

# CHILD PROTECTION POLICY & SAFETY CHECKING PROCEDURE

## Policy summary

This policy outlines our commitment to child protection. It includes our protocols when child abuse is reported to us or suspected by us. It also includes practice notes on measures to be taken to prevent child abuse. All team members are expected to be familiar with this policy and to abide by it.

## Purpose statement

We have an obligation to ensure the wellbeing of children in our care and are committed to the prevention of child abuse and neglect and to the protection of all children. The safety and wellbeing of the child is our top priority when investigating suspected or alleged abuse. We support the roles of the New Zealand Police (the Police) and Oranga Tamariki in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies. We support families/whānau to protect their children. We provide a safe environment, free from physical, emotional, verbal or sexual abuse.

## Policy principles

1. The rights, welfare and safety of the child/ tamariki, young person/rangatahi are our first and paramount consideration.
2. Services should contribute to the nurturing and protection of children and advocate for them.
3. Services for the care and protection of children are built on a bicultural partnership in accordance with the Treaty of Waitangi.
4. Māori children/tamariki, young persons/rangatahi are assessed and managed within a culturally safe environment.
5. Wherever possible the family/whānau, hapu and iwi participate in the making of decisions affecting that child/tamariki young person/rangatahi
6. All team members are to recognise and be sensitive to other cultures.
7. All team members are competent in identification and management of actual or potential abuse and/or neglect through the organisation's policy and procedural structures and training programme.

## Definitions

Child abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of any child/tamariki, young person/rangatahi (Section 14B Children, Young Persons, and Their Families Act 1989). This includes actual, potential and suspected abuse.

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- Physical abuse – any acts that may result in physical harm of a child or young person.
- Sexual abuse – any acts that involve forcing or enticing a child to take part in sexual activities, including child sexual exploitation, whether or not they are aware of what is happening.
- Emotional abuse – any act or omission that results in adverse or impaired psychological, social, intellectual, and emotional functioning or development.
- Neglect – the persistent failure to meet a child’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.

Oranga Tamariki – the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need. New Zealand Police – the agency responsible for responding to situations where a child is in imminent danger and for working with Oranga Tamariki in child protection work, including investigating cases of abuse or neglect where an offence may have occurred

## Identifying possible abuse or neglect

Information on identifying possible abuse or neglect is detailed in ‘Working together to keep children and young people safe. An Interagency Guide’ (Child, Youth and Family, 2011, (Working Together)). This document should be read in conjunction with this policy

In brief, team members need to be aware of the indicators of potential abuse and neglect. These indicators as noted in Working Together include:

Physical signs	Behavioural concerns
Developmental delays	The child talking about things that indicate abuse (sometimes called an allegation or disclosure)
Physical neglect	Neglectful supervision
Medical neglect	Abandonment

Every situation is different and it’s important to consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury or the arrival of a new sibling etc.

## Responding to suspected abuse or neglect – roles and responsibilities

In all cases where a member of team members has a concern about a child/tamariki/young person/rangatahi being or likely to be abused or neglected (refer to Definitions) by an adult or another child/tamariki or young person/rangatahi, they will report this to the practice manager and/or clinical director and make referrals/notify key team members to assist in the formulation of a plan to address the care and protection concerns. A referral to Oranga Tamariki may be made at any time. It is mandatory for all concerns to be reported/referred to the Child

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Protection Coordinator within a time period which allows for effective consultation/advice to be given.

XX Medical Centre recognises that in some cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau.

Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services and it is important for XX Medical Centre to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

Contact details for agencies and services in our community available to all team members in the practice's contact list.

### Responding to a child when the child discloses abuse:

Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
Reassure the child	Let the child know that they: <ul style="list-style-type: none"> <li>• Are not in trouble.</li> <li>• Have done the right thing.</li> </ul>
Ask open-ended prompts – e.g., “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can't be kept, e.g., “I will keep you safe now”.
If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
If the child is not in immediate danger	Re-involve the child in ordinary activities and explain what you are going to do next.
If the child is in immediate danger	Contact the Police immediately.
As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> <li>• Word for word, what the child said.</li> <li>• The date, time and who was present .</li> </ul>

### Recording and reporting: notifying Oranga Tamariki of suspected child abuse or neglect:

What process to follow	For example	Key considerations
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Recording	Formally record: <ul style="list-style-type: none"> <li>• Anything said by the child.</li> <li>• The date, time, location and the names of any team members that may be relevant.</li> <li>• The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns).</li> <li>• The action taken by your organisation.</li> <li>• Any other information that may be relevant</li> </ul>	Relevant information can inform any future actions.
Decision- making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
Notifying authorities	Notify Oranga Tamariki promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact with Oranga Tamariki (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) email: <a href="mailto:contact@ot.govt.nz">contact@ot.govt.nz</a> <a href="https://www.orangatamariki.govt.nz/">https://www.orangatamariki.govt.nz/</a>	Oranga Tamariki will Make the decision to inform the parents or caregivers, in consultation with our organisation. Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
Following the advice of Child, Youth and Family	Oranga Tamariki advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Oranga Tamariki is responsible for looking into the situation to find out what may be happening, whether our organisation needs to work with the family/whānau or put them in touch with people in their community who can help
Storing relevant information	Securely store: <ul style="list-style-type: none"> <li>• The record of the concern.</li> </ul>	Records assist in identifying patterns.

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	<ul style="list-style-type: none"> <li>• A record of any related discussions (including copies of correspondence, where appropriate).</li> <li>• A record of any advice received</li> <li>• The action XX Medical Centre took, including any rationale.</li> <li>• This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident).</li> </ul>	
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## Allegations or concerns about team members

All matters involving allegations against team members need to be escalated to the management team. To ensure the child is kept safe, management may take steps to remove the team members member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law, including the Human Resources disciplinary procedures.

Management will consult with Oranga Tamariki and/or the Police before taking any further actions.

XX Medical Centre commits not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of team members to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerns the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

## Confidentiality and information sharing

All observations, after an investigation has been notified, shall be kept in writing but the file will be sealed for confidential reasons.

The Privacy Act 2020 and the Children, Young Persons, and their Families Act 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the CYPF Act, any person who believes that a child has been, or is likely to be harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

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## Recruitment and employment (safety checking procedure)

Child Protection Policies v 2.3 Feb 2015 Page 55 of 55 Safety checking will be carried out in accordance with the Vulnerable Children Act 2014. This will include: a police vet; identity verification; references and an interview. A work history will be sought, and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

### Training supervision and support

Management will support initial child protection training for all service delivery team members. All team members with service delivery responsibilities are required to undertake child abuse and neglect intervention training. The training will consist of:

- A three-hour training session.
- Refresher training.
- Advanced training for designated team members.

### Training will include:

- Understanding child abuse and indicators of child abuse.
- How to reduce the risk of child abuse.
- Understanding and complying with legal obligations in regard to child abuse.
- Working with outside agencies on child abuse issues.
- Planning of environment and supervision to minimise risk.
- Dealing with child/parents/family/whānau.

This policy will be part of the initial team members induction programme.

## Related documentation and review

- Privacy Policy
- Māori Health Plan
- Clinical Governance Policy
- Cultural safety policy

This policy will be reviewed at least every three years.

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## Relevant Legislation

- The Children’s Act 2014
- Children, Young Persons, and Their Families Act, 1989
- Care of Children Act 2004 • Domestic Violence Act 1995
- Privacy Act 2020
- Victims’ Rights Act 2002
- The United Nations Convention on the Rights of the Child (UNCROC)

SAMPLE

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