

6 July 2022

s9(2)(a)

Thank you for your email of 7 June 2022 requesting the following information under the Official Information Act 1982 (OIA):

'Can you please send me the Family Harm Policy, managed by Advisor Wellbeing Support for the Waikato'

Kāinga Ora has considered your request under the OIA, and I attach the following three documents, which outline our family violence policy. Please note that this policy relates to the whole of Kāinga Ora, and is not specific to the Waikato.

- CT-POL-101: Family violence policy (last updated September 2021)
- CT-POL-101A: Family violence policy guidance (last updated January 2021)
- CT-POL-101B: Family violence and child protection information sharing policy guidance (last updated December 2019).

In July 2019 the Government's Family Violence legislation took effect, providing a set of principles to guide decision-making and support a consistent, appropriate, and timely response to family harm. Kāinga Ora is identified as an organisation that works in the area of family violence and family harm.

Since 2018, Kāinga Ora Waikato has been in partnership with Waikato Integrated Safety Response (ISR) to address family harm in our homes. The ISR is part of the Government's family and sexual violence work programme, and takes a multi-agency, whole-of-family/whānau approach to family violence as reported by the Police and Corrections.

Kāinga Ora Waikato has a dedicated Advisor – Wellbeing Support to share and gather information and contribute to ISR-led Plans for those impacted by family harm.

Actions Kāinga Ora takes to address family harm in our homes include carrying out welfare checks and visits, and sharing information, ideas, and actions with our ISR partners. We aim to build relationships of trust with our customers, and our housing support staff work closely with our community partners to establish Joint Care Plans for households. Kāinga Ora also assists those experiencing family harm by supporting transfers or providing urgent security upgrades where appropriate, and we repair homes damaged by family violence without cost to the victim.

Our family violence policy will be updated later this year to reflect changes the Government is making to the Residential Tenancies Act that will make it easier for tenants to withdraw from their tenancies following family violence, however the intent and direction of the policy is expected to remain the same.

I trust this information is helpful to you. Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be

published at <https://kainqaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read "Alex Travis".

Alex Travis
Acting Manager Government Relations

Family violence policy

CT-POL-101

Issue Date	September 2021	Approved by	General Manager National Services
Owner	National Services	Author	Operational policy team

1. Purpose

This policy supports staff to understand family violence, how it escalates and how Family Violence Agencies such as Kāinga Ora – Homes and Communities (Kāinga Ora) play a crucial role in reducing harm from family violence.

Kāinga Ora is a named family violence agency in the Family Violence Act 2018. This policy will help to ensure that staff are clear about the role they play in minimising harm from family violence and are well supported to carry out that role.

To contribute effectively to a sector-wide response to family violence, Kāinga Ora staff also need to understand when, whether and how they can share information with other agencies to prevent or reduce harm from family violence. Staff should feel safe and comfortable sharing information in ways that meet the requirements of relevant legislation.

2. Scope

This policy and the related procedures apply to all Kāinga Ora employees (including casual and fixed term employees), contractors, consultants, secondees and interns. It must be read in conjunction with the Family Violence and Information Sharing guidelines.

3. Operating Principles

The operating principles from the Kāinga Ora - Homes and Communities Act 2019 that are most likely to be relevant to this policy are the following:

- Supporting tenants to be well connected to their communities, to lead lives with dignity and the greatest degree of independence possible; and to sustain tenancies.

- Working with community providers to support tenants and ensure those most in need are supported and housed.
- Being a fair and reasonable landlord, treating tenants and their neighbours with respect, integrity, and honesty.

Any actions taken in response to situations of family violence should be undertaken in line with these operating principles. Other operating principles may apply to this policy as the circumstances require.

4. Definition of terms

The following definitions apply when interpreting this policy:

Term	Definition
Family Violence Agency	Family violence agencies (as named in legislation) include: <ul style="list-style-type: none"> • non-government organisations ('NGOs') that are partly or wholly funded by government to deliver family violence services • school boards and licensed early childhood services (as defined in the Education Act 1989) • Specified government agencies: <ul style="list-style-type: none"> ○ Accident Compensation Corporation ○ Department of Corrections ○ District Health Boards ○ Immigration New Zealand ○ Kāinga Ora, and registered community housing providers ○ Ministry of Education ○ Ministry of Health ○ Ministry of Justice ○ Ministry of Social Development ○ New Zealand Police ○ Oranga Tamariki – Ministry for Children
Social Services Practitioners	Social services practitioners are defined as individuals who are providing education, health or other social services. These include: <ul style="list-style-type: none"> • teachers with current practising certificates or limited authority to teach • registered health professionals (including, but not limited to, general practitioners, midwives, nurses, and psychologists) • registered social workers.
Sector	The named government agencies and social service practitioners are collectively defined in this policy as 'the sector'. They are expected to collaborate to identify, stop,

	prevent and respond to family violence and are able to share personal information with each other where this will contribute to the safety of victims.
Te Waka Urungi	Te Waka Urungi (formerly known as Intensive Tenancy Management) is a Kāinga Ora service that works with clients who have been identified as vulnerable, and their tenancy manager, to help them access the support they need to live well in their homes and community.

5. Related policies, procedures, legislation and documents

Related Kāinga Ora procedures:

- Family Violence guidelines
- Family violence and child protection information sharing policy guidance
- Leave procedure H-108

Related Kāinga Ora policies:

- Sustaining Tenancies Policy
- For information about staying safe and secure see: HS-205 Staying Safe and Secure
- For instances of antisocial behaviour see ASB policies and guidelines.
- Operational policy for pre-placement interview

Relevant legislation, regulations and standards:

- Family Violence Act 2018
- Oranga Tamariki Act 1989
- Health and Safety at Work Act 2015
- Kāinga Ora—Homes and Communities Act 2019
- Residential Tenancies Act 1986
- Privacy Act 1993
- Health Information Privacy Code 1994

6. Objectives

The objectives of this policy are to ensure that staff are clear about the expectations of their role in relation to family violence and are well supported to carry out that role. Staff should understand the following:

- due to their relationship with tenants, they may be in a unique position to recognise and respond to family violence in our homes

- they are not expected to be experts in family violence and are supported to escalate issues internally, to refer to the correct external agencies, and to seek support for themselves
- it is important to share information with other agencies to prevent harm from family violence. Staff should understand how to do so in accordance with relevant legislation. See the Family violence and child protection information sharing policy guidance for further information.

7. Background

Strategic context

Due to an increased demand for public housing, Kāinga Ora is housing a higher proportion of people with high and complex needs than before. This includes an increase in people who may be facing tremendous stressors, including experiencing harm caused by family violence.

The operating principles in the Kāinga Ora – Homes and Communities Act 2019 are based on *Public Housing solutions that contribute positively to wellbeing*. This includes sustaining tenancies and supporting tenants to be well connected to their communities and lead lives with dignity and the greatest degree of independence possible.

The vision set out in our Customer Strategy is: Our customers live well, with dignity and stability, in connected communities. The vision is supported by outcomes, which drive our decisions. One of these outcomes is: Our customers feel safe and secure in their homes and communities.

Victims of violence and whānau harm are among those customers who have been prioritised in the Customer Strategy for tailored services, which will be delivered through the Customer Programme.

This policy will support staff to understand our commitment to helping those who are affected by family violence.

What is family violence?

Family violence is defined as physical, sexual or psychological abuse against any person by someone with whom they have a close and personal relationship. Family violence includes intimate partner violence; child abuse and neglect by a family member; elder abuse and neglect by a family member; and abuse of a family member within the wider extended family.

Psychological abuse includes economic and financial abuse, threats of violence, property damage and causing children to witness violence. Sexual violence can range from sexual

coercion and intimidation to physical offences such as indecent assault and rape. It affects people of every age, gender, sexual orientation, socio-economic group and ethnicity.

Family violence may present as a pattern of these types of abusive behaviours. Often, that pattern features actions done over time with the aim of coercing or controlling the victim. Coercive or controlling behaviour includes actions which make victims dependant on the perpetrator or isolate victims from their family or friends. It often causes cumulative harm that may not be apparent from any one incident viewed in isolation.

The impact of family violence

Family violence is at epidemic levels in New Zealand. One in three women in New Zealand are physically or sexually abused by an intimate partner or ex-partner in their lifetime. Rates of family violence in LGBTQI couples are as high or higher than for heterosexual couples. In 2017, NZ Police attended, on average, a family violence callout every four minutes.

Family violence has a serious and far-reaching impact on victims, their children, whānau and the wider community. Kāinga Ora believes that it is our responsibility to contribute to keeping people safe, preventing future family violence from occurring, and being part of the solution to this New Zealand epidemic.

8. Organisational statement

Kāinga Ora is a named Family Violence agency. This means we have specific obligations under the Family Violence Act 2018, which includes considering sharing information with relevant agencies where appropriate. It also means we are in a position to support the sector by adopting a best practice response to family violence. In order to communicate our intent to honour this commitment, Kāinga Ora has adopted the following organisational statement:

Kāinga Ora believes that all New Zealanders should live free from fear and harm caused by family violence.

The unique relationship we have with our customers allows us to recognise and respond to family violence, and to play a key part in supporting the government's co-ordinated response to eliminating family violence.

We support our tenants to reach out to us if they are at risk of or experiencing harm from family violence and provide a compassionate, respectful and safe response.

9. Policy

Understanding Family Violence

It is important that all Kāinga Ora staff have a basic understanding of family violence. This includes knowing and understanding the following:

- Family violence is hugely prevalent in New Zealand, and is damaging to individuals and society
- Family violence is about a pattern and a range of behaviours used over time that have the effect of exerting power and control over a person within a domestic or carer relationship, i.e. intimate partner, family member, or flatmate
- Victims should not be blamed or held responsible for the abuse
- Kāinga Ora will support staff to develop their understanding of family violence by providing training and guidance.

Responding to Family Violence

As a family violence agency, it is important that Kāinga Ora and our staff are clear about our role in the sector and understand that we may be in a unique position to make a difference to someone who is experiencing, at risk of experiencing, or a perpetrator of family violence.

People who are experiencing or perpetrating family violence need multiple opportunities to reach out and access support. Kāinga Ora is one of the places where people can seek help.

Kāinga Ora employees are expected to provide an informed and respectful response to tenants who may be experiencing or using family violence, which includes sharing information with relevant agencies where appropriate to do so under relevant legislation.

An appropriate response to family violence is critical to support our customers in sustaining tenancies and to ensure our customers get the support and homes they need to live their lives well.

Recognise, Respond, Refer

In order to respond effectively to actual or suspected family violence in our homes, Kāinga Ora staff are expected to be able to:

- articulate that Kāinga Ora is a family violence agency and what that means to us
- recognise signs of family violence
- respond safely and compassionately
- refer tenants to specialist support where it is possible and safe to do so.

Kāinga Ora will support staff to do this safely and with confidence by providing:

- appropriate training, resources and tools to support their practice
- clear referral pathways

- meaningful escalation pathways to ensure that staff are not dealing with potentially distressing situations on their own or without adequate support.

Kāinga Ora employees are expected to treat our tenants with respect and compassion when responding to actual or suspected family violence. This includes:

- Listening without judgement to understand their needs and provide appropriate support
- Asking what the person experiencing family violence wants or needs and providing the appropriate referrals
- Recognising and acknowledging the diversity of our tenants and providing a response which is culturally appropriate
- Treating tenants with courtesy and respecting their dignity and privacy whether they are victims or perpetrators of family violence.

Referring to specialised support

Kāinga Ora staff are not family violence experts and are not expected to be. Kāinga Ora operates under a referral model. This means that tenants and their families/whānau are supported to connect with appropriate support services that have the expertise to help them:

- It is important that frontline staff understand the boundaries of their role. Kāinga Ora operates under a model of Recognise, Respond, Refer. More information on what this means is found in the Family Violence Guideline.
- Staff are not qualified to manage complex or dangerous family violence situations on their own and are not expected to do so. Taking inappropriate action can put both staff and victims at further risk.
- To protect the safety and wellbeing of both staff and tenants, staff will be provided with meaningful referral pathways.
- Where appropriate, tenants can also be referred to Te Waka Urungi (formerly known as Intensive Tenancy Management). See: T-257 Te Waka Urungi Guideline.

Referring to the Police

All immediate safety risks are to be notified to the police immediately on 111.

Child protection

This policy also recognises the important role of our staff in protecting vulnerable children, by identifying and responding to suspected child abuse or neglect and other issues that impact negatively on the wellbeing of a child. When considering issues involving the potential abuse or neglect of children, or any other issue that may impact on the welfare of a child, staff need to keep the following in mind:

- The safety and wellbeing of children is the primary concern. The child should remain at the centre of all decision-making
- Kāinga Ora is committed to ensuring that all staff are able to identify the signs and symptoms of potential abuse and neglect, understand what appropriate action to take, and are committed to doing so
- Kāinga Ora recognises the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children.

Kāinga Ora is committed to developing further guidance and training to support staff to respond appropriately to the needs of vulnerable children. Some issues related to child protection require a different response from that required when responding to instances of family harm affecting adults, for example, when considering whether to engage with the person experiencing harm directly.

For information about sharing information to help protect a child from harm, please see Information Sharing Guidelines.

Referring to Oranga Tamariki

If staff have any concerns about the welfare of a child/children, they are encouraged to discuss their concerns with Oranga Tamariki on 0508 326 459. A social worker will discuss any concerns and can give advice.

Sharing information

It is vital that Kāinga Ora staff are supported to share information with other agencies where sharing may contribute to the prevention, minimisation or stopping of harm from family violence.

In order to maximise the ability of the sector to swiftly and effectively respond to actual or suspected family violence in our homes, Kāinga Ora staff are expected to be able share information in such a way as to meet all of our obligations under relevant legislation.

Kāinga Ora staff need to understand how and when to share information safely and appropriately. This includes keeping victims' information secure to protect their safety. Staff need to understand the importance of including the person whose information they are sharing (including children) in decisions about how their information is shared, if it is safe to do so.

Kāinga Ora will support staff to share information safely and effectively by providing:

- clear guidelines about when, whether and how to share information under the two key pieces of applicable legislation; the Family Violence Act 2018 and the Oranga Tamariki Act 1989.
- meaningful escalation pathways to ensure that decisions about sharing or withholding information are made at the right level.

Information to support staff to do this is found in the Family Violence Information Sharing Guideline (link).

Rehousing

Placement is an important consideration when housing victims or perpetrators of family harm. Where tenants wish to relocate in order to avoid or escape family violence, we will endeavour to help them to do so. For more information see:

- Application for Housing and Placement
- Operational policy for pre-placement interview
- Placement guidelines
- Can I transfer to another house?

Whānau Protect service

The Ministry of Justice's Whānau Protect National Home Safety Service (NHSS) helps victims of family violence to stay in their own homes more safely by making security modifications to their house to protect them from the perpetrator of violence.

For more information see:

- National Home Safety Service (HNSS).

10. Safety and Wellbeing

Safety

Kāinga Ora prioritises the safety of frontline staff. It is important that frontline staff understand the following:

- Any Kāinga Ora worker (employees or contractors) can cease or refuse to carry out any work they consider to be unsafe. Staff should speak to their managers about other ways of completing the task.
- Any hazards in relation to tenant behaviour need to be reported in Noggin. Hazards can include exposure to erratic and potentially violent behaviour, threats, coercion or intimidation.
- All incidents need to be reported in Noggin. Kāinga Ora will investigate all serious reported incidents and injuries to identify and correct the contributing factors.
- Tenants who pose a threat to personal safety are listed on the Customer Risk Register. All tenants on the Customer Risk Register are required to have a **safe work plan** in place prior to any planned face to face interactions.
- Kāinga Ora will take all reasonably practicable steps to remove or reduce exposure to risks and hazards.

- Kāinga Ora will provide staff with adequate training and resources to carry out their duties safely and without risk to their health (both psychological and physical).
- Kāinga Ora will ensure that any contractors visiting a property are made aware of any potential hazards, including dangerous, disturbing or erratic behaviour. Kāinga Ora will take all reasonably practicable steps to remove or reduce exposure to risks and hazards for our contractors.

Wellbeing

It is important that frontline staff prioritise their own personal wellbeing. To support staff wellbeing Kāinga Ora will:

- provide staff with adequate training and access to resources to help them to carry out their duties without risk to their health (both psychological and physical).
- provide staff with meaningful escalation pathways to ensure they feel confident and capable performing the duties within the scope of their role and have support when those duties require more senior input or experience.
- ensure that staff are clear on the parameters of their roles and are not required to respond to situations they are not fully equipped or expected to manage when carrying out their role.

11. Review

This policy will be reviewed by the Operational Policy team on an as-needed basis.

Kāinga Ora establishment policies were reviewed by subject matter experts in source agencies. It is envisaged that establishment policies will be reviewed by relevant policy owners within the first year from Kāinga Ora becoming operational on 1 October 2019.

12. Document control

Date	Reviewed/Modified by	Comments/Descriptions of changes
12 December 2019	Operational Policy team	Policy issued.
June 2021	Operational Policy team	Policy updated to reflect relevant operating principles and a sustaining tenancy approach.
June 2021	Legal team	Reviewed for alignment with the operating principles.

Details of previous versions of policies and procedures will be stored in the document management system (Objective).

Family violence policy guidance

CT-POL-101A

Issue Date	12 December 2019	Approved by	Shannon Gatfield
Owner	People and Homes	Author	Sarah Walsh. Operational Policy Analyst

1. Purpose

As a named family violence agency, we need to ensure we are aware of and have the ability to carry out responsibilities as part of the government's co-ordinated response to eliminate family violence.

In your role at Kāinga Ora – Homes and Communities (Kāinga Ora), you may encounter people experiencing or perpetrating family violence. When people are experiencing family violence, it is vital that they get the right help the first time, no matter where they ask for it, so you need to be confident in recognising, responding to and following up family violence situations.

You are not expected to resolve family violence issues. You need only be able to identify signs of family violence, respond appropriately, and refer the affected person to a specialist family violence agency or support service in such a way that the person remains supported. This might mean making a 'warm referral' for the person in which you contact the service for them. This should usually be with their agreement.

In short, the Kāinga Ora model for responding to Family Violence is:

Recognise	the signs that someone may be experiencing family violence
Respond	Listen. Show empathy. Provide advice about support
Refer	to internal or external supports where appropriate.

2. Recognising family violence

What is family violence?

Family violence can be a one off incident, but is usually an ongoing pattern of behaviour that controls, coerces and frightens people. It can strip those who experience it of autonomy and trap them in a relationship. This behaviour will cause them to live in fear and the harm will escalate over time.

Forms of family violence

Family violence takes many different forms, all with the purpose of controlling or coercing another person or people. It is likely that a person who experiences family violence will be subjected to many forms of violence, frequently beyond physical violence. Forms of family violence include:

- Psychological abuse
- Physical abuse
- Sexual abuse
- Online abuse
- Financial abuse
- Dowry abuse
- Social abuse
- Abuse of pets.

Common signs of family violence

There are some common signs that can help you to identify that family violence is occurring, but there may also be no signs. Both the person who is experiencing family violence and the person who uses family violence can display signs. Signs may include:

- Lack of composure: nervousness and anxiety, feeling ashamed
- Evasive behaviour: Unwilling to engage, broken appointments, ignoring phone calls and messages
- Property issues: Multiple and recurring damage issues such as holes in the walls.
- Undeclared partners or tenant not residing at property due to presence of perpetrator
- Relationship dynamics: abusive person always with the person who is experiencing family violence, or speaks for them.
- Person experiencing family violence's responses to questions seem rehearsed, they may describe abusive person as 'having a temper'.

- Physical health: multiple health visits with seemingly minor concerns, ongoing health issues including headaches and pain, physical injuries, bruises, broken bones and repeated injuries, poor attendance at medical check-ups, poor attendance for antenatal checks.

3. Responding to family violence or suspected family violence

If there is an immediate threat

If there is an immediate threat to someone's safety, notify Police immediately on 111.

If there is no immediate threat, but you suspect family violence is occurring

Characteristics of a good response are:

- Listening without judgement
- Asking what the person experiencing family violence wants or needs
- Giving information not advice
- Knowing where to go for help.

Before having the conversation

If you are worried about someone, there are a few key things to keep in mind prior to having a conversation.

Safety – Is the person alone? Is the perpetrator at the property? When will they return?

Privacy – Is there anyone else around? Is there anyone coming home?

Children – are there children over the age of two present? (if so, do not have conversations about family violence).

Having the conversation

Before having a conversation with someone about family violence, it is important that you know the purpose of the conversation, which is to ask whether:

- the person experiencing family violence is ok; and
- whether they would like assistance in seeking help from a specialist agency

The purpose of the conversation is **not** to:

- encourage a full disclosure of their experience with family harm
- help the person to leave the relationship
- offer advice or opinions

- force the issue if the person does not wish to discuss it, or denies violence is occurring
- assign blame.

Some ways of initiating the conversation might be:

- Explain that Kāinga Ora is a Family Violence Agency and what that means. Explain that you have received training to recognise and respond to family violence, and to refer safely to a specialist agency that is able to provide further support
- Ask if they are okay, if they feel safe in their home and whether they feel safe in their relationship (or with anyone else you suspect may be using family violence)
- Explain that you are concerned about them and ask if there is anything that you can do to help.

If the person says they are not affected by family violence

- Thank the person for answering your questions and let them know that if their circumstances change, support is available.
- Let them know about available resources such as the website www.areyouok.org.nz. (external link). Explain that these sites have instructions for deleting the record of your visit from your computer, so no one can see what you were looking at.
- Do not assume it's safe to leave printed material for the person to read.

Staying safe

It is not your job to fix a family violence problem. You can, however support the person and help them connect to specialist support.

- No-one should put their own safety at risk
- Do not get involved in situations of conflict or danger
- If someone is being hurt, escalate the situation immediately. If anyone is at risk of immediate harm, call the police on 111.

4. Referring

Escalation pathways

If you are concerned that your tenant or someone in the household may be at risk of harm from family violence, it is important that you escalate the issue. (Insert link to Escalation pathways TBD)

Linking to appropriate services (TBD)

If a tenant discloses that they are experiencing or at risk of experiencing harm from family violence, you need to refer them to specialist support. It is important that you know what services are available in your area, and when to refer to each.

Resources will be made available to you telling you what local support services are available and when to use them.

If you need support in knowing where or how to refer:

- seek advice from senior tenancy managers or area managers who may have relationships with providers with the expertise to help
- refer to Te Waka Urungi, or seek advice from the service.

Acknowledging diversity

Family violence occurs among all communities, ethnicities, cultures, ages and socio-economic groups. Be mindful of how you engage with different population groups, and seek advice if needed to ensure you are providing a response that is culturally appropriate. Refer to specialist services for the person's population group where possible.

Referring to police

If there is an immediate threat to someone's safety, notify Police immediately on 111.

The relationships you foster with police at the local level are important to ensure alignment between the responses of both agencies to issues affecting the communities we work in.

Indicators of child abuse and neglect

Anyone who believes a child or young person has been, or is likely to be, harmed, ill-treated, abused, neglected or deprived should report this to Oranga Tamariki — Ministry for Children, or Police.

Do not interview the child, as specialist expertise is required. Involve a specialist agency as soon as possible (the Oranga Tamariki 24/7 phone line is 0508 326 459, or notify Police).

Further work will be undertaken to develop guidance specific to child protection.

5. Damages resulting from Family Violence

Kāinga Ora does not charge tenants who experience family violence for damage caused in family violence incidents.

How will you know whether family violence was the cause of the damage?

Sometimes you won't be sure that family violence is the cause the damage. Always take the tenant at their word if they say that it was.

If you suspect that damage was caused by a family violence incident, and the tenant claims otherwise, take them at their word and charge damages as per usual.

6. Your safety

The safety and wellbeing of our staff and contractors is paramount. Kāinga Ora expects our staff and contractors to prioritise their own safety at every opportunity.

If you have a scheduled meeting with a tenant and have any concerns about the potential behaviour of any person who may be present at the property, ensure you have taken all relevant security measures. This includes reviewing Customer Risk Ratings and Kotahi notes, using SecureLocate and following interview room safety process if meeting in the office.

It is important you take the earliest opportunity to leave a situation that feels uncomfortable, or that seems to be escalating, rather than staying to see how a situation may unfold.

Trust your instincts. If at any stage a person becomes aggressive, violent or intimidating, disengage immediately. Do not hesitate to call the Police on 111.

If you decide to leave, you may want to talk it over afterwards with another person who is outside the situation and you can trust. This could be a senior staff member, or you can call the Kāinga Ora Mental Health Advice Line. This is a number specifically for Kāinga Ora staff to call to debrief from a stressful situation (0800 426 004). This service is run by clinical experts for workers who need advice about clients with mental health support needs or addiction challenges. It is free and available 24/7.

7. Your wellbeing

From time to time our staff may experience a stressful situation that requires an immediate response. Similarly the long-term effects of working with tenants and households who are experiencing crises may give rise to feelings of anxiety and fatigue.

Staff are encouraged to look after their own wellbeing and that of their peers by using the available tools, training and resources and also by being available for one another. It is also important that staff feel confident escalating issues to more senior managers.

Kāinga Ora provides tools, resources and training to help our staff build their resilience and their knowledge about issues relating to family violence. Kāinga Ora will also ensure that staff are aware of and have access to services that will allow them to seek advice (both clinical and non-clinical) in emergency situations on behalf of our tenants or themselves. These services also provide staff with the opportunity to debrief after stressful situations

8. Do's and Don'ts – Quick guide

Do:	Don't
<ul style="list-style-type: none"> • Prioritise your own safety and that of others • Have the conversation if you believe it is safe to do so • Check that there is sufficient privacy before asking about family violence • Refer any concerns about the safety of a child to Oranga Tamariki • Ask your tenant open-ended questions such as 'How are you coping?' and 'Is there any other support you need?' • Listen without judgement • Consider seeking advice from Te Waka Urungi if you are unsure about how to help your tenant • Prioritise your wellbeing. Kāinga Ora provides tools and resources to support your wellbeing See: Safety and wellbeing resources below 	<ul style="list-style-type: none"> • Take responsibility for resolving your tenant's family violence issues • Take any risks with your personal safety • Sit on information that you feel uncomfortable with. Seek advice from your manager, peers, or external supports who are there to help you. • Counsel tenants or give advice • Encourage a full disclosure. Only seek enough information to establish the immediate risk, and whether a referral is necessary.

9. Related documents

This document is intended to be read in conjunction with:

- Family Violence policy
- Family violence information sharing guideline.

10. Training

These guidelines will be supported by training. Training is important as it will support your understanding of the risks people who experience family violence are exposed to when those outside their situation respond to family violence.

11. Safety and wellbeing resources

The table below outlines some tools and resources to support staff to manage their own safety and wellbeing.

Resource	Description
Kāinga Ora Mental Health Advice Line	The Kāinga Ora Mental Health Advice Line is a tool for frontline staff who need expert support and/or advice when dealing with tenants with mental health or addiction support needs. The service

Resource	Description
	is provided by Homecare Medical (the National Tele-Health Service Provider) and is staffed by experienced registered mental health nurses and addiction counsellors.
National Telehealth Service	The national mental health and addictions helpline 1737 is a tele-triage service provided by Homecare Medical to all New Zealanders. It is FREE, 24 hours a day, 7 days a week and 365 days a year. Text or phone 1737
EAP	All our permanent staff are eligible for professional and confidential counselling support through EAP Services under our Employee Assistance Programme (EAP). EAP Services is an independent external company that provides access to qualified and registered counselling professionals with a minimum of 5 years' experience
Securelocate	Securelocate is a portable duress application available for staff to support and manage personal safety risks while undertaking work out of the office for extended periods of time, working remotely or in situations where threats have been made against staff. The application is installed on all Kāinga Ora-issued mobile phones.

Family violence and child protection information sharing policy guidance

CT-POL-101B

Issue Date	12 December 2019	Approved by	Shannon Gatfield
Owner	People and Homes	Authored by	Sarah Walsh

1. Purpose

The purpose of these guidelines is to set out Kāinga Ora — Homes and Communities (Kāinga Ora) requirements for employees, contractors and others to ensure that information is shared effectively and appropriately to prevent, reduce or stop harm from family violence, in accordance with relevant legislation. This also includes guidance when it comes to sharing/gathering information relating to the wellbeing of children.

2. Scope

These guidelines apply to all Kāinga Ora employees (including casual and fixed term employees), contractors, consultants, secondees and interns.

3. Definition of terms

The following definitions apply when interpreting this policy:

Term	Definition
Sector	The named government agencies and social service practitioners are collectively defined in this policy as 'the sector'. Where relevant they are expected to collaborate to identify, stop, prevent and respond to family violence and are able to share relevant personal information about individuals with each other in certain circumstances.
Family Violence Agency	Family violence agencies include: <ul style="list-style-type: none"> • non-government organisations ('NGOs') that are partly or wholly funded by government to deliver family violence services • school boards and licensed early childhood services (as defined in the Education Act 1989). • Specified government agencies:

	<ul style="list-style-type: none"> ○ Accident Compensation Corporation ○ Department of Corrections ○ District Health Boards ○ Immigration New Zealand ○ Kāinga Ora, and registered community housing providers ○ Ministry of Education ○ Ministry of Health ○ Ministry of Justice ○ Ministry of Social Development ○ New Zealand Police ○ Oranga Tamariki – Ministry for Children
Social Services Practitioners	<p>Social services practitioners are defined as individuals who are providing education, health or other social services in their role as a:</p> <ul style="list-style-type: none"> ● teacher with current practising certificates or limited authority to teach ● registered health professional (including, but not limited to, general practitioners, midwives, nurses, and psychologists) ● registered social worker.

4. Why do we need to share information?

Family violence undermines the wellbeing of victims, children, and their wider family and whānau. Information sharing is one way to assist agencies and practitioners in New Zealand to effectively respond to family violence and proactively support individuals, family and whānau who may be at risk of harm.

A major part of these information sharing provisions (section 66C of the Oranga Tamariki Act) is about proactively and voluntarily sharing information related to the wellbeing or safety of children between professionals and agencies.

Safe and appropriate information sharing ensures agencies and practitioners have the information they need to mitigate the risk of harm and address the effects of family violence as well as support the wellbeing of children.

It is important to follow the steps in this guideline and use your professional judgement when sharing information to make sure you are not putting a victim or others at risk of harm.

5. Legislative Requirements

From 1 July 2019 new information sharing provisions in the Oranga Tamariki Act 1989 (the Oranga Tamariki Act) and the Family Violence Act 2018 (the Family Violence Act) enhanced the ability of agencies to share information in certain circumstances.

The Oranga Tamariki Act and the Family Violence Act information sharing provisions provide grounds to share personal information beyond that permitted in the Privacy Act 1993. Other requirements in the Privacy Act (such as storage and retention of information) still apply.

The Family Violence Act 2018

Under the Family Violence Act, you must consider sharing information if you receive a request from another agency or practitioner in the sector, or if you believe that sharing some information may protect a victim from family violence.

Sharing information is not mandatory and will require you to think about what might be relevant to share to achieve one or more of the specified purposes outlined below.

Under the Family Violence Act, you can share information if it would help the receiving agency or practitioner:

- help ensure that a victim is protected from family violence
- make, or contribute to, a family violence risk or need assessment
- make, or contribute to the making or carrying out of, a decision or plan that is related to, or that arises from or responds to, family violence

The following eight principles provide guidance for information sharing under the Family Violence Act:

- People's safety comes first.
- You should obtain consent to share information when it's safe to do so. The Act allows for sharing of information without consent when sharing is within the provisions of the Act.
- You must consider sharing information if you think it will protect a victim or if you receive a request.
- You can share information for specific purposes
- You must only share relevant information, that is, information that is relevant to the request and the requestor.
- You should check that the information is accurate.
- You should record the reasons for your decisions.
- You have legal protection from liability when you share information in good faith.

Oranga Tamariki Act 1989

The Oranga Tamariki Act promotes the wellbeing of children, young persons, and their families, whānau, hapū, iwi, and family groups.

Under the Oranga Tamariki Act you can share information if such sharing will assist with the following **permitted purposes for sharing** under the Act, including:

- preventing or reducing the risk of a child or young person being subject to harm, ill-treatment, abuse, neglect, or deprivation; or
- making, contributing to, or monitoring any support plan for a child or young person, where the plan relates to the activities and functions of Oranga Tamariki.

Key things to know

Here is a summary of the key things to know about using the information sharing provisions in the Oranga Tamariki Act.

1. You can continue to make a report of concern to Police or Oranga Tamariki if you are worried that children could be, or are being, harmed, ill-treated, abused, neglected or deprived in any way or have concerns about their wellbeing — the information sharing provisions don't change that. (The Oranga Tamariki 24/7 phonenumber is 0508 326 459, or notify Police).
2. The provisions support sharing information between professionals other than Oranga Tamariki and Police.
3. You can decide to do three key things if you think it is in the best interests of children:
 - proactively and voluntarily share information with professionals who are most able to help children and whānau
 - ask other professionals, as well as Oranga Tamariki and Police, to share information with you
 - decide if you will share information when asked under an Oranga Tamariki Act section 66C request from other professionals.
4. You must:
 - respond if Oranga Tamariki or Police require information under section 66. Only share information for the reasons and purposes set out in the permitted purposes.
 - only share information relevant to the wellbeing or safety of children
 - talk with children about sharing their information under section 66C unless it's not appropriate or possible to do so
 - follow the Privacy Act requirements for handling personal information (like keeping information secure).
5. You should:
 - keep good records when you have requested and provided information
 - agree a timeframe for responding to a request to share information
 - get support to make decisions in difficult situations, or if you are unsure how these provisions apply.
6. You are generally protected from any kind of civil, criminal or disciplinary action if you share information in good faith.
7. You can expect Oranga Tamariki and Police to consider any request you make for information carefully and to keep in contact with you about it.

8. How do the two Acts work together?

The Oranga Tamariki Act and the Family Violence Act work together to regulate how personal information can be shared in certain situations. The legislative requirements under these Acts are similar in many ways, but there are some key differences including who the requirements apply to, and the purposes that information can be shared for. The four most

important things to know about how the Acts work together to support good information sharing are:

1. Safety comes first

Personal information should be shared with the right agencies or practitioners if there are concerns about someone's safety or they or others are at risk of harm. The Oranga Tamariki Act and Family Violence Act override the limits on disclosure of personal information set out in the Privacy Act so that you can share information in more situations to keep people, including children, safe.

2. Professionals can proactively share information, but in most cases, it is not compulsory

Professionals and agencies should feel confident and empowered to proactively share information when it fits with the purposes of either Act. However, it is important to remember there are no mandatory or compulsory information sharing requirements across the social sector (except when Oranga Tamariki or the Police make a request under section 66 of the Oranga Tamariki Act).

3. You are protected when you share in good faith

If you share information in good faith and comply with the information sharing provisions in the Acts, you are protected from civil, criminal or disciplinary proceedings.

4. The Oranga Tamariki Act and the Family Violence Act go beyond the Privacy Act in some circumstances, but other parts of the Privacy Act still apply

The Privacy Act has twelve principles that agencies must follow when collecting, storing, using or disclosing personal information. While any sharing of information under the Oranga Tamariki Act or Family Violence Act overrides the limits on disclosure of personal information, the other requirements in the Privacy Act (such as storage) still apply.

Remember: behind every piece of personal information there's a real person, who deserves respect and dignity.

9. Including the person in the decision to share information

Guidelines produced under both pieces of legislation offer advice around the importance of including the person whose information you are sharing in the decision to share. This is very important under both Acts.

Family Violence Act

It is always best practice to seek the person's consent before sharing their information, unless it's unsafe or impractical to do so. Inconvenience is not enough — there must be genuine obstructions to gaining consent, for example if immediate action is required to keep someone safe.

It is vital that people feel safe seeking help. Victims need to be able to trust that you will manage their information properly, share information appropriately, and not expose them to more risk.

Often those who are experiencing family violence are in the best position to understand whether sharing information may put them at risk, and how you could do so safely.

Despite this, there is no legal requirement under the Family Violence Act to obtain a person's consent before you share their information. The law makes it clear that keeping someone safe will always come first. In some circumstances, you will not be able to get someone's consent, or it may be dangerous to seek it. Consider what efforts you would expect someone to make before sharing information about you.

For more information on this principle, see Principle Two, page 12 of the [Family Violence Information Sharing Guidelines](#) (PDF external link).

Oranga Tamariki Act

To support children and whānau, those who work with them need to understand them and their situations. Children and their whānau are the most important people to get this understanding from, though other professionals or agencies can also have useful knowledge to share.

You must talk with (consult) children about sharing their information (or talk with their representative, parent, guardian, or caregiver if they are very young or unable to understand). The provisions require you to take their views into account, but do not require you to get their consent.

You do not need to talk with children about sharing other people's information (like something about a family member's criminal history).

The provisions do not require you to talk with whānau or others about sharing their information. However, it is good practice to get consent from children, whānau or anyone else to do so. It respects their mana, supports open and transparent practice, helps collaboration and upholds people's self-determination. It builds trust and understanding.

Children said: "... if I tell someone something important it feels like they shouldn't tell someone else without asking. They should say 'is it alright if I tell someone?'"

"I want my entire situation to be considered, not just the snippet I have talked about"

"Please explain to us why you're sharing our personal information with others and listen to us when we tell you why we are worried about you doing that and what it could mean for us."

For more information about talking with children about sharing their information see: page 14 of [Information sharing to support tamariki wellbeing and safety](#) (PDF external link).

Further guidance will also be developed for Kāinga Ora staff about child protection.

If requesting information from Oranga Tamariki, please use this form: [Form to request information from Oranga Tamariki](#) (PDF External link).

10. Related policies, procedures, legislation and documents

Related Kāinga Ora procedures:

- Family Violence Policy
- Family Violence Guideline

Relevant legislation, regulations and standards:

- Family Violence Act 2018
- Oranga Tamariki Act 1989
- Privacy Act 1993

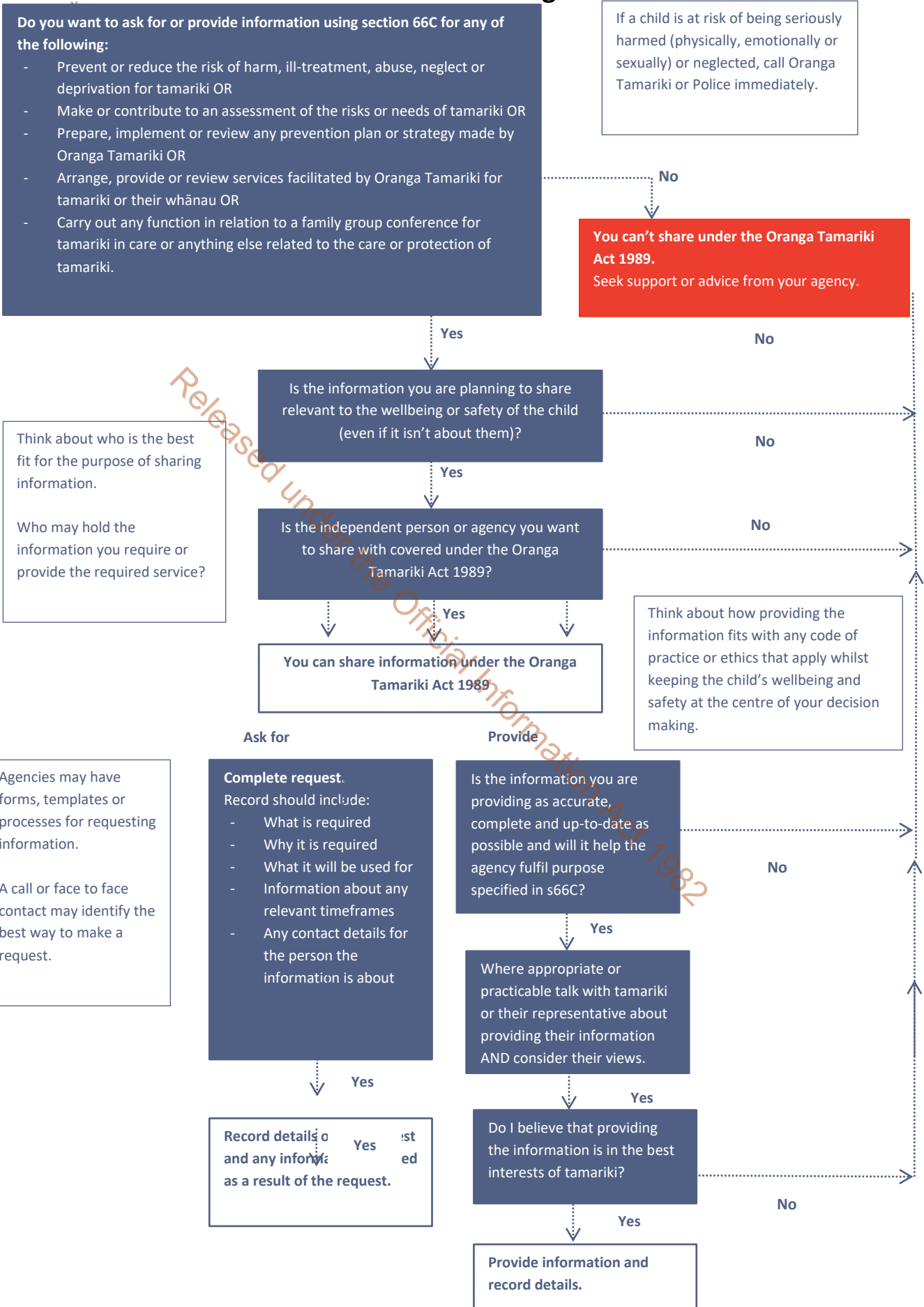
Related guidelines from other agencies:

- [Sharing information safely](#)
[Guidance on sharing personal information under the Family Violence Act 2018](#) (PDF) (external link – Ministry of Justice)
- [Information sharing to support tamariki wellbeing and safety](#) (PDF) (external link – Oranga Tamariki)

Related forms from other agencies:

- [Form to request information from Oranga Tamariki](#) (PDF External link).

Appendix A: Steps to follow when thinking about sharing information under section 66C of the Oranga Tamariki Act 1989



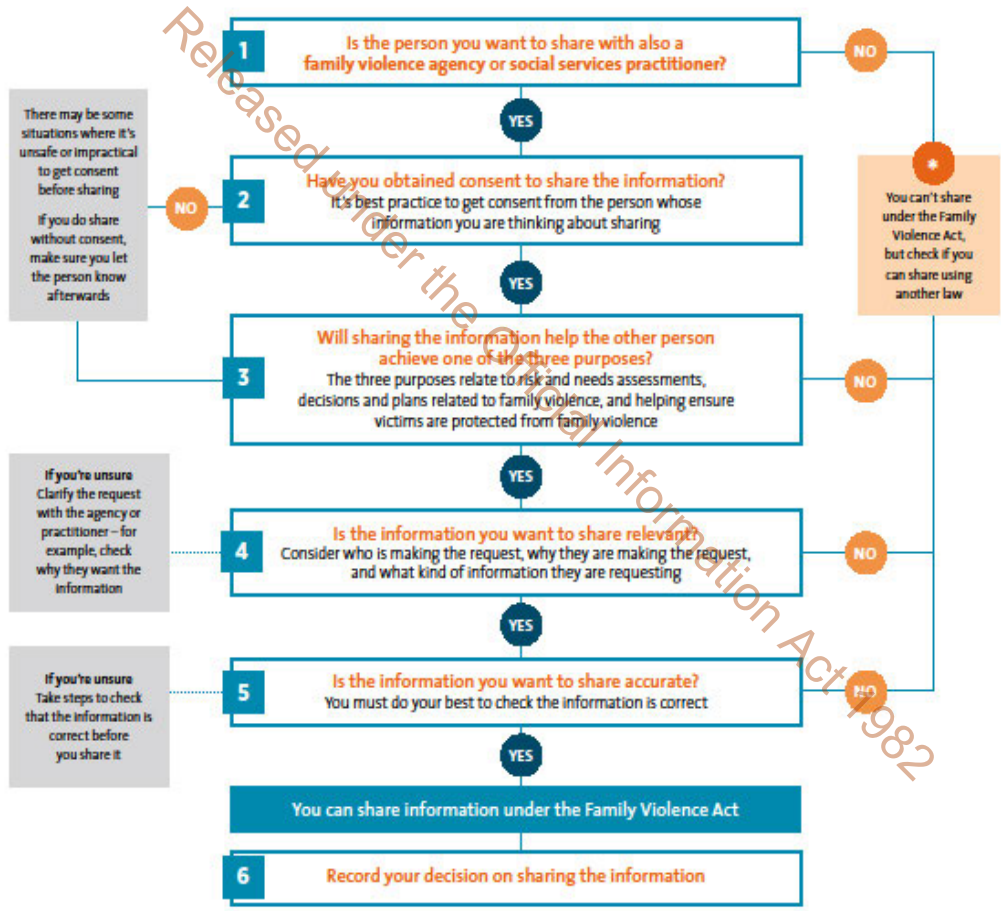
Appendix B: Guide to sharing information under the Family Violence Act 2018

Guide to sharing information Under the Family Violence Act 2018

REMEMBER: You have a duty to consider sharing information if:

- you get a request from another agency or practitioner, OR
- sharing may help protect a victim from family violence.

See Principle 3 in the Guidance for more information



Family violence agencies include:

Specified government agencies
ACC | Corrections | Ministries of Education, Health, Justice, Social Development | Oranga Tamariki | Police | Immigration NZ | District Health Boards | Housing NZ | Registered community housing providers

Non-governmental organisations that are partly or wholly funded by government to provide family violence services

School boards and licensed early childhood services

Social services practitioners include:

Teachers with practising certificates or limited authority to teach

Registered health practitioners
Chiropractors | Dietitians | Medical radiation technologists | Doctors | Medical laboratory science professionals | Anaesthetists | Nurses | Occupational therapists | Optometrists | Physiotherapists | Podiatrists | Psychologists

Registered social workers