



About the Vulnerable Children Act 2014

On 1 July 2014 the Vulnerable Children Act and other associated legislation passed into law. The Act forms a significant part of comprehensive measures to protect and improve the wellbeing of vulnerable children and strengthen our child protection system.

The reforms were proposed in the White Paper for Vulnerable Children and the Children's Action Plan, which were released in October 2012 after significant consultation with the public that resulted in almost 10,000 submissions.

The Children's Action Plan and the Vulnerable Children Act 2014 rest on the belief that no single agency alone can protect vulnerable children. For the first time, five chief executives of government agencies are jointly accountable for acting together to develop and implement a plan to protect our children from harm, working with families/whānau and communities.

A number of measures have been enacted to keep our children safe. These include standard safety checking for paid staff in the government-funded children's workforce and new requirements for government agencies and their funded providers to have child protection policies.

The Vulnerable Children Act, and two other related Acts amending the Children, Young Persons, and Their Families Act and the KiwiSaver Act, were developed by a multi-agency team of officials from the Vulnerable Children's Board group of agencies.

The measures in the Vulnerable Children Act 2014 contribute to the Government's Better Public Services result to reduce the number of physical assaults on children.

The legislative changes are going to take time and will be phased in over several years, together with other Children's Action Plan initiatives, including the roll-out of further Children's Team sites and common competencies for all children's workers.

Altogether, the changes provide a framework for professionals from the different sectors to work better together to help children. By breaking down the barriers to information sharing and cross-sector working, and brokering more targeted service provision, we can ensure children get better access to the services they need.

The National Children's Directorate is coordinating implementation of the Vulnerable Children Act across government agencies and state services (including the Ministries of Education, Health, Justice, Social Development, NZ Police, DHBs and School Boards).

Further communication will follow about how and when the changes will affect people, and the support that is planned to help make the changes as easy as possible.

If you have any questions, please contact: admin@childrensactionplan.govt.nz

Summary of Vulnerable Children Act changes

Joint accountability: Chief Executives from the Ministries of Education, Health, Justice, Social Development and the NZ Police must jointly develop and report against a vulnerable children's plan to collectively achieve the Government's priorities for vulnerable children. The plan will be reviewed every three years and reported on annually.

Child protection policies: certain state services and their contracted or funded providers of children's services must adopt child protection policies, covering the identification and reporting of child abuse and neglect. In addition to the five government agencies, this requirement applies to the Ministry of Business, Innovation and Employment, Te Puni Kōkiri, district health boards, boards of trustees of state and state-integrated schools, and sponsors of partnership schools kura hōra.

The overarching purpose of the child protection policies is to provide information and processes to improve the identification and reporting of child abuse and neglect.

- The requirement for child protection policies applies "as soon as is practicable" for government-funded service providers, except for schools which will be subject to this requirement at a later date – within two years.
- Embedding the new child protection policies will take time and the National Children's Directorate will support each sector to improve their practice.
- As part of this process, each government agency will guide organisations in their sector on how to assess their current policies and ensure they meet the new expectations.
- We want to ensure all organisations implement high quality policies that safeguard the children accessing their service.

Safe children's workforce: the Act introduces new requirements to ensure children are safe with the people who work with them by implementing:

- a new standard safety check for all paid staff in the government-funded children's workforce,
- workforce restrictions preventing people with certain serious convictions from roles that involve working alone with, or with primary responsibility for, children. This restriction is subject to an exemptions process.

These requirements will be phased in over several years, with more detail on implementation to be developed over coming months. In the meantime, government agencies and sector representatives will work together to:

- Determine what the legal requirements for the standard safety check should be and how best to articulate these in a clear - way in regulations
- Implement the exemptions process for the workforce restriction, to ensure a timely process is available for all affected workers
- Decide how to support implementation of the new requirements in each sector, including guidelines and specialised training if necessary.

Summary of changes to Children, Young Persons and their Families Act and KiwiSaver Act

Alongside the Vulnerable Children Act, amendments to the CYPF Act and the KiwiSaver Act include:

Safety of subsequent children: ensure the safety of subsequent children of adults who have had a child or young person permanently removed from their care due to abuse or neglect, or where the adult has been convicted of the murder, manslaughter, or infanticide of a child or young person in his or her care

Special guardianship: provide more security and stability for children entering 'Home for Life' placements through new special guardianship provisions

Child-centred care and protection: ensure a better future for children receiving a Child, Youth and Family response, through a more child-centred approach

Kiwisaver: improve the long-term financial future of children in care by enrolling them into KiwiSaver and make relevant KiwiSaver decisions without needing the consent of other guardians

Disabled children: ensure all options for support and in-home care are considered for children and their families/whanau before making any decisions about out-of-home care.

Who do we contact if we need help?

For more information visit the Children's Action Plan website: www.childrensactionplan.govt.nz

If you have any questions, please email: admin@childrensactionplan.govt.nz