**<LEGAL ENTITY NAME>**

**Vulnerable Children’s Act Policy**

Policy Number <enter number>

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**Overview**

This policy provides staff of <ORG NAME> with a framework to manage actual and/or suspected child abuse and neglect.

**Purpose**

This policy provides staff of <ORG NAME> with the following:

A framework to identify and manage actual/or suspected child abuse and neglect. It recognises the important role and responsibility staff have in the accurate detection of suspected child abuse and/or neglect, and the early recognition of children at risk of abuse.

A framework to ensure that any services provided, or actions taken in respect of child abuse, neglect, or suspected child abuse and neglect situations are guided by this Child Protection Policy.

**Scope**

This policy applies to all cases of actual and/or suspected child abuse and neglect encountered by staff of <ORG NAME> including any people working with <ORG NAME> under a contract or any volunteers.

* All staff have the responsibility to discuss any child protection concerns surrounding any child that they may encounter with their manager/supervisor or the designated person for child protection. This includes suspected abuse or neglect.
* The manager/supervisor or the designated person for child protection has the responsibility to ensure that the appropriate authority is notified when a staff member has a belief that a child has been, or is likely to be, abused or neglected.

**Principles**

The principles that underpin this Child Protection Policy are:

* + - The safety and wellbeing of children is of paramount concern, with the child at the centre of all decision making.
    - Recognition of the culture of the family/whanau, its importance and the rights of family/whanau to participate in decision-making surrounding their children.
    - A commitment to develop and maintain links with iwi, Pasifika and other community groups to ensure that important cultural concepts are integrated, as appropriate, into practice.
    - Recognition of the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children.
    - A commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect, are able to take appropriate action in response and will do so.
    - An organisational commitment to support all staff to work in accordance with the policy.
    - A commitment to meet all existing statutory and contractual obligations.

**Definitions**

**Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child.

**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** – any child or young person under 17 years, who is not married or in a civil union.

**Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect.

**Designated person for child protection** – the manager/supervisor or designated person responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about the child protection policy.

**Child, Youth and Family** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection.

**Safer recruitment** – following good practice processes for pre-employment checking which help manage the risk of unsuitable persons entering the children’s workforce.

**Standard safety checking** – the process of safer recruitment that will be mandatory for organisations covered by the Vulnerable Children Act 2014.

**Physical abuse** – any acts that may result in the [physical harm of a child or young person. It can be, but is not limited to:

* Bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.

**Sexual abuse** – any acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be but is not limited to:

* Contact abuse: touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging the child to perform such acts on the perpetrator or another, involvement of the child in activities for the purposes of pornography or prostitution.
* Non-contact abuse: exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.

**Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include:

* Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse.
* Exposure to family/whanau or intimate partner violence.

**Neglect** – is the most common form of abuse and although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be physical (not providing the necessities of life for example food and clothing), emotional (not providing comfort, attention and love), neglectful supervision (leaving children without safe supervision), medical neglect and/or educational neglect, and educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs).

**Family violence** - has been defined by the NZ Family Violence Clearinghouse as violence and abuse against any person whom that person is, or has been, in a domestic relationship with. This can include sibling against sibling, child against adult, adult against child and violence by an intimate partner against the other partner (NZ Family Violence Clearinghouse; Issues Papers 3 & 4 April 2013). A legal definition of family violence is provided in Section 3 of the Domestic Violence Act 1995.

**Identification**

Child protection concerns can arise either by disclosure or recognition of signs and symptoms. This may be a child directly referred to the service or any other child staff meet indirectly.

Indicators of potential abuse may include, but are not limited to:

* + Physical signs (i.e. unexplained injuries, burns fractures, unusual or excessive itching, genital injuries, and sexually transmitted diseases);
  + Developmental delays (i.e. small for their age, cognitive delays, falling behind in school, poor speech and social skills);
  + Emotional abuse/neglect (i.e. sleep problems, low self-esteem, obsessive behavior, inability to cope in social situations, evidence of self-harm, loneliness);
  + Behavioral concerns (i.e. age-inappropriate sexual interest or play, fear or certain person or place, eating disorders/substance abuse, disengagement, neediness, aggression).

**Roles and Responsibilities**

Staff must be alert to the signs and symptoms of neglect or abuse and take appropriate action to protect the wellbeing and safety of children, whether the child is directly or indirectly a client/patient of the service.

**Consultation**

**All staff** are responsible for reporting any concerns surrounding child abuse or neglect to their manager/supervisor or the designated person for child protection. However, where the child is in immediate danger any staff member **must** notify the police.

**The manager/supervisor or designated person for child protection** is responsible for contacting the required statutory agencies when they are notified of suspected abuse or neglect of a child.

The manager/supervisor or designated person for child protection should consult at least one of the following:

* New Zealand Police

IF THERE IS AN IMMEDIATE SAFETY ISSUE, THE POLICE **MUST** BE PHONED IN THE FIRST INSTANCE.

**Administration**

(i) The staff member must formally record their concerns including anything said by the child, the date, time, location and the names of any staff that may be relevant, factual concerns or observations that have led to the suspicion and any action taken. This should then be reported to the manager/supervisor or designated person for child protection in a timely fashion.

(ii) The manager/supervisor or designated person for child protection should forward all inquiries re suspected abuse/neglect to the Child, Youth & Family Call Centre.

(iii) Child, Youth and Family will include what, if any, immediate action is appropriate.

(iv) The manager/supervisor or designated person for child protection must follow the instructions of Child, Youth and Family.

(v) The manager/supervisor or designated person for child protection must complete an incident report.

**Responding to other concerns**

Where a concern about a child does not amount to suspicion of abuse or neglect, it could be harmful to the wellbeing of the child and their family/whanau to make a notification to the statutory agencies. Instead, <ORG NAME> should work to partner with social service providers in their community to identify and address the needs of the child.

**Confidentiality**

Information may be shared in order to keep children safe when abuse or suspected abuse is reported under the Privacy Act 1993 and the Children, Young Persons and Their Families Act 1989.

**The Privacy Act 1993**

Staff may disclose information under the Privacy Act where there is good reason to do so. This includes where there is a serious risk to individual health and safety as per principle 11.

**The Children, Young Persons and Their Families Act 1989**

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 as per section 15. Provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them under section 16.

**Training Requirements**

It is mandatory for all clinical staff to attend an appropriate training course relating to identification of child abuse or neglect.

**Recruitment and employment (safety checking)**

Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children Act 2014, with regards to the guidelines provided by the Vulnerable Children (Requirements of Safety Checks of Children’s Workers) Regulations 2015.

All <ORG NAME> staff, whose role leads to interaction with children, upon recruitment will undergo a screening process. This will include obtaining –

* Information surrounding any previous criminal convictions;
* A summary of his or her work history for the preceding five years;
* The name of the registration authority that has issued a current registration or practice certificate to the person for a particular activity relevant to employment; and,
* The name of at least one referee who is not related to the prospective employee.

Safety checks will occur every three years for all staff members. However, if a relevant staff member obtains a criminal conviction during this time they must notify the manager immediately.

In response to the information obtained through a safety check, <ORG NAME>. will assess whether the person poses or would pose a risk to the safety of children.

Both the <ORG NAME> Checking Participant Form and the <ORG NAME> Safety Checking Employer Endorsement Form must be completed in order to fulfil this clause. These forms are attached to the policy.

**Monitoring and review**

Our Child Protection Policy will be reviewed at least once every three years in accordance with section 17 of the Vulnerable Children Act 2014.