

Child Protection Policy for Barry & Sargent Optometrists

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Section 1: Overview

Our organisation is committed to ensuring the wellbeing and safety of children. Vulnerable and at-risk children may be known to, or have contact with, a healthcare provider who may be in a position to help protect a child or young person.

This Child Protection Policy provides guidance to staff on how to identify and respond to concerns about a child's welfare, and to support any child/tamariki or young person/rangatahi. The purpose of this policy is to set a clear protocol and framework for our responsibilities and legal duties in relation to each child's vulnerability and protection (section 15 of the Vulnerable Children's Act 2014).

This policy was authored by Natalie Wong on 1/11/2019. A digital copy can be found on our website (www.barryandsargent.co.nz). It is due to be updated on 1/11/2022 but will be updated regularly as new guidance is issued.

1. Purpose

Our child protection policy provides this organisation with a framework to identify and respond appropriately to child protection concerns, including actual and/or suspected child abuse and neglect.

This policy:

- Explains our organisation's commitment to protect children from abuse.
- Recognises the important role and responsibility our staff have in protecting children.
- Provides our staff with clear guidance for any actions taken when they are aware of, or suspect actual and/or potential child abuse and/or neglect.

The interests of the child will be the paramount consideration when any action is taken in response to suspected abuse or neglect. Our organisation supports Oranga Tamariki – Ministry for Children and the New Zealand Police (the Police) to investigate abuse and will report suspected cases and concerns to these agencies as per the process in this policy.

2. Scope

As a provider of healthcare, this policy outlines the steps our organisation will undertake to ensure children are safe. It applies to actions by management and all employees, and includes students and people working under contract for the service. It is intended to protect all children that staff may encounter (directly or indirectly) as they provide their service.

3. Identification

Child protection concerns can arise either by disclosure, or recognition of signs and symptoms in a child receiving services from this service. It also includes child protection concerns related to a child indirectly involved with a client, for example in the household.

4. Roles & Responsibilities

4.1 Management responsibilities

Our organisation takes responsibility for the well-being and protection of children by ensuring the organisation has the information, tools and support to:

- Ensure the safety and well-being of children.
- Have robust child protection policy and procedures that all staff are aware of.
- Ensure staff who may have contact with children understand how to identify and report child abuse and neglect.
- Provide guidance and support to workers when there are concerns relating to child protection.

4.2 Designated person/position for child protection

Each worksite will have a designated person/position for child protection.

All requests for information, advice or support on matters relating to child protection will be treated as private communications, and the name of the person who makes the request will not be disclosed except where disclosure is required by law or necessary for appropriate action to be taken. Confidentiality will not be promised to a person who makes such a request if that promise would limit the ability of the Designated Person to take necessary and appropriate action to protect a child.

Information and communications relating to concerns of or suspected child abuse or other behaviour that causes concern will be recorded and stored securely with access maintained by the designated person for child protection, control is to be shared. Information is not to be discussed in an open area.

4.3 Staff responsibilities

All staff must understand and adhere to this policy. This policy will help our staff to be alert to the signs and symptoms of neglect or abuse and take appropriate action to protect the wellbeing and safety of children and young people, whether the child/young person is directly or indirectly a client/patient of the service.

Staff who identify child protection concerns should consult with at least one of the following: Designated person for child protection, office manager or company director.

4.4 Worker Safety Checks

Worker Safety Checks will be undertaken as required by the Vulnerable Children Act 2014 (section 31 and 32) for every employee of our organisation. Each worker safety check will be repeated within 3 years of the previous one.

Section 2: Policy

5. Definitions

- **Child/tamariki** – Individuals aged 0-14 years
- **Young person/rangatahi** - Individuals aged 15 – 17 years
- **Child abuse and neglect** - The harming (whether physically, emotionally, or sexually), ill treatment, abuse, neglect or deprivation of any child or young person. It includes actual, potential, and suspected abuse.
- **Physical abuse** - Is any behaviour or action which inflicts physical harm to a child or young person, which can include unexplained bruises, welts, cuts and abrasions, unexplained fractures and dislocations, burns, fabricated illness such as munchausen by proxy.
- **Sexual abuse** - Is any act where an adult or a more powerful person uses a child or young person for a sexual purpose. This can be direct contact or non-contact abuse including exposing children to adult materials.
- **Emotional Abuse** - Any act or omission that results in impaired psychological, social, intellectual and or emotional functioning and development of a child or young person.
- **Neglect** - Any act or omission that results in impaired physical/emotional functioning, injury, and/or development of a child or young person and can include:
 - a. Physical neglect – not providing the necessities of life.
 - b. Neglectful supervision – leaving children alone or without someone safe looking after them.
 - c. Emotional neglect – not providing the comfort, love and attention the child needs.
 - d. Medical neglect – the failure to ensure their health needs are met.
 - e. Educational neglect – allowing chronic truancy, failure to enrol children in school, or inattention to their special education needs.
- **Child protection** - The activities carried out to ensure the safety of a child/tamariki and young person/rangatahi, in cases where there is abuse or neglect.
- **Designated person for child protection** - The person or position who is responsible for providing advice and support to an employee or other person who is concerned about an individual child or who wants advice about this policy. This person is also responsible for ensuring the obligations are met with respect to the Vulnerable Children’s Act 2014.
- **Disclosure** - Information about abuse or neglect given to a staff member or its representative by a child, or parent, or caregiver, or any other person.
- **Cumulative harm / neglect** -Cumulative harm refers to the effects of patterns of circumstances and events in a child or young person's life, which diminishes their sense of safety, stability and well-being. Cumulative harm is compounded experiences of multiple episodes of abuse or layers of neglect. Constant daily impact on the child or young person can be profound and exponential, covering multiple dimensions of their life.
- **Vulnerability**- Children/young persons who are at significant risk of harm to their well-being now, and into the future, as a consequence of the environment in which they are being raised, and in some cases, due to their own complex needs.

6. Identifying child abuse

Individuals are responsible for reporting disclosures and any provision of care concerns, and for contributing to the elimination of organisational child protection procedure flaws.

If a staff member has a concern or suspicion that a child may be suffering abuse of any form in any degree, the worker should talk with management or the designated person for child protection. No workers should act without seeking the advice and support of others.

Considerations:

- Every situation is different.
- All available information about a child and the environment must be considered before any conclusions are drawn.
- Importance should be placed on the overall well-being and the risk of harm to the child. It is acknowledged there are different definition of abuse. It is not so important for us to categorise exactly what kind of abuse a child is suffering to the detriment of the child's wellbeing.
- Importance should be placed on the identification of a cause for concern, less so on establishing a diagnosis.
- It is normal to feel uncertain, however if there are signs that make us concerned, the importance is to recognise when something is wrong.

All staff should be aware of the signs of potential neglect or abuse. This includes (and is not limited to): physical signs, developmental delays, emotional abuse or neglect, behavioural concerns, neglectful supervision, medical neglect and a child talking about things that indicate abuse. The Oranga Tamariki guide 'Working Together' has more information on responding to child abuse and neglect.

If the child is in immediate danger, staff must call the Police. If the child is not in immediate danger, staff should talk with their manager or designated person before deciding what to do.

In cases where action is taken, our organisation will work with and act on the recommendations of official agencies (including Oranga Tamariki, Child, Youth and Family and the Police).

We will only inform families/whānau about suspected or actual abuse after discussions with and approval from the designated person and it is safe for the child concerned, appropriate official agencies may be involved later.

Information and communications relating to concerns of or suspected child abuse or other behaviour that causes concern will be recorded and stored securely with access maintained by the designated person for child protection and strictly controlled.

Staff involved in cases or suspected child abuse are entitled to have support.

7. Confidentiality and Information Sharing

Under 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 Oranga Tamariki - Ministry for Children or the Police. No civil, criminal or disciplinary proceedings may be brought against the person who makes the report, provided it is made in good faith.

When gathering, storing, or disclosing personal information about individuals, workers must comply with the Information Privacy Principles set out in the Privacy Act 1993. This includes the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to access to and correct information about themselves.

Giving information to others for the protection of a child is a justifiable breach of confidentiality and, where a vulnerable child is at risk of harm, is a legal duty. Workers may disclose information under the Privacy Act where there is good reason to do so, such as a serious risk to health and safety. Disclosure about child abuse may also be made externally to Oranga Tamariki -Ministry for Children or the Police under the Children, Young Persons, and Their Families Act.

8. Safe Practice Guidelines

Where possible, workers should avoid situations where they are alone with a child or children. Wherever possible, workers should adopt “open door” practices to avoid situations where they are alone with a child or children. Toilets, showers, consultations rooms and other appropriate locations are an exception to this practice.

Staff should be aware of where all children are at all times. Visitors should be monitored at all times by staff.

Except in emergencies, staff should avoid being alone when transporting a child or children. Except in emergencies, children are not to be taken from our organisation’s premises, without the written consent of the responsible parent or caregiver.

Parents or caregivers should be advised in advance of any activities which require workers to have physical contact with a child or children (e.g. physical examination).

If possible, parents, caregivers or third parties should be involved where a child requires assistance (e.g. to cope with a physical or intellectual disability). If assistance is not available, staff members must be made aware of the appropriate techniques and procedures for giving assistance

9. Procedure for Child’s Disclosure of Abuse

In the event that a child discloses any instance of abuse or neglect to a worker, the worker should follow this process:

1. Listen to the child, provide reassurance, and ask open questions (eg, What happened next?)
2. If the child is obviously distressed, provide appropriate reassurance and engage the child in supervised activities until able to participate in ordinary activities.
3. If the child is not in immediate danger, get the child involved in ordinary activities and explain what you are going to do next.
4. If the child is in immediate danger, contact your designated person/position as outlined above and the Police.
5. Record the disclosure in writing as soon as possible.
 - a. Make a record of what the child said, word for word.
 - b. Record dates, times, locations and names of any staff that might be relevant.
 - c. Record the factual concerns relating to the observations that have led to the suspicion of abuse or neglect.

- d. Record the details of any action taken by staff or our organisation.
 - e. Note any other relevant information.
6. The worker should discuss concerns with their manager or the designated person for child protection to decide if the problem identified should be reported.
 7. Notify the relevant authorities (e.g. a social worker or the Police) if there is reason to believe that the child is suffering abuse or neglect, or likely to do so.

Referrals to Oranga Tamariki – Ministry for Children:

- Phone: 0508 FAMILY (0508 326 459)
- Fax: 09 914 1211
- Email: contact@ot.govt.nz

Referring a child to Oranga Tamariki who is not a client:

All cases of child protection are to be activated by this service, even if the child concerned is not a client.

10. Documentation

Clinical staff are required to document the following in the clinical notes:

- Observations and assessments
- Discussions with management and others
- Documentation of what was reported to Oranga Tamariki – Ministry for Children

11. Informing parents / caregivers of a referral

Communication with the child's parents or caregivers that a referral to Oranga Tamariki – Ministry for Children or the Police has been made should be managed with consideration to the safety of the child, staff and other family members. Do not inform the caregivers unless it is safe to do so (refer to Section 13 - Security).

Informing the client / caregivers of a referral should be undertaken in a safe environment for both staff and the client, parents or caregivers e.g. in the practice, or by telephone. Consult with an appropriate senior member of staff.

12. Allegation made against a member of staff

Any complaints or allegations of misconduct against a staff member of our organisation must be reported to senior management immediately. In order to protect the child or children, the worker, and our organisation, there can be no exceptions to this rule. Failure to make a complaint or report an allegation immediately may be treated as a very serious matter. The Child Protection Policy should be referred to for further instructions.

When a complaint or allegation is reported, the designated person or management may decide that, to protect the child, the staff member should be removed from the role or the work environment. This is subject to the duty of good faith and any relevant provisions in an employment agreement and/or policy.

Once our organisation is satisfied regarding the safety of the child or children concerned, the complaint or allegation will be investigated in accordance with the organisation's associated employment policy and child protection procedure. Management will consult with Oranga Tamariki – Ministry for children or the Police.

Where mandatory, we will report complaints or allegations of a serious professional nature to the relevant registration board (not limited to). The employee will be advised of their right to seek support/advice from appropriate representatives. Management will contemplate removal of employee from the environment, subject to the employment contract.

Our organisation will not enter into any agreement that the complaint or allegation, if found justified, is not to be reported to the Police or other relevant authorities. We will not use 'settlement agreements' when the conduct at issue concerns the safety or wellbeing of a child.

13. Security

For circumstances where the safety of the child, family or staff member is at high risk staff are to:

- consult with a senior member of staff
- contact Oranga Tamariki – Ministry for Children or the Police.

14. Incident Reporting

Staff are to complete an incident report for any related issues, for example threats of harm because a referral is being made.

15. Information to staff and training

Staff will be informed of this policy, and training /updates given to front-line staff, as required.

16. Additional Support

Our organisation encourages staff to seek and accept support when it is needed. Staff can access support through:

- A debrief with management.
- External providers such as Employee Assistance Programmes.

17. References

Vulnerable Children Act 2014

<http://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html>

Oranga Tamariki – Ministry for Children

<https://www.orangatamariki.govt.nz/>

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