

CHILD PROTECTION POLICY

2025.01

1. Background

Although Inform Health does not fall within the scope of organisations required to have a Child Protection Policy under the Children’s Act 2014 (CA14), this Policy is adopted in accordance with best practice within the field of services the Company provides.

2. References

Legislation & Regulation	<ul style="list-style-type: none"> • Oranga Tamariki Act / Children’s and Young People’s Well-being Act 1989 • Privacy Act 2020 • Health Information Privacy Code 2020 • Code of Health and Disability Services Consumers’ Rights 1996
Common Law	<ul style="list-style-type: none"> • Duncan v Medical Practitioners Disciplinary Committee 1986 • Case Note 5733 [2001] NZ Privacy Commissioner 16 • Geary v the Psychologists Board [2009]
Guidelines/ Standards	<ul style="list-style-type: none"> • Children’s Act 2014 • NZ Psychologist Board Code of Ethics; Principle 1.6 “Privacy and Confidentiality” • NZ Association of Counsellors Code of Ethics; section 6 “Confidentiality”

3. Policy

- 3.1 Inform Health acknowledges that the welfare and safety of children is an important consideration, which may in certain circumstances override other considerations including the client’s right to privacy.
- 3.2 Inform Health will take prompt action in the event that it becomes aware of current harm or risk of current harm to children, including risk of harm to self or others.
- 3.3 Inform Health will have in place appropriate safety checking for all people employed or engaged in work that involves contact with children.

4. Notifications of concern

- 4.1 Concerns for the safety of a child or young person may arise in the course of assessment and intervention at Inform Health, which Inform Health believes are appropriate to report to Oranga Tamariki / Ministry for Children (OT), whether or not the consent of the Inform Health

client to do so has been obtained, in accordance with s.15; Oranga Tamariki Act / Children's and Young People's Well-being Act 1989 (OTA89).

4.2 These concerns may include, but are not limited to:

- a. An Inform Health client disclosing that they have sexually or physically abused a child or young person and present a current risk to a child or young person.
- b. An Inform Health client who is a child or young person disclosing that they have been sexually or physically abused.
- c. An Inform Health client disclosing that they are at risk of sexually or physically harming a child or young person.
- d. An Inform Health client disclosing that a third party is at risk of sexually or physically harming a child or young person.
- e. An Inform Health client disclosing that they are at risk of taking their own life or inflicting serious self-harm.

4.3 In determining whether or not such concerns are to be reported, Inform Health will apply the following criteria, consistent with relevant legislation, common law and professional ethics:

- a. There is a serious risk of harm to self or identifiable others, and
- b. The threat of serious harm is imminent, and
- c. Disclosure to statutory agencies or other third parties is the only option to prevent or lessen the risk, and
- d. The statutory agencies or other third parties to whom disclosure is made can act quickly and effectively to address the risk, and
- e. The risk of harm to others outweighs the harm caused by disclosure to the client.

4.4 In determining whether to report a concern, Inform Health will have due regard to the Privacy Act 2020 and the Health Information Privacy Code 2020.

4.5 In cases where such concerns are being reported, Inform Health will apply the following process:

- a. The Inform Health clinician will confirm their reasons for such disclosure with an Inform Health manager prior to the information being forwarded.
- b. Ideally, Inform Health will inform the client that these concerns are being reported, and the client will be given the opportunity to pass this information on themselves. However, Inform Health may report without client knowledge or consent for reasons of practicality or safety.
- c. Where the risk is immediate, Inform Health will report the information as soon as practicably possible.
- d. Inform Health will maintain a record of information passed, including the name of the client concerned, the information provided, and the agency and contact person to whom it was reported.

4.6 Wherever possible, reporting to statutory agencies shall be made in writing using the relevant agency's standard reporting form.

5. Worker safety checking

5.1 New Employees and Contractors

5.1.1 All new employees, contractors and Board members of Inform Health will be required to undergo NZ Police vetting as a standard part of their application for employment or engagement.

5.1.2 As per s. 31; CA14, Inform Health will ensure that the checking process includes:

- a. Confirmation of Identity
- b. Consideration of any specific information required to be considered by s.32; CA14
- c. An assessment of the risk the applicant would pose to the safety of children or young persons if employed or engaged.

5.1.3 All offers of employment or engagement shall be contingent on the applicant having no record of offences that may indicate a risk to children or young people. In the event of such a record being received from NZ Police, Inform Health will immediately withdraw the offer of employment or engagement, or terminate employment/engagement where this has commenced.

5.1.4 Convictions for offences that do not indicate a risk to children or young people shall not be a basis for withdrawing an offer of, or terminating employment/engagement under this policy, but will be considered under other organisational policies and guidelines.

5.1.5 New contractors do not need to undergo NZ Police vetting if they have previously been engaged by Inform Health and have been vetted to the satisfaction of Inform Health within the previous 12 months.

5.2 Existing Employees and Contractors

5.2.1 All existing employees, contractors and Board members of Inform Health will be required to undergo NZ Police vetting annually, or at such intervals as may be required by Inform Health, provided that the interval is not greater than 3 years since their previous safety check.

5.2.2 As per s. 31; CA14, Inform Health will ensure that the checking process includes:

- a. Confirmation of Identity
- b. Consideration of any specific information required to be considered by s.32; CA14
- c. An assessment of the risk the applicant would pose to the safety of children or young persons if employed or engaged.

5.2.3 Existing employees whose safety checks raise concerns that Inform Health believe would pose unacceptable risk to the safety of children or young persons, will be deemed to be in serious breach of their employment agreement, which would result in termination of employment.

5.2.4 Existing contractors and Board members whose safety checks raise concerns that Inform Health believe would pose unacceptable risk to the safety of children or young persons, will have their contracts of engagement terminated.

Date approved (provisional)	20 February 2025
Contact Person	Chief Executive

Previous Versions

None

Amendment History

None

