

# Child Protection Policy

Version number 1.2 December 2024



# 1 MBIE guiding principles relevant to this policy

- 1.1 The Child Protection Policy aligns with the following MBIE guiding principles:
- ensuring partnering with Māori, and our core values and diverse and inclusive culture, are at the heart of what we do
  - ensuring we maintain the trust and confidence of the public
  - ensuring a healthy, safe and secure environment
  - complying with legislation, regulations and standards.

## 2 Purpose

- 2.1 The purpose of this policy is to:
- protect the safety and promote the wellbeing of children who come into contact with MBIE staff
  - assist our people to respond when child abuse or neglect is suspected or identified
  - ensure third parties MBIE contracts or has funding arrangements with, which involve the provision of children's services, have adequate procedures and policies in place to ensure safety and wellbeing of children.

## 3 Scope

- 3.1 This policy applies to all staff, secondees and contractors employed or engaged on any basis by MBIE (**our people**), whether they are casual, fixed-term or permanent, whether full time or part time and whether they are in New Zealand or in any other country.
- 3.2 This policy applies to every contract or funding arrangement entered into by MBIE with other persons or organisations for the provision of children's services.

## 4 Help

- 4.1 For any queries relating to the policy, please [email Refugee and Migrant Services, Immigration New Zealand](#).

## 5 Definition of terms

Term	Definition
<b>Child abuse and neglect</b>	The harming (whether physically, emotionally, or sexually), ill-treatment, abuse or suspected abuse, neglect, or deprivation of any child or young person.
<b>Child or young person</b>	Any child (under the age of 14 years) or young person (of or over the age of 14 years but under 18 years), as defined within the Oranga Tamariki Act 1989.
<b>Child protection</b>	Activities carried out to make sure children and young persons are safe where there is suspected abuse or neglect or the risk of abuse or neglect.
<b>Children's services</b>	As defined in the Children's Act 2014 Part 2 section 15, including: <ul style="list-style-type: none"><li>Services provided to one or more children.</li><li>Services provided to adults in respect of one or more children.</li></ul>

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New Zealand  
Policy Owner: GM Refugee and Migrant Services  
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## 6 Policy statements

- 6.1 This policy is created as a requirement of the Children’s Act 2014.
- 6.2 Under this policy, all staff are required to:
- know that the policy exists and know how to access the policy;
  - understand what this policy covers and what to do if they come across abuse and/or neglect;
  - meet any specific training or reporting requirements that are required for their role; and
  - report any concerns about actual or suspected abuse and/or neglect of a child or young person to their manager and together assess the best approach to take. In situations where a child or young person is believed to be in imminent danger, this should be reported immediately to Police via 111.
- 6.3 Managers are responsible for ensuring that their team members read, understand and adhere to this policy.
- 6.4 Managers and people leaders must support team members who report child abuse and/or neglect and ensure that supports such as the Employee Assistance Programme (EAP) are available to them.

### Reporting obligations

- 6.5 MBIE staff who are concerned about the well-being of a child or young person must report their concerns to their manager and together assess the best approach to take. This may involve making a Report of Concern to Oranga Tamariki. If the child or young person is believed to be in immediate danger, this should be reported immediately to Police via 111.
- 6.6 Significant events, where there is likely to be police, media, and senior leader involvement, should also be immediately reported to the INZ Duty Officer on 04 901 8164 or the MBIE on-call phone 021 812 058, who have steps to follow and can provide support to the caller.
- 6.7 The Wellbeing, Health and Safety Team can provide advice and support to the reporting staff member and/or people leader. This can be accessed via the [Camms reporting tool](#), the team [mailbox](#) or by contacting a member of the team directly. Wellbeing reporting through Camms is only shared with people leaders if the reporting staff member chooses to do this.
- 6.8 MBIE’s **Annual Report** must state whether and to what extent this policy has been implemented and whether relevant parties have adopted and regularly reviewed a child protection policy. MBIE must also report on the implementation and interactions resulting from this Policy.

### Engaging with third parties

- 6.9 All contracts, or funding arrangements entered into by MBIE involving the provision of children’s services must include an obligation for the contracting third party to adopt a child protection policy with a review cycle of at least three years.
- 6.10 MBIE must ensure that contractors and service providers funded by, or working on behalf of MBIE to provide children’s services, have either:
- adopted and implemented a child protection policy consistent with this policy, or
  - adapted and applied the MBIE policy as appropriate.

### Confidentiality and information sharing

- 6.11 MBIE must cooperate with other agencies including Oranga Tamariki and the New Zealand Police in a way that is in the best interest of the child and aligns with the purposes of the Oranga Tamariki Act 1989 and associated legislation and regulations.
- 6.12 The Oranga Tamariki Act 1989 and the Privacy Act 2020, allow information to be shared to keep children safe when child abuse or neglect is reported or investigated. When sharing information,

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our people must comply with their obligations under these acts. Given the sensitivity of this information, our people must take appropriate precautions when collecting, accessing, using, disclosing, and storing the information. Such information must not be discussed openly.

6.13 MBIE’s [guidance for sharing information under the Oranga Tamariki Act 1989](#) provides more information on how to share and request information when harm to a child is suspected.

6.14 There are a number of options for how to speak up if an MBIE person is involved in wrongdoing, see [Report a Speaking Up Event](#). If a staff member is involved in ‘serious wrongdoing’, it may be possible for the reporting employee to make a protected disclosure in accordance with the [Protected Disclosure \(Protection of Whistleblowers\) Act 2022](#).

## 7 Key accountabilities and responsibilities

Role	Responsibility
<b>Governance and oversight</b>	
<b>Secretary for Business, Innovation &amp; Employment and Chief Executive (The Secretary)</b>	<ul style="list-style-type: none"> <li>Ensuring MBIE meets its obligations under the policy</li> </ul>
<b>Assurance, Risk and Accountability Committee (ARA)</b>	<ul style="list-style-type: none"> <li>Maintaining overall oversight of the status of this policy</li> <li>Endorsing new and major amendments to this policy</li> </ul>
<b>Business group management: Identify and manage risks in day-to-day operations (1<sup>st</sup> Line)</b>	
<b>Deputy Secretaries (Dep Secs)</b>	<ul style="list-style-type: none"> <li>Providing leadership to embed the policy within their business group</li> <li>Providing assurance to The Secretary that their business group is compliant and that matters of non-compliance are dealt with appropriately</li> <li>Alerting the Policy Owner to new areas or functions within their business group that could be deemed to be providing children’s services</li> </ul>
<b>Managers and People Leaders</b>	<ul style="list-style-type: none"> <li>Embedding this policy into operational activities within their business area</li> <li>Ensuring new and existing staff in their teams, including secondees and contractors, are made aware of and comply with the policy</li> <li>Ensuring SOPs and guidelines are developed and implemented to support this policy as appropriate (for business functions that provides children’s services) to enable employees to comply with this Policy and that these align with this Policy</li> <li>Implementing the policy, associated procedures and guidelines, relevant to their responsibilities</li> <li>Supporting team members who report concerns about child abuse and/or neglect including in determining which action to take</li> <li>Notifying the Policy Owner that the business function is giving effect to this policy</li> </ul>

Role	Responsibility
	<ul style="list-style-type: none"> <li>Ensuring that any incidents of policy non-compliance are reported to the Policy Owner, on a monthly basis, for inclusion in the report to the Assurance, Risk and Accountability Committee (ARA)</li> <li>Ensuring that MBIE contracted service providers understand any requirement for, and where necessary have in place, a suitable child protection policy</li> <li>Ensuring if a new MBIE function or operation is to provide children's services, as described under this policy, they discuss their intentions with the General Manager Refugee and Migrant Services, Immigration New Zealand, and ensure appropriate arrangements are in place</li> </ul>
<b>Our People</b>	<ul style="list-style-type: none"> <li>Understanding and adhering to this Policy</li> <li>Complying with all policies, procedures and training requirements applicable to their role</li> </ul>
<b>Specialist functions: Set MBIE-wide expectations, policies and procedures (2<sup>nd</sup> Line)</b>	
<b>GM Refugee and Migrant Services (Policy Owner)</b>	<ul style="list-style-type: none"> <li>Ensuring MBIE has a suitable policy to meet its obligations under section 16 of the Oranga Tamariki Act 1989</li> <li>Providing support and advice to managers in relation to the application and interpretation of the policy</li> <li>Reporting to the Assurance, Risk and Accountability Committee (ARA), any reported event of child abuse as deemed appropriate</li> <li>Collating information for the Annual Report in relation to the implementation of the policy</li> <li>Ensuring the Policy is working effectively through regular monitoring and reporting on policy compliance to the Compliance Centre of Excellence (Compliance CoE)</li> </ul>
<b>All contractors and service providers who deliver children's services</b>	<ul style="list-style-type: none"> <li>Contractually obliged to have a child protection policy in place or have adapted and applied the MBIE policy as appropriate</li> </ul>

## 8 Procedures

- a. Each business function that provides children's services should document in standard operating procedures (SOPs) or other relevant guidance that enable employees to comply with this policy.
- b. There is a [Child Protection Procedure](#) associated with this Policy which provides support to our people to carry out their obligations under the Policy. SOPs and any other guidance must align with this document.

## 9 Related MBIE policies and documents

- a. [Child Protection Procedure](#)
- b. [Guidance for sharing information under the Oranga Tamariki Act 1989](#)
- c. [Information Gathering Policy](#)
- d. [Information and Records Management Policy](#)
- e. [Privacy Policy](#)
- f. [Protected Disclosure Policy](#)

## 10 Relevant legislation, regulations and standards

- a. [Children's Act 2014](#)
- b. [Oranga Tamariki Act 1989](#)
- c. [Oranga Tamariki guidance](#)
- d. [Privacy Act 2020](#)
- e. [Victims' Rights Act 2002](#)

## 11 Measures of success and compliance management

- 11.1 The General Manager Refugee and Migrant Services will assess the effectiveness of the Child Protection Policy based on the following measures of success:
- a. any incidents of child abuse, suspected child abuse or neglect are reported as necessary to the Police or Oranga Tamariki
  - b. all third parties engaged to provide children's services have suitable child protection policies in place.
- 11.2 The General Manager Refugee and Migrant Services will monitor compliance with the Child Protection Policy as follows:
- a. reviewing complaints and/ or breaches to this policy
  - b. maintaining a central register to record breaches of the policy and provide quarterly reporting as required.
- 11.3 Compliance information regarding the performance of this policy will be provided to the relevant business group and the Compliance COE on a quarterly basis.

## 12 Non-compliance

- 12.1 Failure to comply with this policy may be considered a breach of the [Code of Conduct](#).
- 12.2 Any action taken as a result of a breach of any of the obligations set out in this policy will be conducted in good faith, a fair process will be followed, and the person involved will have a full opportunity to respond to the concerns or allegations and have access to appropriate support, advice or representation.