

PHO Services Agreement (Variation 1)

BETWEEN

[District Health Board]

AND

[PHO]

DRAFT

VERSION 2 (Variation 1 – Vulnerable Children Act 2014)

By our respective authorised signatories signing below, we agree to comply with and be bound by the terms and conditions of this Agreement

[insert name] District Health Board by:

Signature

Name

Position

Date

Witnessed by:

Signature

Name

Occupation

Residence

Date

[PHO name] by:

Signature

Signature

Name

Name

Position

Position

Date

Date

Witnessed by:

Witnessed by:

Signature

Signature

Name

Name

Occupation

Occupation

Residence

Residence

DRAFT

Background

Purpose of this variation

- (1) We are parties to the PHO Services Agreement (Version 2) (**Agreement**) which came into force on 1 July 2014.
- (2) The Vulnerable Children Act 2014 (**Act**) mostly came into force on 1 July 2014. Part 2 of the Act deals with child protection policies, and sections 14 and 17 require DHBs to adopt and report on child protection policies (that must contain provisions on the identification and reporting of child abuse and neglect).
- (3) DHBs are also required to ensure that certain people, with whom DHBs enter into contracts or funding arrangements, also adopt such policies.
- (4) The requirement is mandatory under the Act.
- (5) This variation gives effect to that requirement.

Variation

The Agreement is varied as follows:

Miscellaneous terms

V.1 Delete clause **B.40(1)**, and replace it with the following clause:

“(1)**Compliance with law:**

(A) The DHB will:

- (a) comply with all statutory, regulatory and other legal requirements applicable to the performance of our obligations under this Agreement, including the Privacy Act 1993 and the Health Information Privacy Code 1994; and
- (b) in accordance with section 17 of the Vulnerable Children Act 2014:
 - (i) adopt, as soon as practicable, a child protection policy (in respect of the provision of children’s services within the meaning of section 15 of that Act) that complies with section 19 of that Act;
 - (ii) ensure that a copy of the policy is available on our Internet site; and
 - (iii) review that policy thereafter a minimum of every 3 years.

(B) The PHO will:

- (a) comply with all statutory, regulatory and other legal requirements applicable to the performance of our obligations under this Agreement, including the Privacy Act 1993 and the Health Information Privacy Code 1994; and
- (b) in accordance with section 17 of the Vulnerable Children Act 2014:

- (i) adopt, as soon as practicable, a child protection policy (in respect of the provision of children’s services within the meaning of section 15 of that Act) that complies with section 19 of that Act; and
 - (ii) review that policy thereafter a minimum of every 3 years; and
- (c) [OPTIONAL]ensure that a copy of the child protection policy is available on our Internet site.”

Confirmation of Agreement

V.2 The Agreement is confirmed in all other respects.

DRAFT 2