



Application

This policy applies to all team members engaged or employed by Mainland Medical

Purpose / intended outcomes

Mainland Medical has an obligation to keep children safe by:

- Ensuring Mainland Health is compliant with current legislation and requirements regarding tamariki / children accessing services at Mainland Health (or children indirectly involved with a patient e.g. siblings / young visitors)
- Ensuring staff are aware of their responsibilities / expected response following disclosure by a child, or following recognition and observation of warning signs / symptoms
- Ensure staff are safe to work with tamariki.

Definitions

Child: tamariki / children aged 0-14 years inclusive

Young person: tamariki / children between the ages of 14 and 16 years

Child Abuse: The harming (physical, emotional, sexual), ill treatment, abuse, neglect or serious deprivation of any tamariki / children or young person. This includes actual, potential, and/or suspected abuse

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

Whānau / family violence: covers a broad range of controlling and harmful behaviours commonly of a physical, sexual, and/or psychological nature which typically involve fear, intimidation and emotional deprivation

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

Child, Youth and Family: 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 Child, Youth and Family in child protection work, including investigating cases of abuse or neglect where an offence may have occurred

Process and procedure

1. 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, staff 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 is 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.

2. Responding to suspected abuse or neglect

In all cases where a member of staff 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 Child, Youth and Family and the Police on the same day as the abuse/suspected abuse is discovered.

If the staff member discovering the abuse/suspected abuse is not a General Practitioner (GP), they will notify the appropriate GP as soon as is practicable but within that day to take over the responsibility of investigating and reporting the abuse/suspected abuse.

3. Responding to a child when the child discloses abuse:

Listen to the child/young person	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/young person	Let the child know that they: <ul style="list-style-type: none">• Are not in trouble.• Have done the right thing.
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 cannot be kept e.g. "I will keep you safe now".
If the child/young person 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/young person 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"> • What the child said, word for word. • The date, time and who was present.

4. Recording and notifying Child, Youth and Family of suspected child abuse or neglect:

What process to follow	For example	Key considerations
Recording	Formally record: <ul style="list-style-type: none"> • Anything said by the child/young person • The date, time, location and the names of any staff that may be relevant • The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g. any physical, behavioural or developmental concerns) • The action taken by your organisation • Any other information that may be relevant 	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 Child, Youth and Family 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 Child, Youth and Family (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) Fax: 09 914 1211 email: cyfcallcentre@cyf.govt.nz	In consultation with our organisation Child, Youth and Family will make the decision to inform the parents or caregivers. Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
Following the advice of Child, Youth and Family	Child, Youth and Family advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Child, Youth and Family 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"> • The record of the concern • A record of any related discussions (including copies of correspondence, where appropriate) • A record of any advice received • The action Mainland Medical took, including any rationale • This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident) 	Records assist in identifying patterns.

5. Allegations or concerns about staff

All matters involving allegations against staff need to be escalated to the management team. Management will consult with Child, Youth and Family and/or the Police before taking any further actions.

Mainland Medical commits not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of staff 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.

6. Confidentiality and information sharing

All observations, after an investigation has been notified, shall be kept in writing on the PMS.

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 Child, Youth and Family 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 Child, Youth and Family or the Police and, provided the report is made in good faith; no civil, criminal or disciplinary proceedings may be brought against them.

7. Recruitment and employment (safety checking)

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.

8. Training supervision and support

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

<https://safeguardingchildren.org.nz/training/online-courses/#fundamentals-course>

This policy will be part of the initial staff induction programme.

Relevant Legislation

- Vulnerable Children 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)

Related Policies

- Mainland Health Privacy Policy
- Mainland Health Induction Policy

NB: This policy will be reviewed at least every three years.