employment.
3. Recognise that safeguarding is both an individual and shared responsibility amongst all staff and volunteers to uphold practices and behaviours befitting of their role/s as trusted providers of MTSCT services, including but not limited to;
    a. Always operate in the best interests of children and young people.
    b. Carry out a risk assessment to identify any potential risk to children, young people and staff, and identify appropriate control measures to mitigate the risks.
    c. Promote an inclusive culture across all areas of diversity.
    d. Represent the MTSCT programme brands, uniforms and branded equipment
    e. Complete the required Safeguarding training appropriate for their role.
    f. Ensure that all communication, behaviour and actions with or around children and young people is positive, and appropriate to their age level of development.
4. Operate in the line of sight and sound of others at all times.
5. Comply with all statutory regulations and MTSCT policies, procedures and practices in regards to reporting any concerns or noncompliance issues, in a timely manner.
6. Obtain written parental or caregiver consent prior to: Overnight stays and/or sleeping arrangements.

Staff and Volunteers must not:

1. Leave children and young people unattended or alone with unauthorised adults.
2. Use their position of trust for any purpose that would be of detriment to a child or young person or their family.
3. Undertake any form of sexual engagement or behaviour in the presence of, between or with any person, particularly those under 18, while accessing or providing MTSCT services, including contact and/or non-contact behaviours.
4. Perform any conduct that may question motivation and/or intentions or be open to perceptions of grooming. This includes but is not exclusive to:
    a. Giving of personal gifts.
    b. Encouraging out-of-service/social contact and/or taking a child or young person to out-of-service facilities, e.g., personal home, etc.
    c. Being secretive or encouraging secrecy amongst others.
    d. Demonstrating favouritism or exclusion towards children and young people.

5. Initiate or participate in any unnecessary, unwanted or inappropriate physical contact, e.g., boisterous games, personal care (when the person is capable of self-care), unnecessary affection, etc.
6. Use behaviour management outside of organisational requirements, including but not exclusive to:
    a. Any form of physical punishment/discipline or degrading treatment.
    b. Any form of emotional abuse including threats, references to diversity differences, withdrawal of care and/or necessities, etc.
7. Attend work in the possession of/under the influence of drugs or alcohol.

MTSCT's Children & Young Persons Safeguarding Code of Conduct

MTSCT recognises that the welfare of children and young people is paramount, and will ensure that staff and volunteers encourage children and young people to:

1. Value each other, parents, caregivers, staff and volunteers, and advise them that they may be asked for their views and feedback.
2. Include all children and young people and encourage them to value and embrace differences throughout the MTS activities they are involved in.
3. Abide by the rules to keep them safe, such as keeping out of prohibited areas, not leaving the site or programme without staff permission, adhering to restricted access to certain areas, e.g., bathrooms, changing rooms, etc.
4. Behave appropriately towards each other, staff, volunteers, parents and caregivers.
5. Expect that behaviour falling outside of expectations will be addressed and what this may look like, e.g., time out, phoning parents or caregivers.
6. Take care of themselves and others. Be safe.
7. Tell someone if they or someone else is being treated unfairly or differently and/or if they are worried about someone.

MTSCT's Parent & Caregivers Safeguarding Code of Conduct

MTSCT recognise that the welfare of children and young people is paramount, and will ensure that staff and/or volunteers inform parent and caregivers that they:

1. And their child's voice is valued, and they may be asked for their views and/or feedback.
2. Must be contactable or nominate an emergency contact who will be available at all times while their child or young person is involved in MTSCT operations or activities.

3. Should tell someone if they or someone else is being treated differently to this or other MTSCT Codes of Conduct, and/or if they are worried about someone.
4. Are expected to behave in accordance with MTSCT's Code of Conduct at all times.
5. Are expected to behave appropriately and compassionately towards others, including should they be dissatisfied, e.g.,
    a. Remembering staff and volunteers are people too, and some may be young staff or volunteers.
    b. Not raising voices/using inappropriate language towards staff or volunteers, particularly in the vicinity of children and young people.
    c. Knowing that any conduct that is or perceived as being, abusive, racist, sexist, bullying, harassing, threatening, etc. is not permitted and may result in service exclusion.
6. Along with MTSCT, are expected to promote inclusivity and will undertake all reasonable steps to accommodate any special needs where practicable and where resources permit.
7. Are encouraged to support the actions taken by staff or volunteers to address inappropriate behaviours that may breach MTSCT's Code of Conduct and also how they may be managed, e.g.,
    a. For children and young people: immediate strategies such as time out, etc. as well as Behavioural Management Plans that incorporate parent or caregivers' involvement and agreement.
    b. For children and young people and adults: serious concerns (e.g., illegal behaviour, danger, harm towards self or others, persistent failings to comply, etc.) may result in temporary and/or permanent exclusion.
8. Are required to abide by MTSCT's operational and/or activity requirements
9. Are required to abide by all MTSCT's policies, procedures and practices at all times, including refraining taking, sharing or storing images of children and young people, other than their own, noting:
    a. MTSCT will create opportunities for imagery to be taken safely.
    b. How breaching imagery requirements may place others at risk, e.g., from family violence, etc.
10. Remember that safeguarding is a shared responsibility

Contacts

If you, or a child or young person you know is in immediate danger call:
POLICE ON 111

Need to talk? We're here for you. Call freephone:

Ministry for Vulnerable Children 0508 326 459 Lines open 24/7, or email us at contact@mvcot.govt.nz

After 5pm and on weekends social workers are only available for emergency situations, but we still urge you to call so we can assess your needs.

Checks required for new children's workers

To be recorded on staff personnel file

Initially

- identity verification
- interview
- police vetting
- reference checks
- employment verification check
- seeking information from relevant professional organisations
- a risk assessment that considers the specific child safety related risk.

Recheck every 3 years

- Identity - any names changes
- seeking information
- police vet
- assess risk

Appendix 1: Sector Comparison Notes (2026 review)

The following notes summarise how this policy compares to current published child protection/safeguarding policies from comparable NZ organisations (Sport Integrity Commission Te Kahu Raunui, Sport NZ, NZ Cricket, NZ Rugby, Boys' Brigade NZ, and Ministry of Education early learning guidance). For internal review only — not part of the operative policy.

- Legislation naming: The Vulnerable Children Act 2014 was renamed the Children's Act 2014 in 2018. This policy's Purpose section still uses the old name; the Related Documents list correctly uses the current name. Recommend updating all references to "Children's Act 2014" for consistency (flagged inline above).
- Safeguarding vs Child Protection as separate documents: The national Sport Integrity Commission template suite (and Sport NZ's guidance) treats 'safeguarding' (preventing harm) and 'child protection' (responding to harm) as two separate companion policies.

MTSCT's document combines both into one, which is workable for an organisation of this size but worth noting if MTSCT ever adopts the Sport Integrity Commission's Integrity Code, which expects the two as distinct documents.

- Designated/Lead role naming: Comparable policies (NZ Rugby, MoE) use the term 'Designated Person for Child Protection' consistently. MTSCT's policy uses 'National Child Protection Officer' at the national level and 'Child Protection Lead (CPL)' at the regional level — this two-tier structure is more developed than most comparable templates, which typically have a single designated person.
- Police vetting cadence: MTSCT's 3-year recheck cycle for police vetting matches the Children's Act 2014 statutory requirement and is consistent with NZ Cricket, NZ Rugby and Te Kāhui Kāhu guidance.
- Volunteers and vetting: MTSCT's risk-based approach to volunteer vetting (vetting only where a risk assessment identifies it as best practice) is more permissive than some comparable organisations — e.g. NZ Cricket requires vetting for all volunteers with regular or overnight contact with children, regardless of risk assessment outcome. Worth reviewing whether MTSCT's regular school-based and Poor Knights trip delivery meets the 'regular contact' threshold that would normally trigger mandatory vetting under sector norms.
- Emergency/transport responsibility during school delivery: Most comparable sector policies do not explicitly address transport responsibility during a medical emergency, as it is usually left to the host school's own procedures (consistent with how MTSCT defers general supervision responsibility to schools elsewhere in this policy). The new clause added in this review aligns with that existing pattern and is a sensible, common-sense addition not typically spelled out elsewhere in the sector — it may be worth sharing as good practice.
- Review cycle: MTSCT's 3-yearly policy review cycle matches the Ministry of Education's requirement for early learning services and is standard sector practice.