



Safeguarding Children Policy

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1. Safeguarding Statement

Incredible Kids recognises that children have rights as individuals and should be treated with dignity and respect. The organisation is committed to ensuring that vulnerable children who use our services are protected and that they are not subjected to exploitation or abuse.

2. Relevant Legislation

- **Relevant Legislation**
 - The Children Act 1989 and amendments
 - Human Rights Act 2000
 - Grievance Procedure
 - Whistleblowing Policy
- **Related Legislation**
 - Data Protection Act 1998
 - Public Interest Disclosure Act 1988
- **Related Documents**
 - Confidentiality Policy
 - Disciplinary Procedure
 - Document Retention Policy

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3. Principles

This policy and procedure is based on the following principles:

- The welfare of children is of primary concern
- All children, whatever their age, culture, impairment, gender, racial origin, faith, sexual orientation and socio-economic status, have the right to safeguarding from abuse
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately. All personal data will be processed in accordance with the requirements of the Data Protection Act 1998

4. Definitions

A child is a person under the age of 18.

Risk refers to situations or behaviours which present a real or potential threat of harm to a person's health, development, safety or well-being. Vulnerable people can be at risk because of the actions or behaviour of others or they can be at risk because of self-neglect, their behaviour and lifestyle. Children can be at risk because of the actions or behaviours of others.

Abuse is a violation of an individual's human and civil rights by any other persons(s) or group of people. Abuse may consist of single or repeated acts.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development:

- It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child
- participating in normal social interaction
- It may involve seeing or hearing the ill-treatment of another
- It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is

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aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate care-givers)
- Ensure access to appropriate medical care or treatment
- Respond to a child's basic emotional needs

5. Information Sharing

Confidentiality is crucial to all working relationships but here **the welfare of the child is paramount**. The law does not allow anyone to keep concerns relating to child abuse to themselves. Confidentiality may not be maintained if the withholding of the information will prejudice the welfare of the child.

No staff member/volunteer should discuss confidential information more widely without first discussing it with the designated office.

In the initial consideration at a strategy discussion or joint evaluation the agencies concerned, including the employer, should share all relevant information they have about the person who is the subject of the allegation, and about the alleged victim.

Wherever possible the police should obtain consent from the individuals concerned to share the statements and evidence they obtain with the employer, and/or regulatory body, for disciplinary purposes. That should be done as the investigation proceeds rather than after it is concluded. That will enable the police and Crown Prosecution Service to share relevant information without delay at the conclusion of their investigation or any court case.

Children's social care should adopt a similar procedure when making enquiries to determine whether the child or children named in the allegation is in need of protection or services so that any information obtained in the course of those enquiries which is relevant to a disciplinary case can be passed to the employer or regulatory body without delay.

6. Recruitment of Staff and Volunteers

Incredible Kids will always ensure that enhanced Criminal Records Bureau (CRB) checks are obtained for any staff member/volunteer who will be working with vulnerable children.

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No staff member/volunteer will be permitted to work alone with vulnerable children without a CRB check.

Two references for new staff will be obtained, one from a previous employer where possible.

NOTE: Government proposals to introduce a Safeguarding and Vetting register are being reviewed. When final proposals are in place Incredible Kids will ensure that it complies with the new system.

7. Designated Officers

Incredible Kids will appoint the Secretary and the Treasurer as the joint Child Protection Officer.

Their responsibilities are to:

- Receive information from staff members/volunteers about any concerns regarding abuse of vulnerable children
- Assess the information promptly and carefully, clarifying and obtaining more information about the matter as appropriate
- Consult with the appropriate safeguarding agency
- Record statements from staff members/volunteers

If neither of the joint designated officers is available, the line manager or other available manager will act as the designated officer until one of the joint designated officers is available.

Despite the specific responsibilities of the designated officers, all staff have a shared responsibility for the safeguarding and safety of all vulnerable children who use the services of the organisation. Safeguarding issues should be brought to the attention of the Chair of the Board of Trustees by the Secretary or Treasurer as soon as possible.

8. Procedure

▪ Allegations Made to Staff and Volunteers

Immediate Action to take when abuse is disclosed or concerns are raised:

- Remind the person who is about to disclose important information that it may not be kept confidential and that it may have to be passed to the appropriate agency
- Listen carefully to the person and reassure them that they are being taken seriously
- Give them plenty of time to speak
- Sensitively ask open questions (not leading ones) to obtain key information:
 - What has happened?
 - When?
 - Where?
 - Who was involved?
 - What would you like to happen?
- Discuss and explain the application of the safeguarding and confidentiality policies
- Explain what action you have to take

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- As soon as possible, make notes of your discussion and action taken

Follow up action to be taken by staff members/volunteers:

- Inform the line manager as soon as possible but within 24 hours. The line manager must inform the Secretary or the Treasurer and a decision should be made, in discussion with the line manager, as to whether the person in question is at risk of significant harm. If neither of the joint designated officers are available, the line manager or another available manager should act as the designated officer. A full detailed record of the suspected or alleged abuse must be made and stored in a secure location by the Chief Executive. (Refer to the Document Retention policy for timescales)
- If the person is thought to be at risk of significant harm, the designated officer will inform the relevant local authority safeguarding team as soon as possible
- Where possible, the person who has disclosed the information will be informed that this has happened and what is likely to happen
- Advice on how to support/safeguard the child should be sought from the relevant authority and followed
- As soon as possible, make notes of your discussion and action taken

If the person asks that no action be taken:

- It must be explained that the line manager must be informed and that they will be advised that the person does not want any action to be taken
- Apart from circumstances involving a child, no action will be taken if the abused person has requested this and is considered not to be at risk of significant harm unless:
 - the alleged abuse has been perpetrated by a professional, a paid helper or volunteer of any organisation who may have access to other vulnerable people
 - there is the likelihood of a serious crime occurring
 - the service user lacks the mental capacity to make an informed decision
- In the case of a child, it may be necessary to have a discussion with the parent/carer

Should the person who has been abused meet any or all of these criteria, then a discussion with the line manager should take place and a decision reached whether to take the actions outlined in paragraph three. Any decision reached should be recorded with the reasons and evidence for the decisions.

▪ **Allegations against Staff and Volunteers**

All staff members/volunteers should receive guidance on how to protect themselves from allegations of inappropriate behaviour.

All allegations of potential abuse of children made against staff members/volunteers must be taken seriously. The allegation could be about a service user or a relative of a staff member/volunteer. In all instances the allegation must be immediately reported to the senior manager responsible for safeguarding. The detail of the incident must also be recorded as soon as possible.

To safeguard the child and also the member of staff, immediate action must be taken to ensure that there is no contact between them. The member of staff must not be allowed to be alone with any vulnerable child during the investigation of the allegation.

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The role of the LADO (Local Authority Designated Officer for Child Protection) is to advise organisations on whether the incident should be treated as a safeguarding issue or whether the incident is potential inappropriate behaviour and should be managed as an internal disciplinary investigation. The LADO will advise on the processes necessary and provide guidance on whether suspension of the staff member/volunteer is necessary.

The LADO/police should be consulted when a potential crime may have been committed and the police may not want the person informed at this stage as they could remove evidence. When and how someone should be informed would be discussed at a strategy meeting.

The LADO should also be consulted to discuss whether the threshold has been met for the LADO to convene a strategy meeting and not just when a potential crime has been committed.

The designated officer should immediately (within 24 hours), inform the LADO for the local authority in which the vulnerable child lives. They will follow the full guidance on how to manage an allegation against staff members/volunteers available on the South West Safeguarding and Child Protection Group website at www.swcpp.org.uk

The full procedures for managing allegations against people who work with children are in the Working Together to Safeguard Children 2010 at Appendix 5
<https://www.education.gov.uk/publications/eOrderingDownload/00305-2010DOM-EN.pdf>

▪ **Support for Staff and Volunteers**

It is recognised that dealing with allegations of abuse may be distressing. Incredible Kids will offer staff members/volunteers as much support during the process as resources permit. Service users will be informed of the policy to provide clarity with regard to Incredible Kids's obligations.

If allegations are made against a staff member/volunteer of Incredible Kids the following actions will be taken:

- Consideration will be given to the staff member/volunteer who is the subject of the allegations being removed from the case/service and a replacement allocated. It might not be necessary in all cases
- Incredible Kids will ensure that Social Services are given assistance to enable them to carry out an investigation
- The staff member/volunteer at the centre of the allegations will receive support from their line manager
- Where appropriate and necessary, Disciplinary Procedures will be implemented
- The rights of staff under Grievance and Disciplinary procedures will still apply

9. Staff and Volunteers' Induction and Training

During the staff member/volunteer induction period staff members/volunteers will be made aware of organisational policies and the responsibilities of staff members/volunteers to maintain these practices and relevant specialist training agreed.

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Incredible Kids will ensure staff members/volunteers are aware of the legal protection afforded by the Public Interest Disclosure Act 1988 (protection from unfair dismissal or victimisation for whistle blowing on poor or abusive practice by colleagues).

10. Review of This Policy

Incredible Kids's commitment to safeguarding is an active one. This document should be amended on a regular basis as part of this active commitment.

Incredible Kids's safeguarding policy will be reviewed in consultation with staff members/volunteers as and when required and in line with changes in legislation and agreed by the Board of Trustees.

Incredible Kids will also seek to keep abreast of new developments in safeguarding practice and actively seek information on this issue.

Date Agreed by Board of Trustees:

Review Date:

Annex 1

Policy Definitions

The following generic terms have been used to describe the following roles within organisations. We appreciate that not all organisations have either paid staff or volunteers that specifically undertake these roles. The definitions below are meant to assist organisations when adapting the policy in line with their circumstances.

If your organisation is run solely by volunteers please contact us for further support to adapt these policies.

Chief Executive refers to the organisations paid manager

Resources Manager refers to the staff member or volunteer in the organisation responsible for overseeing resources eg. staff, equipment etc.

Team or Line Manager refers to the staff member or volunteer in the organisation responsible for leading the project and/or line management

IT Officer refers to the staff member or volunteer in the organisation responsible for overseeing ICT

Office Coordinator refers to the staff member or volunteer in the organisation responsible for day to day office management

Trustee refers to management committee member, charity trustee or company director

Trustee Board refers to the management committee, board of trustees, executive committee