



HEMS - Child Protection Policy

Purpose

The purpose of this Policy is to demonstrate HEMS commitment to ensuring the wellbeing and safety of children and young people.

HEMS does not directly provide children's services, although it funds or contracts with entities that do. This Policy applies to all of HEMS work directly or indirectly related to children and families/whānau.

This policy provides guidance to staff on how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect. The process for responding to a concern about a child is on page 3 of this policy.

Scope

This Policy applies to all employees, contractors and volunteers of HEMS. All staff (including contractors and volunteers) have a responsibility to discuss any child protection concerns, including suspected abuse or neglect, with their manager/supervisor or the designated person for child protection.

Principles

Our Child Protection Policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse or neglect. It is our organisation's commitment to protect children from abuse and to recognise the important roles all our staff have in protecting children.

It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service. In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., The Ministry for Vulnerable Children and the Police – this policy will also help our staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

We recognise that in many of these 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 our organisation 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.

Staff will not assume responsibility beyond the level of their experience and training. Our organisation commits to ensure staff have access to the training they need and all staff will be made aware of this Policy at their induction.

Vulnerable Children Act 2014

All providers of children's services who are contracted or funded by the following, must have a child protection policy;

- the Ministries of Education, Health, Justice, Social Development, Business, Innovation and Employment, Te Puni Kōkiri and New Zealand Police
- district health boards (DHBs)
- schools, including private schools, and partnership schools (Kura Hourua).

The Vulnerable Children Act 2014 also includes new children's worker safety checking requirements. The new regulations under the Act require all paid people who work with children for government-funded organisations to be safety checked, and to have these safety checks updated every three years. Where required and applicable HEMS staff will meet the requirements of the VCA Safety Checking.

Identifying and Responding to concerns about the wellbeing of a child

Whether it is inside or outside work, as family members, friends, neighbours or workmates, we all have opportunities to support parents and keep children and young people safe.

Child protection refers to activities involved in the identification and reporting of child abuse and neglect. It is about having practices that keep children and young people who access services safe and taking steps to best ensure that abuse and neglect, both actual and potential, along with general concerns about child wellbeing and vulnerability are identified and appropriately responded to.

Defining child abuse and neglect

The Vulnerable Children Act 2014 does not define child abuse. However, it is defined in section 2 of the Children, Young Persons, and Their Families Act 1989 (the CYPFA).

Child abuse means the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or deprivation of any child and/or young person. A report of concern to a Social Worker or the Police can be made in relation to abuse or neglect that is actual or likely.

Child abuse can be classified into the following four categories:

- physical abuse
- sexual abuse
- emotional abuse
- neglect

The four categories of child abuse are briefly described below.

Physical abuse

Physical abuse can be any act that may result in the physical harm of a child.

Sexual abuse

Sexual abuse can be any act that involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening.

Emotional abuse

Emotional abuse can be any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include exposure to family/whānau or intimate partner violence.

Neglect

Neglect can be:

- physical (not providing the necessities of life, like adequate shelter 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 truancy, failure to enrol in education or inattention to education needs).

Neglect is the most common form of abuse, and although the effects may not be as obvious as physical abuse, the impact on the child is often just as serious.

Identifying and reporting child abuse and neglect

Each situation is different and all the available information about a child and their environment should be considered as part of deciding on the approach to take.

If a child is in immediate danger, call the Police on 111. If you see something that concerns you, phone The Ministry for Vulnerable Children on 0508 FAMILY (0508 326 459) and speak directly with trained social workers. They will ask you questions and will then look into the situation to find out what may be happening.

The Child Youth and Family website Keeping Kids Safe has more information on identifying and responding to abuse and neglect.

Confidentiality and information sharing

The Privacy Act 1993 and the CYPF Act allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Provided that the report is made in good faith, the person making the report is protected from civil, criminal or disciplinary proceedings.

Definitions

- 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 are at 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 child protection policy.
- Disclosure – information given to a staff member by a child, parent or caregiver or a 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 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 immediate danger and for working with Child, Youth and Family in child protection work and investigating cases of abuse or neglect where an offence may have occurred.
- Physical abuse – any acts that may result in 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:
 - (i) 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.
 - (ii) 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:
 - (i) Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse.
 - (ii) 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:
 - (i) Physical (not providing the necessities of life like a warm place, food and clothing).
 - (ii) Emotional (not providing comfort, attention and love).
 - (iii) Neglectful supervision (leaving children without someone safe looking after them).
 - (iv) Medical neglect (not taking care of health needs).
 - (v) Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs).

RELEVANT LAW

Children, Young Persons, and Their Families
(Oranga Tamariki) Legislation Act 2017
New Zealand Bill of Rights Act 1990
Human Rights Act 1993
Health and Safety at Work Act 2015
Vulnerable Childrens Act 2015
Privacy Act 1993

