

CHILD AND VULNERABLE ADULT PROTECTION POLICY

1. PURPOSE AND SCOPE

- 1.1 At Cycling New Zealand, we believe that every child and vulnerable adult has the right to have fun, be safe, protected, and free from harm whether training at a local club or school or representing their country at an international level. As such, Cycling New Zealand has adopted a zero tolerance policy toward any behaviour that violates this policy.
- 1.2 This policy applies to all Cycling New Zealand employees, athletes, volunteers, contractors, representatives of Cycling New Zealand and support team members. Throughout the document referred to as personnel. Member organisations may choose to adopt a similar policy.
- 1.3 For the purpose of this policy and associated procedures, a child is recognised as anyone under 18 years old. A vulnerable adult means a person unable, by reason of detention, age, sickness, mental impairment, or any other cause, to withdraw themselves from the care or charge of another person.
- 1.4 The purpose of this policy is to ensure all personnel under this policy receive the support, training or education they need to safeguard members of the cycling community from harassment and abuse by:
 - Promoting the health and welfare of children and vulnerable adults by providing opportunities for them to take part in sport and physical activity safely;
 - Respecting and promoting the rights, wishes and feelings of children and vulnerable adults;
 - Annual Appointment of a Safeguarding Committee. For calendar year 2022 this Committee will be comprised of CNZ's CEO, a HPSNZ Psychologist, CNZ's Event and Member Services Director, a representative of CNZ's coaching team, and one member from the AVC leadership team;¹
 - Ensuring all personnel are able to recognise the signs and symptoms of abuse and have the education, training and knowledge and confidence to take appropriate action.
 - Requiring the adoption and compliance with this Child Protection Policy and associated policies and procedures;
 - Promoting and implementing appropriate safeguarding procedures;
 - Providing safer recruitment and training to enable personnel to identify and respond appropriately to suspicion, disclosure or allegations of vulnerability, abuse, or neglect, to protect children and vulnerable adults from harm and to reduce the risk of allegations or complaints against themselves;
 - Regularly monitoring and evaluating the implementation of this policy and associated procedures.

¹ The AVC will have two designated members that have completed the Child Protection in Play, Active Recreation and Sport training modules. Any member of this committee who is named in a complaint will be excused from the Committee while that complaint is assessed.

The Safeguarding Committee will refer any allegations of child abuse to the appropriate authorities and if appropriate, will initiate employment proceedings.

2. VISION AND VALUES

Our vision is to create and sustain a thriving community across the sport of cycling. We will champion and own this vision for the benefit of all in our cycling community. Through our leadership we will drive alignment to ensure that our collective actions and behaviours are underpinned by our capacity to remain honest, respectful, and collaborative. It is through these actions that we will all play our part in building a thriving community across the sport of cycling.

- Integrity – We are honest in all we do, we are uncompromising in our commitment to strong moral and ethical principles.
- Respect – We celebrate our community; we lead through our actions.
- Innovation – We are constantly looking at how we work smarter and more efficiently – seeking improvement in all we do.
- Excellence – We aim high in everything we do, striving to be better in all we do.
- Collaboration – We connect to achieve our purpose, we build trust in our relationships

3. WHAT IS CHILD ABUSE?

- 3.1 The Oranga Tamariki Act, 1989, defines child abuse as “...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person”.
- 3.2 Child - is recognised as someone under the age of 18 years.
- 3.3 Vulnerable Adult - means a person unable, by reason of detention, age, sickness, mental impairment, or any other cause, to withdraw themselves from the care or charge of another person.
- 3.4 Safeguarding Committee (SC) – the persons responsible for providing advice and support to personnel where they have a concern about an individual child or vulnerable adult and will notify Oranga Tamariki if there is a belief that a child or vulnerable adult has been, or is likely to be, abused or neglected. This group will also serve as the point of contact for any assessment or investigation conducted by the Sport and Recreation Complaints and Mediation Service (SRCMS)
- 3.5 Physical Abuse - Physical abuse is a non-accidental act on a child or vulnerable adult 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 or vulnerable adult. Physical abuse also involves the fabrication or inducing of illness.
- 3.6 Emotional Abuse - Emotional abuse is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a child or vulnerable adult. This includes inappropriate electronic communications.
- 3.7 Sexual Abuse - Sexual Abuse is an act or acts that result in the sexual exploitation of a child or vulnerable adult, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child or vulnerable adult.

3.8 Neglect - Neglect is any act or omission that results in impaired physical functioning, injury and/or development of a child or vulnerable adult. It may also include neglect of a child's or vulnerable adult's basic or emotional needs. Neglect is a lack of action, emotion, or basic needs.

3.9 Further policy information is enclosed in appendix A

4. THE PROVISION OF TRAINING

4.1 To enable Cycling New Zealand to build a safeguarding culture where the safety of children and vulnerable adults is paramount, safeguarding training is mandated for all personnel who work with children and vulnerable adults on an annual basis.

4.2 Child protection procedures will be included as part of the induction process for personnel who work with children and vulnerable adults. All new personnel will be taken through the child protection policy and associated procedures, advised where they are located online and asked to ensure that they read and understand the content.

4.3 All personnel will be informed promptly of any changes to the child protection policy and associated procedures.

5. RECRUITMENT

5.1 During the recruitment process, Cycling New Zealand personnel who work with children and vulnerable adults will be required to utilise safer recruitment processes as outlined in our recruitment policy. This includes a satisfactory police background check. Personnel may also be subject to annual or biannual police re-checks if the nature of their role requires frequent contact with children or vulnerable adults.

5.2 In situations where there is no formal recruitment process, for example, for volunteer positions, volunteers will undergo the same police background checks as a CNZ employee.

6. CONFIDENTIALITY

6.1 We are committed to sharing information as appropriate, therefore if there is a concern about a child or vulnerable adult, the SC and/or CEO will seek advice from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone else.

6.2 The Safeguarding Committee will also encourage any complainant to engage with the SRCMS.

6.3 In addition to seeking advice from Oranga Tamariki and the Police, we will refer to the privacy commission guidelines on sharing information about vulnerable children and adults, to guide decisions on when to share information and talk to parents/whanau/caregivers.

6.4 The SC will be responsible for ensuring that any information relating to a child or vulnerable adult protection matter is stored securely online, within a restricted access area. The SC will also be responsible for the secure and confidential sharing of relevant information when required.

6.5 Under the Privacy Act 1993 and the Children and Young People's Well-being Act 1989, personnel may disclose information when there is a good reason to do so. Under sections

15 and 16 of the Children and Young People’s Well-being Act 1989, any person who has a concern that a child has been or is likely to be harmed may report the matter to Oranga Tamariki or the Police and provided the report is made in good faith, no civil, criminal, or disciplinary procedures will be brought against them.

7. STEPS FOLLOWING DISCLOSURE

- 7.1 Allegations, suspicions, or complaints of abuse against personnel will be taken seriously and should be reported to a member of the Safeguarding Committee, who will respond to the allegation immediately, sensitively, and expediently within the procedures outlined in this policy and associated procedures. The Safeguarding Committee will engage the SCRMS where possible and where appropriate.
- 7.2 If the Police decide to undertake a criminal investigation, then the member of personnel may be suspended as outlined in their individual Employment Agreement or applicable contract, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation
- 7.3 Any complaint will be considered in accordance with the principles of natural justice and must ensure that all parties to the complaint are accorded the full benefit of those principles. Where a complaint is investigated but not substantiated, the findings along with a right of reply should be held on the record.

8. BREACH OF THIS POLICY

- 8.1 Any breach of this Policy will be taken seriously and could result in disciplinary action, up to and including dismissal of the Cycling New Zealand employees, or in the case where the person is not an employee as defined in 1.2 above, the removal of this person from involvement in any CNZ sponsored or certified events.
- 8.2 If you have any questions about this policy or whether it applies, you should discuss it with your line manager or a member of the SC

Policy Owner:	CEO		
Policy Reviewed By:	SLT		
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APPENDIX A

Relevant Legislation

1. [The Privacy Act 1993](#)
2. [The Oranga Tamariki Act 1989 / The Children and Young People's Well-being Act 1989](#)
3. [Vulnerable Children Act 2014](#)
4. [Vulnerable Children \(Requirements for Safety Checks of Children's Workers\) Regulations 2015](#)
5. [Health and Safety Act 2015](#)
6. [Employment Relations Act 2000](#)
7. [Harmful Digital Communications Act 2015](#)