

Kaupapa / Philosophy Policy

Purpose

There are a number of key values to which everyone involved in child abuse care and protection subscribe. They are important for all Raukura Hauora O Tainui staff involved in providing service to children and families. This Kaupapa / philosophy incorporates these values with particular reference to health services.

Policy Statement

Our children are our taonga, our treasures. The Board and Management of Raukura Hauora O Tainui insist that the safety and well being of the child must be paramount at all times.

Associated Documents

Type	Document Title(s)
QA Manual	Quality Assurance Manual
	CP Child Protection Policies
Legislation/s	Treaty of Waitangi 1975 http://www.legislation.govt.nz/act/public/1975/0114/latest/DLM435368.html?search=ts_act_Treaty+of+Waitangi+1975_rese&p=1&sr=1
	Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 http://www.legislation.govt.nz/act/public/2017/0031/24.0/DLM7064516.html
	Health Act 1956 http://www.legislation.govt.nz/act/public/1956/0065/latest/DLM305840.html?search=ts_act_Health+Act+1956_rese&p=1&sr=1
	Privacy Act 1993 http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html?search=ts_act_Privacy+Act+1993_rese&p=1&sr=1
	Health Information Privacy Code 1994 https://privacy.org.nz/the-privacy-act-and-codes/codes-of-practice/health-information-privacy-code/
	Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996 and Health and Disability Commissioner Act 1994 http://www.legislation.govt.nz/regulation/public/1996/0078/latest/DLM209080.html
	Vulnerable Children Act 2014 http://www.legislation.govt.nz/act/public/2014/0040/latest/DLM5501618.html

Authorised by: Chief Executive Officer
Signed:
Date:
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Procedures

1. General

- 1.1 All children have a right to full emotional, spiritual and physical well being to develop their own potential in an environment, which is nurturing and protective in which they are safe from abuse.
- 1.2 The protection and nurturing of children is the responsibility of adults. Health services must contribute to the nurturing and protection of children.
- 1.3 Adults are responsible for child abuse and therefore must be held accountable for its prevention.
- 1.4 Children are vulnerable and dependent. They are not responsible for abuse inflicted on them by others. They must have an appropriate advocate.
- 1.5 The Whanau / family's primary role in providing for the care, welfare and safety of children should be valued, maintained and strengthened by health services, but at all times the child's health and safety has priority.
- 1.6 Health services for the care and protection of children will be built on a bicultural partnership in accordance with the Treaty of Waitangi.
- 1.7 Children and their whanau / families have the right to health services including child abuse care and protection which are accessible, culturally aware and appropriate, and sensitive to the varying backgrounds and cultural needs of our multicultural population.
- 1.8 It is important for abused children that services are provided in environments that are comfortable and appropriate to their needs.
- 1.9 Effective child protection and child abuse care strategies require active liaison between disciplines and between agencies, statutory bodies and the community.
- 1.10 Health service workers will work in partnership with the whole range of services and groups from all cultures and communities in which our children live.
- 1.11 Child abuse involves health, welfare, justice, cultural, spiritual, social, moral and ethical issues. Child protection work is recognised as stressful. A consultative, team approach must be used to provide both an effective and caring service and adequate support for workers. No one person will work in isolation in child protection.

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- 1.12 Children and their whanau / families have a right to a high quality service. This requires that workers in child abuse have ongoing specialised training. Child protection and child abuse care staff have a right to adequate training and to professional support.
- 1.13 Raukura Hauora O Tainui accepts the responsibility for delivering and monitoring the quality of its own child abuse services.
- 1.14 Raukura Hauora O Tainui understands that information collected in the pursuit of its Child Abuse Services may be very sensitive and undertakes to preserve confidentiality consistent with its over-riding responsibility to the abused child.

2. Identifying Actual or Suspected Abuse Neglect

- 2.1 Any Staff who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected, or deprived must immediately report the matter to their Service Manager. The Service Manager will report all matters to the Chief Executive Officer.
- 2.2 When child abuse is identified or suspected the matter must, in the first instance, be discussed with the Service Manager. These discussions can be done by telephone and should be documented.
- 2.3 Whenever child abuse is identified or suspected, the matter must be given top priority.
- 2.4 Whatever the referral decision, in keeping with Raukura Hauora O Tainui Policy, culturally appropriate support throughout the process for the child and family should be initiated.
- 2.5 The Service Manager will develop a working relationship with the paediatric service at Middlemore Hospital so that if necessary consultation can be made for both physical and sexual abuse at any time. This contact number will be entered into this policy once this has been formalised.
- 2.6 The initial contact person must not attempt an in-depth interview of a child especially regarding sexual abuse. The child would almost certainly need to be re-interviewed, causing further distress and legal / procedural difficulties with the CYP&FS and / or police. These two agencies have statutory responsibility for investigation of child abuse. The appropriate person(s) to interview and investigate will be identified through consultation. However, information volunteered by the child must be fully and accurately recorded.

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- 2.7 Staff who are trained in psycho-social assessments need to be involved where available.
- 2.8 In consultation, a decision will be made about immediate action to be taken and the timing of action.

Factors to be considered include:

- The nature and severity of abuse
 - The child's immediate safety
 - Whether abuse has been observed / disclosed, or is suspected / indicated
 - The severity of the indicators
 - The Whanau / family context and the appropriate timing for making contact with them
 - The total wellbeing of the child / and other children in the household and siblings
 - The necessity of culturally appropriate input
 - The need for statutory intervention
 - The contact person's initial assessment.
- 2.9 All available information should be recorded immediately, fully and accurately, in the relevant file.

This record should distinguish between objective observable facts and subjective opinion. Under CYP&F Act, CYP&FS and / or Court can require reports to be produced to assist in the investigation of child abuse. There is provision in the Act to override privilege and confidentiality (Children, Young Persons and Their Families Act 1989 S.59-66, see Appendix I).

- 2.10 After initial consultation with a member of the Child Protection Network, a decision about referral will be made. For referral to CYP&FS a written referral using the referral form (Ref Appendix V – Information / Notification Form to CYP&FS) should be sent. Attach reports and / or diagrams for detail as necessary. Mark the envelope "Confidential". Every precaution should be taken to ensure the safety of the information. Telephoned referrals must be followed by a written referral.
- 2.11 If, after investigation, an adequate explanation of indicators and / or injuries is found, there may be no further child protection action required.
- 2.12 After any referral to Raukura Hauora O Tainui a verbal or written report back to the referral source must be made.
- 2.13 After any referral to CYP&FS or police, the referring service will assume responsibility for checking follow-up.

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3. Definitions

The following definitions apply to this policy:

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 aged under 17 years, and 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

Disclosure – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect

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

New Zealand Police – the agency responsible for responding to situations where a child is in immediate 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

Children’s services – any organisation that provides services to children or to adults where contact with children may be part of the service. These organisations should have child protection policies. Organisations that provide services to adults who may be caring for or parenting children should also consider developing a policy, e.g., adult mental health and addiction services

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

Workforce restriction – a restriction on the employment or engagement of people with certain specified convictions under the Vulnerable Children Act 2014

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Children's workforce/children's workers – people who work with children, or who have regular contact with children, as part of their roles

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/whānau or intimate partner violence.

Neglect – 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, like a warm place, food and clothing).
- Emotional (not providing comfort, attention and love).
- Neglectful supervision (leaving children without someone safe looking after them).
- Medical neglect (not taking care of health needs).
- Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs).

Raukura Hauora O Tainui services relating to child abuse care, protection and prevention integrate into their protocols, procedures, staffing, training and environment, this Policy.

Tri-annual review and refinements of the policy by the Board, management and staff shall be dated and entered into the policy manual.