



Safeguarding Children and Adults at risk of Abuse or Neglect Policy and Procedure

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Section 1

1.1 Introduction

All children ¹and adults at risk of abuse and neglect ² have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect.

Newcastle-under-Lyme Borough Council has both a moral and legal obligation to ensure a duty of care for children and adults across its services. The Borough Council is committed to ensuring that all children and adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council. We believe that safeguarding is everybody's responsibility.

The purpose of this Policy and its associated procedures is to help protect all children and adults, including those living in our communities placed in our care within our services and to protect Newcastle-under-Lyme Borough Council, its staff, elected members and volunteers.

1.2 Policy Statement and Scope

The scope of this Policy is to understand the Borough Council's legislative framework, to outline the procedures to be followed and to identify the relevant contacts in relation to safeguarding children and adults at risk. The Policy covers safeguarding children and adults.

Newcastle-under-Lyme Borough Council has a legal responsibility to safeguard, promote wellbeing and protect children and adults.

This will include;

- Respecting and promoting the rights, wishes and feelings of children and adults.
- Raising the awareness of the duty of care responsibilities relating to children and adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and adults to protect them from harm.
- Creating a safe and healthy environment within all our services, to protect all parties and reduce the risk of abuse or allegations of abuse from occurring.
- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and adults at risk from abuse, and to also minimise any risks to themselves.
- Responding promptly to any suspicions or allegations of misconduct or abuse of children or adults in line with the Staffordshire Safeguarding Children Board (SSCB) inter-agency policies and procedures for safeguarding children and promoting their

¹ 'Children' for the purposes of these guidelines are defined as those aged under 18 years

² The safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the *adult* throughout this policy.

welfare and the Staffordshire and Stoke on Trent Adult Safeguarding Partnership Adult Safeguarding procedures

- Requiring staff, elected members and volunteers to adopt and abide by the Council's Safeguarding Policy and Procedures, codes of conduct and associated procedures.
- Reviewing and evaluating this policy and procedure on an annual basis or in line with best practice, changing legislation, organisational requirements and service delivery.
- Ensuring representatives including partnerships with private, voluntary or contracted organisations of Newcastle-under-Lyme Borough Council who have contact with children, young people or adults are subject to safer recruitment procedures.

1.3 Principles

This Policy and supporting procedures are based on the following principles;

- The welfare of children and adults is the primary concern.
- All children and adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to act on any concerns about abuse in order that children and adults are appropriately safeguarded.
- 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.

1.4 Supporting Documents/Legislation

This Policy should be read in conjunction with a number of additional policies and legislative documents, listed in Appendix B.

The major pieces of legislation and guidance are:

- The Children Act 1989 and 2004
- Care Act 2014
- Guidance to the Care Act 2014
- Safeguarding Vulnerable Groups Act 2006
- Public Interest Disclosure Act 1998
- Data Protection Act 1998
- European Convention of Human Rights
- Working Together to safeguard Children 2015
- Mental Capacity Act 2005
- Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)
- Staffordshire Safeguarding Children Board's Inter-agency policies and procedures for safeguarding children and promoting their welfare
www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx
- Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures.

Section 2

Procedure Guide

2.1 Introduction

This set of procedures and guidelines sets out how Newcastle-under-Lyme Borough Council will implement the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy. It is to be used by all staff that come into contact with those who fall under the definition of the procedure, or those who are responsible for managing services that affect these individuals or groups.

The procedure guide is intended to be used in conjunction with the policy document, and other supporting individual service procedures. See Appendices for detail.

2.2 Definitions used within the procedure

- The term children or young person is used to refer to anyone under the age of 18 years in accordance with the Children Act 1989.
- All the policies and procedures described within this document refer to adults as well as children.
- Adults at risk for the purposes of this procedure are an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The term staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a commissioned service for or representing the Council.

2.3 Recognition of Abuse including neglect and bullying

Important Rule

It is important to remember that many children and adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death, or the birth of a new baby in the family, relationship problems between parents/carers, etc. However, you should always report anything that causes you to suspect that abuse may be happening in order for appropriate action to be taken to ensure the welfare and safety of children and adults.

Recognising Abuse

Recognising abuse is not easy, and it is not the responsibility of council staff, elected members or volunteers to decide whether or not abuse has taken place or if there is significant risk. The Council/authority has a responsibility to act if it believes it may be happening.

Abuse and neglect are forms of maltreatment of a child or adult. Somebody may abuse a child or adult by inflicting harm, or by failing to act to prevent harm. Children and adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger for example via the internet. They may also be abused by an adult or adults, or by another child or children.

Types and Signs of Abuse

It is generally accepted that there are these types of abuse:

Children

Physical abuse, emotional (or psychological) abuse, sexual abuse and neglect.

Please note that the tabled examples and signs detailed below may also be indicators of other medical factors and may not necessarily confirm abuse and neglect. These tables are provided as a guide to help with the assessment process and the work with children, adults and their families.

PHYSICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Shaking • Pinching • Slapping • Force-feeding • Biting • Burning or Scalding. • Causing needless physical discomfort • Inappropriate restraint • Locking someone in a room 	<ul style="list-style-type: none"> • Unexplained bruising, marks or injuries on any part of the body • Frequent visits to the GP or A&E • An injury inconsistent with the explanation offered • Fear of parents or carers being approached for an explanation • Aggressive behaviour or severe temper outbursts • Flinching when approached • Reluctance to get changed or wearing long sleeves in hot weather • Depression • Withdrawn behaviour or other behaviour change • Running away from home/ residential care • Distrust of adults, particularly those with whom a close relationship would normally be expected
EMOTIONAL/PSYCHOLOGICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Intimidation and/or threats • Bullying • Rejection • Shouting • Indifference and the withdrawal of approval • Denial of choice • Deprivation of dignity or privacy 	<ul style="list-style-type: none"> • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress • Behaviour change • Being unable to play or socialise with others • Fear of making mistakes

<ul style="list-style-type: none"> • The denial of human and civil rights • Harassment • Being made to fear for one's well being 	<ul style="list-style-type: none"> • Self harm • Fear of parent or carer being approached regarding their behaviour • Confusion
SEXUAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Rape and other sexual offences • For adults, sexual activity including sexual contact and non-sexual contact that the person does not want, to which they have not consented, could not consent, or were pressured into consenting to. • Being encouraged or enticed to touch the abuser • Coercing the victim into watching or participating in pornographic videos, photographs, or internet images • Any sexual relationship that develops where one is in a position of trust, power or authority 	<ul style="list-style-type: none"> • Pain or itching in the genital/anal areas • Bruising or bleeding near genital/anal areas • Sexually transmitted disease • Vaginal discharge or infection • Stomach pains • Discomfort when walking or sitting down • Pregnancy • Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn • Fear of being left with a specific person or group of people • Nightmares • Leaving home • Sexual knowledge which is beyond their age or development age • Sexual drawings or language • Bedwetting • Saying they have secrets they cannot tell anyone about • Self harm or mutilation, sometimes leading to suicide attempts • Eating problems such as overeating or anorexia
NEGLECT	
Examples include	Signs include
<ul style="list-style-type: none"> • Withholding help or support necessary to carry out daily living tasks • Ignoring medical and physical care needs • Failing to provide access to health, social or educational support • The withholding of medication, nutrition and heating • Keeping someone in isolation. • Failure to intervene in situations that are dangerous to the person Inadequate supervision and guidance – leaving the child to cope alone, abandoning them or leaving them with inappropriate carers and failing to provide appropriate boundaries about behaviours such as under age sex or alcohol. 	<ul style="list-style-type: none"> • Constant hunger, sometimes stealing food from others • Dirty or 'smelly' • Loss of weight, or being constantly underweight • Inappropriate dress for the weather • Complaining of being tired all the time • Not requesting medical assistance and/or failing to attend appointments • Having few friends • Worsening of health conditions • Pressure sores • Mentioning their being left alone or unsupervised • Sore or extreme nappy rash • Skin infections • Lack of response to stimuli or contact

	<ul style="list-style-type: none"> • Poor skin condition(s) • Frozen watchfulness • Anxiety • Distressed • Child moves away from parent under stress • Little or no distress when separated from primary carer • Inappropriate emotional responses • Language delay
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Adults

Physical abuse, emotional (or psychological) abuse, sexual abuse, neglect, financial abuse, discriminatory, organisational, neglect and acts of omission and self-neglect. (See also Domestic abuse and modern slavery in other types of abuse below)

Type of abuse	Description	Type of abuse	Description
Physical	Hitting slapping, shoving, kicking, rough handling or inappropriate restraint.	Neglect/acts of omission	Includes ignoring medical, emotional or physical needs, failure to provide access to support services, withholding necessities such as food and heating.
Sexual	Any type of inappropriate sexual behaviour including rape, indecent exposure, sexual harassment or innuendo, showing of indecent photographs and sexual acts to which the adult has not consented.	Financial	Includes fraud, theft, assuming ownership of money or items, scamming, getting an adult to spend money unwisely.
Self-neglect	May be as a result of an adult's lifestyle choice, and includes behaviour such as hoarding and extreme poor personal hygiene.	Organisational/ Institutional	Poor practice in a nursing/care or hospital setting or even in an adult's own home. This can be one incident or a series of incidents as a result of an organisations poor practice, policy or procedure.
Discriminatory	Is often on the grounds of age, race, gender, gender identity, culture, religion sexual orientation or disability.	Emotional/ Psychological	Includes threats of harm, intimidation, harassment, coercion, cyber bullying, denial of cultural and religious needs.

Other types of abuse

Domestic Violence and Abuse

As of 1st March 2013, the Home Office definition of Domestic **violence and abuse** is:

Any incident or pattern of incidents of controlling³, coercive⁴ or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse; psychological, physical, sexual, financial and/or emotional

Source: www.homeoffice.gov.uk

In all cases where there is knowledge or suspicion that there exists a **potential** for a child or children to be suffering harm as a result of domestic violence and abuse, then a referral should be made to Children's Social Care via the First Response Team (FRT) who act as the first point of contact for all referrals in relation cases that meet the **threshold for significant harm** – for further information please refer Section 1E threshold framework 'Accessing the right help at the right time'. www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Where it is thought that a victim of domestic violence and abuse meets the definition of an adult at risk of abuse and neglect, then an Adult Safeguarding referral should be made to the Contact Centre on **0345 604 2719**.

Hidden Harm

Children may be suffering from the effects of what is known as 'hidden harm' if they live with parents or carers who are misusing drugs or alcohol. Children in these situations may be acting as young carers or they may be subjected to any of the forms of abuse described above. Separate policies and procedures for children living with parents who misuse substances and those who are deemed as young carers can be found on the SSCB website. www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. (DFE2017)

Children and Young people do not make informed choices to enter or remain in sexual exploitation. Rather, they do so from coercion, enticement, manipulation, fear or desperation.

For further guidance www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

³ Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

⁴ Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Forced Marriage

Forced marriage⁵ is a marriage without the full and free consent of both parties. It is a form of domestic violence and an abuse of human rights. In an arranged marriage the family will take the lead in arranging the match but the couples have a choice as to whether to proceed. In forced marriage, one or both spouses do not (or, in the case of some disabled young people and some adults cannot) consent to the marriage and some element of duress is involved. Duress can include physical, psychological, sexual, financial and emotional pressure.

It is important to note that the Mental Capacity Act does **NOT** allow for consent to marry to be given on behalf of a person without capacity to make this decision for themselves.

Female Genital Mutilation

Female genital mutilation (FGM) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.” (World Health Organisation 2014). It is illegal in the UK.

FGM is known by a number of names including „female genital cutting”, „female circumcision” or initiation”. The term female circumcision suggests that the practice is similar to male circumcision, but it bears no resemblance to male circumcision, has serious health consequences and no medical benefits. FGM is also linked to domestic abuse, particularly in relation to „honour based violence”.

For further guidance

<http://www.staffsccb.org.uk/Professionals/Procedures/Section-Four/Section-Four-Docs/Section-4M-Female-Genital-Mutilation.pdf>

Modern slavery / Trafficking

Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

The organised crime of human trafficking into the UK has become an issue of considerable concern to all professionals with responsibility for the care and protection of children and adults. Any form of trafficking humans is an abuse.

Trafficking of persons means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of, or use of coercion, abduction, fraud, and deception, abuse of power or of a position of vulnerability. It also includes the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

It is important to note that some cases involve UK-born people being trafficked within the UK, e.g. people being trafficked from one town to another. The consent of the victim of trafficking is irrelevant where any of the above methods have been used.

Trafficked people may be used for sexual exploitation, agricultural labour including tending plants in illegal cannabis farms and benefit fraud. Children as well as adults are trafficked.

⁵ Research carried out by the then Department for Children, Schools and Families estimated that the national prevalence of reported cases of forced marriage in England was between 5,000 and 8,000, with the youngest victim being 2 years old and the oldest 76 years..

If you have a concern regarding trafficking of a person you should immediately contact the Designated Safeguarding Officer or make a referral direct to the appropriate team. Practitioners should not do anything which would heighten the risk of harm or abduction to the child or adult.

Race and Racism

People from black and minority groups (and their parents or carers) are potentially likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse (unless the victim meets the definition of an adult at risk of abuse and neglect, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the Council and the District Community Safety Partnership.

Hate Crime

The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have a nationally agreed definition of Hate Crime. Hate crimes are taken to mean any crime where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.

The Crown Prosecution Service (CPS) and The Association of Chief Police Officers (ACPO) have agreed 5 monitored strands of hate crime as set out below.

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Hate crime can take many forms including:

- physical attacks such as physical assault, damage to property, offensive graffiti and arson
- threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints
- verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

If the victim of a Hate Crime meets the definition of an adult at risk of abuse and neglect , an Adult Protection referral should be made to the Contact Centre on **0345 604 2719**.

Safeguarding People who are vulnerable to being drawn into Violent Extremism and / or Terrorism

The current threat from terrorism in the United Kingdom can involve the exploitation of vulnerable people, including children of all ages, young people and adults to involve them in terrorism or activity in support of terrorism.

Violent Extremism is defined by the Crown Prosecution Service (CPS) as:

"The demonstration of unacceptable behaviour by using any means or medium to express views, which:

- Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;*
- Seek to provoke others to terrorist acts;*
- Encourage other serious criminal activity or seek to provoke others to serious criminal acts;*
- Foster hatred which might lead to inter-community violence in the UK."*

There are a number of offences that can be considered when dealing with violent extremism. They include offences arising through spoken words, creation of tapes and videos of speeches, internet entries, chanting, banners and written notes and publications.

The main offences employed to date have been soliciting murder and inciting racial hatred.

The Stoke-on-Trent and Staffordshire Local Safeguarding Children Boards and the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board recognise the need to protect people against the messages of all violent extremism including that linked to Far Right / Neo Nazi / White Supremacist, Al Qaeda ideologies, Irish Nationalist and Loyalist paramilitary groups, and that linked to Animal Rights movements.

For further guidance <http://www.staffscb.org.uk/Professionals/Procedures/Section-Six/Section-Six-Docs/Section-6L-Staffordshire-and-Stoke-on-Trent-LSCB-and-SSASPB-Prevent-Channel-Guidance.docx>

2.4 Risks that increase the likelihood of abuse happening

There are certain situations and factors that put people at particular risk of abuse. If one or more of these factors are present, it does not mean that abuse will occur but it will increase the risk:

- Isolation
- Living in the same household as an abuser
- A previous history of abuse
- The existence of financial problems
- A member of the household experiences emotional or social isolation
- Inappropriate physical or emotional environment e.g. lack of privacy and/ or personal space
- Where there has been a change of lifestyle e.g. illness, unemployment or employment.
- Dependence on others for personal and practical care
- Where a person is dependent on other people to administer money or where several people manage their money
- Where the vulnerable person exhibits difficult and challenging behaviour
- The carer has difficulties such as debt, alcohol or mental health problems
- Poor leadership in care services
- Unmonitored provision of care e.g. where reviews or inspections do not take place
- Failure to comply with standard operating policies and procedures.

Increased Risk to Vulnerable Children

There are many issues that may contribute to child abuse, but some factors *increase* the risk to children and make them more vulnerable to abuse. They can be found in the background of parents, in the environmental situation and in attributes of the child themselves.

Parental factors:

- Parent has a mental illness
- Parent is misusing drugs or alcohol
- Parent has already abused a child
- Parent has previously had children removed
- Unwanted pregnancy / terminations
- Parent has a background of abuse when growing up
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has little support
- Parent has a learning difficulty/ disability

Environmental factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Domestic abuse is present
- A non biological adult (i.e. unrelated) living in the house
- Family is experiencing multiple stresses

Child factors:

- Baby is sickly, colicky or unwanted
- Child has a physical or learning disability
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol
- Child goes missing
- Child is living in private fostering arrangements

It is possible to limit the situations where the abuse of children and adults at risk may occur, by promoting good practice to all staff and elected members. Please see Appendix F

2.5 Responding to Disclosure, Suspicions and Allegations

Council employees/ elected members/ volunteers may come across cases of suspected abuse either through direct or indirect contact with children and adults, for example, running a holiday activity, or for peripatetic staff visiting homes as part of their day to day work. It is not an employee's/ elected members/ volunteer's responsibility to decide whether or not a child or adult has been abused. Council employees/ elected members/ volunteers, that suspect abuse have a responsibility to act and report their concerns immediately on any such suspicions to ensure any relevant information is passed to the appropriate team. (See Appendix A(i) and (Aii)).

Responding to Disclosure

Abused children and adults at risk are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously what the child or adult is saying employees/ elected members/ volunteers are already helping the situation.

The following points are a guide to help employees respond appropriately:

Dos and Don'ts	
Do	Don't
<ul style="list-style-type: none"> • React calmly so as not to frighten them. Making safeguarding personal by seeking the views and wishes of the adult at risk in relation to the safeguarding concern. • Take what the person says seriously, recognising the difficulties inherent in interpreting what is being said by a person who has for example a speech impairment and / or differences in language • Avoid asking leading or direct questions other than those seeking to clarify your understanding of what the person has said. They may be subsequently formally interviewed by the Police and/or Children's Social Care (CSC) and they should not have to repeat their account on several occasions. The first person told may become a witness at court if they have asked/gained direct relevant information. • Reassure the child or adult at risk that they are right to tell. • Explain to them that concerns may have to be shared with someone who is in a position to act. • Make a written record of what has been disclosed at the earliest opportunity using the council's initial concerns form (See Appendix C) 	<ul style="list-style-type: none"> • Dismiss the concern • Panic • Allow your shock or distaste to show • Probe for more information than is offered • Speculate or make assumptions • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, adult at risk of abuse and neglect or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation • Take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral. • Examine injuries

Responding to Concerns

It is the responsibility of the individual employee, elected member or volunteer to take action where there are safeguarding concerns regarding an adult or child.

The employee, elected member or volunteer must make a record of the concern using the Initial Concerns Form (Appendix C). All concerns must then be shared with the Designated Safeguarding Officer or Deputy. If these persons are not available then any concerns should be discussed with a Safeguarding Champion who will take responsibility for safeguarding when the Designated Safeguarding Officer is unavailable.

The employee, elected member or volunteer must make a record of the concern, this should include:

- The date and time
- The child or adult's name, address and date of birth
- The nature of the abuse
- A description of any visible injuries
- Observations – e.g. a description of the child or adult's behaviour and physical and emotional state
- What the child or adult said and what was said in reply. Please record this as accurately as possible, using their choice of language
- Any action taken as a result of the concerns being raised e.g. who was spoken to and resulting actions. Include names, addresses and telephone numbers and whether an early help assessment has been started/ completed
- Sign and date what has been recorded
- Store the information in accordance with relevant procedures, e.g. Data Protection
- Report to and inform your line manager and/or the Council's Designated Safeguarding Officer or Deputy.

A copy of the completed initial concerns form should be shared with the Designated Safeguarding Officer or Deputy on completion and submitted to First Response or the Adult Protection Contact Centre as appropriate (see contact information below). If concerns do not meet the threshold for significant harm the initial concerns form should be shared with the Local Support Team.

Concerns relating to a child

Actions to be taken by the employee / elected member / volunteer / designated officers/ safeguarding champions;

- If after reviewing the SSCB Thresholds document⁶ it is evident that the child or young person is at **risk of significant harm**, a call must be made to First Response on 0800 1313126 (between 8.00 am and 5.30 pm and 4.30 pm on a Friday). Outside of 8.00 am and 5.30 pm any child protection concerns should be directed to Staffordshire County Council Emergency Duty Service on 0345 6042886.
- If the line is busy First Response will accept a brief email with your contact details. This can be sent to firstr@staffordshire.gov.uk (please note this should not include any confidential details about a child or young person). In the email explain that it is a child protection⁷ concern.
- First Response will ask you for a range of information, all of which is listed on the MARF. They will also ask you what your concerns are and what evidence you have to

⁶ <http://www.staffscsb.org.uk/Professionals/Procedures/Section-One/Section-One-Docs/Section-1E-SSCB-Thresholds-for-Intervention-Guidance.pdf>

⁷ Working together 2015 page 92 explains what child protection is: It is part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

demonstrate that the child or young person is at risk of significant harm, so it's important to have as much information as possible before you make the call but this shouldn't delay it either. Call takers will also want to know if an early help assessment (see Section 2.6 below) has been completed. If you're not sure you can contact your Local Support Team (LST).

- **In an emergency where someone is at risk of immediate harm - dial 999**

Concerns relating to an adult

- If you have concerns about an adult record the information (as listed above) on the initial concerns form and then seek advice from the Adult Protection Contact Centre on **0345 604 2719**.
- **In an emergency where someone is at risk of immediate harm - dial 999**

***Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation.**

All reported concerns must be discussed prior to making a referral with the agency's Designated Safeguarding Officer(s). If this person(s) is not available, either because they are on annual leave or off sick then any concerns should be discussed with a nominated deputy who will take responsibility for safeguarding when the designated lead is unavailable such as a Safeguarding Champion. The Designated Officer/ Deputy should also ensure that the employee reporting the incident is reassured that they have access to staff support if needed.

Safeguarding children and consent

It is important for professionals to discuss their concerns with the child (where appropriate) and family because it can help to resolve issues that otherwise would not warrant a referral to First Response. Discussing concerns early on also builds trust and encourages parents to work with professionals; this in turn keeps children safe and prevents issues escalating. However, there may be circumstances where parents refuse to give consent and it is in this instance that, employees, members or volunteers should make a judgement as to whether, without help, the needs of the child would escalate.

Consent is **not** required for referrals that meet the threshold for significant harm (i.e. child protection); however you, as the referring professional, must inform parents or carers that you are making a referral as stated above, unless by alerting them you could be putting that child or others at risk. If you have not spoken to the parent/ carer, First Response will ask you to do so before they proceed with the call.

Adult safeguarding referrals and Consent

It is important that professionals discuss safeguarding concerns with the adult (if appropriate to do so) and gain their consent to make an adult safeguarding referral. However, information can be shared without consent if there is an overriding public or vital interest;

- Risk of harm to the wellbeing and safety of the adult or others
- Other adults or children could be at risk
- It is necessary to prevent crime or a crime may have been committed
- The person lacks capacity to consent

2.6 Early Help - Responding to lower level concerns in relation to children that do not meet the threshold for significant harm

Staff, members and volunteers may come into contact with children and families that need additional support and help. It is important that action is taken early to enable children to have the best outcomes. There are a range of agencies that can provide early help and support to children and families. The overall aim of early help is to support children, young people and families at the earliest possible stage of a problem emerging to prevent them from reaching crisis point and the need for statutory intervention. The Local Support Team can provide early help to children and families, consent should be obtained from parents/carers for a request for support to be made to the Local Support Team. Staff can also seek advice from the Designated Safeguarding Officers in relation to dealing with lower level concerns; further information on Early Help is available at <http://www.staffsscb.org.uk/Professionals/Staffordshire-Early-Help-Strategy/Staffordshire-Early-Help-Strategy.aspx>

Responding to allegations against Staff and Volunteers

Detailed procedures and guidance relating to the management of allegations against people who work with children are contained within the following documents:

- Working Together to Safeguarding Children (2015) Chapter 2
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf
- SSCB inter-agency procedures: Section 4HA

It is essential that any concerns for the welfare of a child arising from abuse or harassment by a member of staff or a volunteer should be reported **IMMEDIATELY** to the Designated Safeguarding Officer / or Deputy and the Head of Human Resources.

If the matter does not meet the threshold for significant harm the Head of Human Resources or Designated Safeguarding Officer/ Deputy will contact First Response and speak to the LADO within 24 hours.

The LADO is a statutory role in relation to allegations against children⁸. They provide an 'Initial Discussion' which allows for the giving of advice and guidance relating to the most appropriate way of managing the allegation or concern, and most importantly will help establish what the 'next steps' should be in terms of investigating the matter further.

The LADO will liaise with Police and children's social care safeguarding teams when appropriate, and also discuss with the Designated Safeguarding Lead or Deputy other issues such as – notifying the child's parents/carers; suspending the adult; risks to other children; communication with relevant other organizations/bodies; supporting the adult and possible media interest. The LADO will also monitor the progress of an investigation and assist an employer in the taking of any difficult judgments about a person's suitability to remain in the children's workforce.

If the allegation is in respect of abuse or harassment of an adult, the Council's Designated Safeguarding Officer will make a referral to Contact Centre 0345 604 2719.

⁸ As defined in Working Together (2015)

Support for the Referrer

The Council will fully support and protect all elected members/ employees/volunteers who, in good faith (without malicious intent), make a referral about a colleague who may be abusing a child or adult and report his or her concern about a colleague's practice.

This support may take the form of counselling through the Council's service, moving the person reporting the abuse / potential abuse to another workplace temporarily whilst the incident is investigated. The Council also has a whistle blowing procedure which a referrer can follow if there are reasons why the standard procedures for dealing with allegations make them feel particularly vulnerable, or if they consider their concerns are not being acted upon appropriately. However, all elected members/ employees/ volunteers have a duty to safeguard and promote the welfare of children and adults at risk and in order to investigate concerns robustly it may not be possible to maintain complete anonymity, but the interests of the referrer will be protected when concerns are raised.

Disclosure

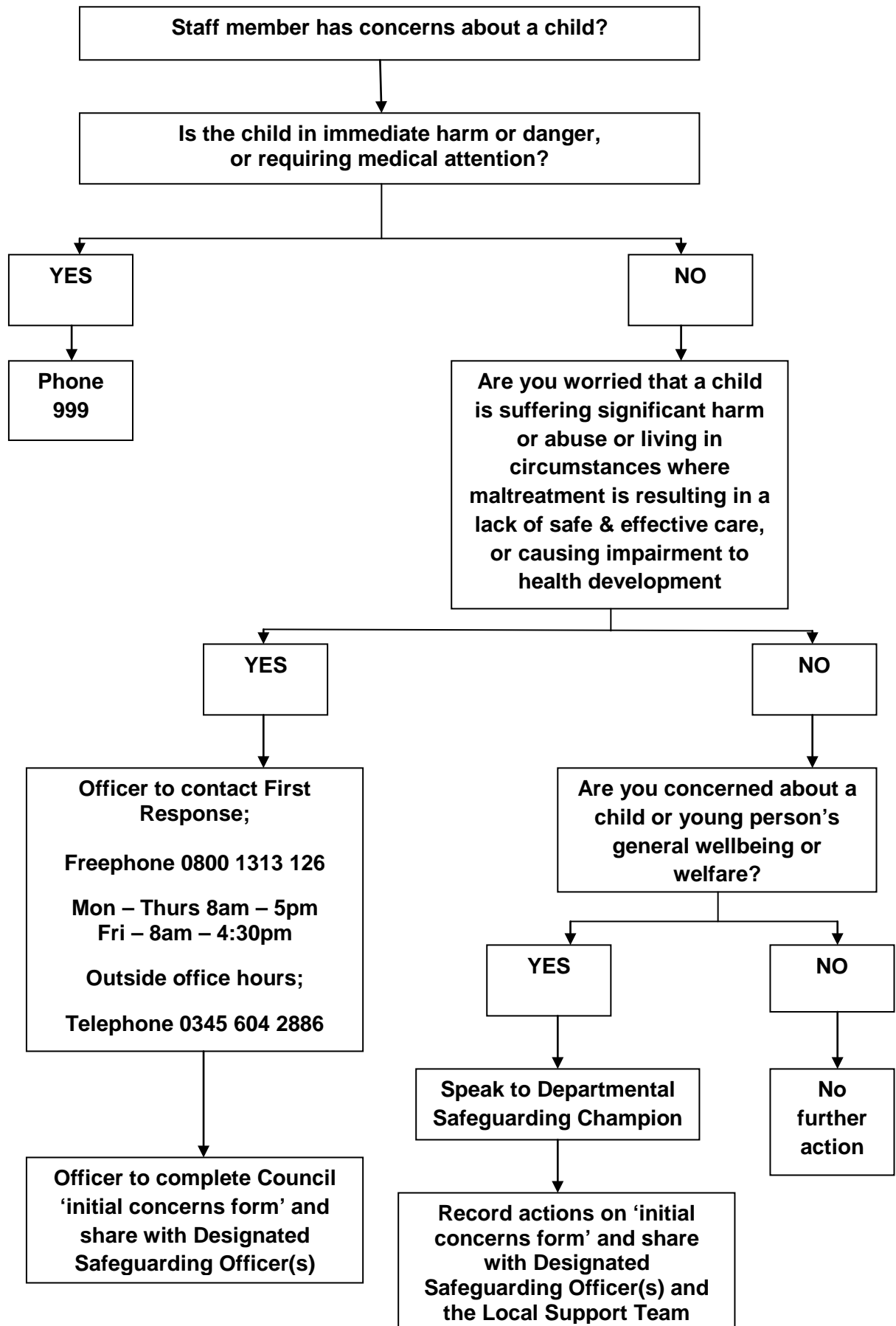
There may be a number of strands to a child or adult safeguarding enquiry e.g. Professional strategy meetings, child protection conferences and core groups, criminal investigations joint evaluation meetings (under Staffordshire LADO procedures) as well as disciplinary investigations. Elected members/ employees/ volunteers may need to be involved as witnesses, holders of key information, or in regard to ongoing processes around protection and welfare.

Further guidance available at:

<http://www.staffsscb.org.uk/>

<http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

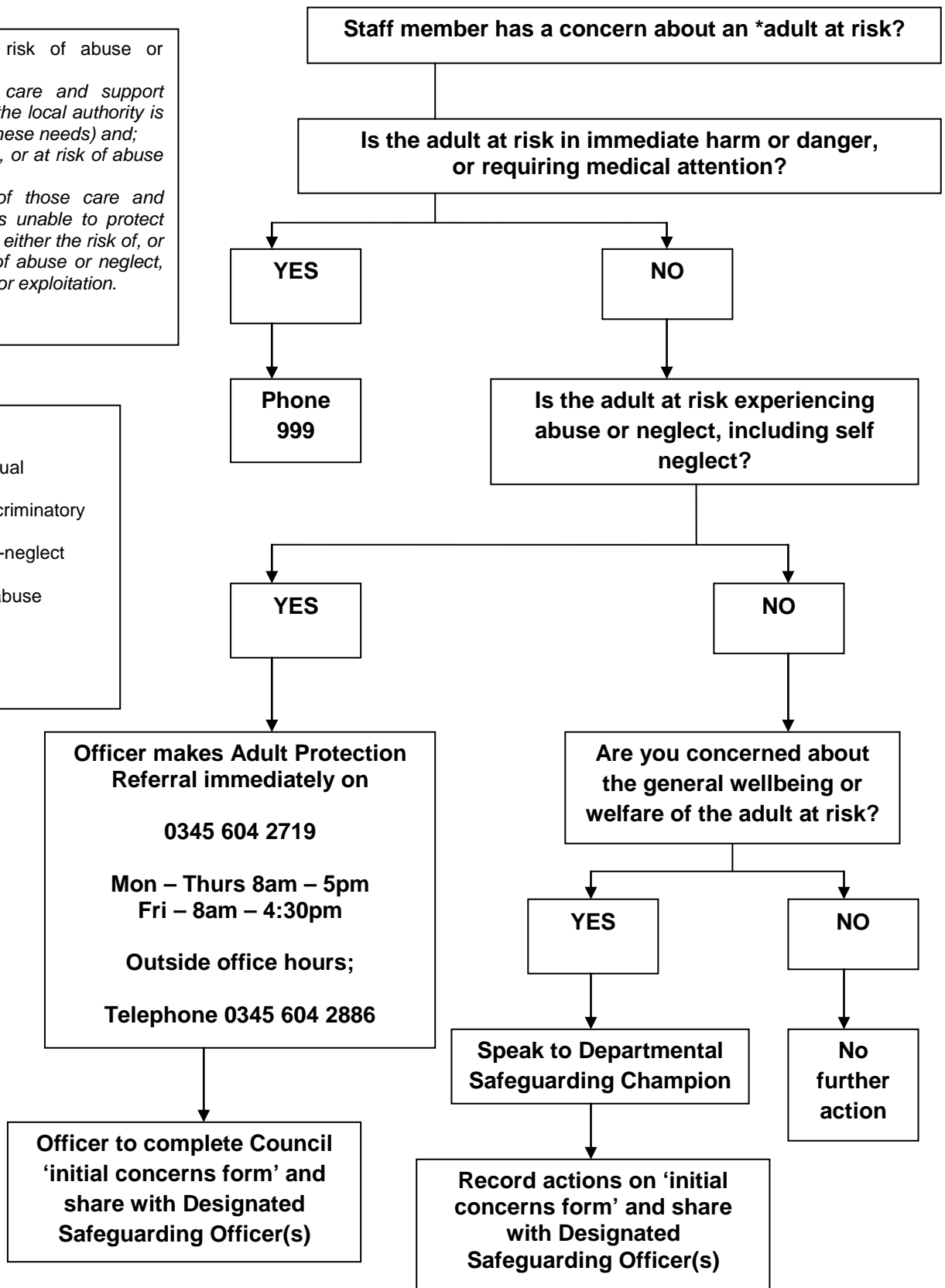
APPENDIX A (i)



APPENDIX A (ii)

* An adult at risk of abuse or neglect;
has needs for care and support (whether or not the local authority is meeting any of these needs) and;
- is experiencing, or at risk of abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect, significant harm or exploitation.

- Types of abuse:
- Physical - Sexual
 - Financial - Discriminatory
 - Neglect - Self-neglect
 - Organisational abuse
 - Domestic abuse
 - Modern slavery



APPENDIX B

Guidance and Legislation

Children Act 1989 – provides legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm. The welfare of the child is paramount.

Children Act 2004 – Section 11 places a duty on all organisations to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. The Act offered the legislative framework for the implementation of the five Every Child Matters principles which are considered to be integral to achieving positive outcomes and life chances for all children and young people from birth into adulthood. These principles are:

- Be healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic wellbeing

Working Together to Safeguard Children 2015 - this statutory guidance as revised by the government in 2015 details the roles and responsibilities of all agencies with the aim of promoting effective working together to promote the welfare and safety of children. To view the 2015 Working Together to Safeguard Children statutory guidance please go to; <http://www.workingtogetheronline.co.uk/index.html>

Inter-agency procedures for safeguarding children and promoting their welfare in Staffordshire are available on line at www.staffsscb.org.uk.

The “No Secrets” guidance is available at:

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008486

Care Standards Act 2000 – this Act details the statutory responsibility for all agencies to ensure the protection of vulnerable adults. In summary this Act –

- establishes a new, independent regulatory body for social care and private and voluntary healthcare services (“care services”) in England to be known as the National Care Standards Commission;
- provides for an arm of the National Assembly for Wales to be the regulatory body for such services in Wales;
- establishes new, independent Councils to register social care workers, set standards in social care work and regulate the education and training of social workers in England and Wales;
- establishes an office of the Children’s Commissioner for Wales;
- reforms the regulation of childminders and day care provision for young children;
- provides for the Secretary of State to maintain a list of individuals who are considered unsuitable to work with vulnerable adults.

Care Act 2014 – builds on recent reviews and reforms, replacing previous legislation to provide a coherent approach to adult social care in England. Part one of the Act (and its statutory guidance) consolidates and modernises the framework of care and support law; it set out new duties for local authorities and partners, and new rights for service users and carers. The Act aims to achieve:

- clearer, fairer care and support;

- wellbeing – physical, mental and emotional – of both the person needing care and their carer;
- prevention and delay of the need for care and support;
- putting people in control of their own care.

Further information can be found at <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

Mental Capacity Act 2005 - provides a framework to empower and protect people who may lack capacity to make some decisions for themselves. The Act makes clear who can take decisions in which situations, and how they should go about this. Anyone who works with or cares for an adult who lacks capacity must comply with the MCA when making decisions or acting for that person. This applies whether decisions are life changing events or more every day matters and is relevant to adults of any age, regardless of when they lost capacity.

Interagency Procedures for Adult Protection in Staffordshire can be found at <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

There is a wide range of associated legislation and guidance available, see the Office of Public Sector Information for more information (www.opsi.gov.uk)

APPENDIX C

CONFIDENTIAL

Safeguarding Children and Adults at Risk of Abuse and Neglect

Initial Concerns Form

This form should be completed by staff/ members and volunteers to record any concerns regarding the safeguarding of a child or an adult and it should then be shared with your Safeguarding Champion / Line Manager.

It is your responsibility to submit safeguarding concerns to First Response or Adult Safeguarding and to ensure that a copy of the initial concerns form is shared with the Designated Safeguarding Officers in the Partnerships Team – sarah.moore@newcastle-staffs.gov.uk ext 2496 and catherine.fox@newcastle-staffs.gov.uk ext 2238.

ABOUT YOU

Your name	
Job title	
Department	
Contact no	
E-mail address	
Date and time concern raised	

ABOUT THE CHILD / ADULT AT RISK

Name of child / adult at risk that you have concerns about	
Address of child / adult at risk you have concerns about	
Date of Birth of child/adult at risk (if known)	
Name of parent or carer responsible for child /adult at risk (if known)	

NATURE OF YOUR CONCERN

(Please include as much detail as possible)

ACTION YOU HAVE TAKEN

What you have done with the concern? e.g. reported to Police, Daily Hub, Local Support Team, referred to First Response, referred to Adult Protection Team etc.	
Who did you speak to?	
Have you obtained consent from the Adult or child to make the referral?	
Date action taken	
Reference number if applicable	

To be completed by Designated Safeguarding Officer(s)

Name of Designated Safeguarding Officer	
Date and time concern received	
Actions taken	
Has the Multi Agency Referral Form (MARF) been completed?	
Has a referral been made prior the Daily Hub?	
Link to SSCB Procedures; http://www.staffsscb.org.uk/professionals/procedures/	

APPENDIX D

Roles and responsibilities within the Council

Staff, Elected Members and Volunteers

It is everyone's responsibility to report any safeguarding concerns that they may have in order to ensure that prompt action can be taken if required.

Staff, Elected Members and Volunteers;

- should not begin any regulated activity involving direct access to children or adults at risk prior to the Council receiving a satisfactory DBS check in accordance with the DBS Policy.
- should be aware of this policy and procedure and of any local or national related policies / procedures that are applicable for their service area, as part of their induction programme.
- need to complete Level 1 Safeguarding training and additional safeguarding children and adults at risk training if applicable to their employment role and responsibilities (i.e. if they have direct or some form of indirect contact with children and adults at risk).
- should be aware of appropriate and inappropriate behaviour when working with children and adults at risk.
- need to know who their Designated Safeguarding Officer, Deputy Designated Safeguarding Officer and Safeguarding Champion is.
- have an expected responsibility to take action when they have concerns, witness or hold information that relates to the abuse of a children and adults at risk.
- complete an initial concerns form to record any concerns that they may have about a child or adult at risk and make appropriate referrals (if required).
- seek advice or assistance from their Safeguarding Champion if they are unsure of what to do with their concerns about a child or adult at risk.

Safeguarding Champions

Each Directorate has a number of Safeguarding Champions (see **Appendix E** for contact details).

Safeguarding Champions should;

- provide advice and guidance to members of staff or volunteers who may have concerns about the abuse of a child or an adult at risk.
- ensure that concerns are recorded appropriately on the system and appropriate referrals made if appropriate to the First Response Team or Adult Protection Team.
- participate in training and disseminate information within their department.

Designated Safeguarding Officer and Deputy Designated Safeguarding Officer

The Council's Designated Safeguarding Officer is Sarah Moore (Partnerships Manager) and the Deputy Designated Safeguarding Officer is Catherine Fox (Partnerships Vulnerability Officer).

It is their responsibility to:

- provide advice and assistance to the Safeguarding Champions and Elected Members.
- receive information from staff, elected members and volunteers who have concerns, and register /log them on the Council's system.
- be the delegated liaison on behalf of the Council for any formal investigations into allegations of abuse undertaken by the Police and / or Staffordshire County Council's Children's Social Care Service (CSC).

- receive, participate and co-ordinate the appropriate safeguarding children and adults at risk protection training.

If the absence of the Designated Safeguarding Officer or Deputy Designated Safeguarding Officer, queries can also be raised with Safeguarding Champions or directly with Staffordshire County Council's First Response Team or the Adult Protection Team (see **Appendix E** for contact details).

Head of Human Resources

The Head of Human Resources is responsible for ensuring that:

- appropriate procedures are in place to carry out pre-employment checks for all employees and volunteers working with the Council who have (or may be reasonably expected to have) contact with children or adults at risk.
- DBS checks are renewed every three years in accordance with DBS policy.
- DBS checks and employee references are kept secure and confidential in compliance with the DBS Code of Practice.
- a record is maintained all employees and volunteers that have completed a DBS check and are considered to be suitable for working with children and adults at risk.
- training is in place for all staff who fall into the definition of level 1 (basic) or level 2 (specialist / intermediate) and any additional specialist training as part of the corporate training plans for induction and on-going training, and that adequate budget is in place to fund training for those staff who require it as a part of their role.
- appropriate support is provided for any employee that reports a concern in good faith, even if these concerns are subsequently proven to be unfounded.

Chief Executive

The Chief Executive is responsible for:

- ensuring policy documents and procedures are up to date and in line with best practice as defined under the "No secrets" guidance and other legislative or statutory guidance.
- ensuring that employees (including volunteers, contractors, agents and other partner representatives) and elected members are aware of this Policy and understand how to comply with this procedure.
- working with responsible bodies to implement and promote a partnership approach to working together to protect children and adults at risk in all areas of the community.

- **Newcastle Borough Council Safeguarding Champions are;**
 - Jane Finnemore – Environmental Officer – 01782 742588 – jane.finnemore@newcastle-staffs.gov.uk
 - Michelle Hopper – Environmental Officer – 01782 742597 – michelle.hopper@newcastle-staffs.gov.uk
 - Claire Ryles – Technical Assistant – 01782 742524 – Claire.ryles@newcastle-staffs.gov.uk
 - Gillian Taylor – Housing Team Leader – 01782 742563 – Gillian.taylor@newcastle-staffs.gov.uk
 - Joanne Halliday – Head of Assets, Housing and Regeneration – 01782 742451 – joanne.halliday@newcastle-staffs.gov.uk
 - Darren Walters – Environmental Health Team Manager – 01782 742587 – darren.walters@newcastle-staffs.gov.uk
 - Andrea Roe – Accountancy Assistant – 01782 742107 – andrea.roe@newcastle-staffs.gov.uk
 - Rosie Bloor – Customer and ICT Business Manager – 01782 742483 – rosie.bloor@newcastle-staffs.gov.uk
 - Nicola Durose – Senior Human Resources Officer – 01782 742156 – nicola.durose@newcastle-staffs.gov.uk
 - Giovanna Facciponti-Moore – Human Resources Officer – 01782 742263 – giovanna.facciponti-moore@newcastle-staffs.gov.uk
 - Jeremy Regan – Tech Support and Customer Services Manager – 01782 742199 – jeremy.regan@newcastle-staffs.gov.uk
 - Andy Arnott - Sport & Active Lifestyles Manager – 01782 742624 – andrew.arnott@newcastle-staffs.gov.uk
 - Lucy Taylor – Sports Development Manager – 01782 742615 – lucy.taylor@newcastle-staffs.gov.uk
- **Designated Safeguarding Officer** is Sarah Moore (Partnerships Manager) – 01782 742496 – sarah.moore@newcastle-staffs.gov.uk
- **Deputy Designated Safeguarding Officer** is Catherine Fox (Community Safety Officer – DV Lead) – 01782 742238 – catherine.fox@newcastle-staffs.gov.uk
- **Head of Human Resources** is Sarah Taylor – 01782 742261 – sarah.taylor@newcastle-staffs.gov.uk

Contact information for making a referral regarding a safeguarding concern:

- For all child protection issues contact Staffordshire County Council's First Response Team based at the MASH on **0800 1313 126 (between 8am and 5pm Monday to Thursday and 8am and 4.30 pm on a Friday)** or via a brief e-mail frist@staffordshire.gov.uk with your contact details (**please note this should not include any confidential details about a child or young person**) and explain the need for an urgent response due to a child protection concern. If concerns do not meet the threshold for significant harm the initial concerns form should be shared with the Local Support Team (LST), contact details are available from the Designated Safeguarding Officers.

For concerns about a childcare provider, advice should be sought from OFSTED on **0300 123 4666 (between 8am - 6pm on Monday to Friday)** or enquiries@ofsted.gov.uk

- To make an Adult Protection referral advice should be sought from the Adult Protection Contact Centre **0345 604 2719 (between 8am and 5pm Monday to Thursday and 8am and 4.30 pm on a Friday)**.
- **Outside of office hours** any concerns relating to a child or adult at risk of abuse and neglect should be directed to Staffordshire County Council **Emergency Duty Service on 0345 6042886**.
- Alternatively contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

APPENDIX F

Promoting Good Practice with Children and Adults at Risk

Code of conduct for the protection of children and adults at risk

It is possible to limit the situations where the abuse of children and adults at risk may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all employees, elected members and volunteers when in contact with children or adults at risk. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure.

Newcastle-under-Lyme Borough Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults at risk.

When working with children and adults at risk all parties should:

- Adhere to the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy at all times;
- Treat all children and adults at risk equally, with respect and dignity;
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults at risk;
- Ensure that personal care is delivered in a dignified manner that meets the needs of the individual;
- Involve parents, guardians and carers wherever possible;
- Build balanced relationships on mutual trust that empower children and adults at risk to share in the decision making process.

Employees shall work to the organisation's policies and procedures, including for example:

- Safeguarding Children and Adults at Risk of Abuse and Neglect Policy
- Code of Conduct
- Whistle blowing
- Safer Recruitment
- Bullying and Harassment.

Social networking sites

Due to the increasing personal use of social networking sites, staff, members and volunteers within the workforce should be aware of the impact of their personal use upon their professional position. Guidance on the personal use of social networking sites for adults involved in services for children and adults at risk is available at:

http://www.staffscb.org.uk/Search.aspx?search_keywords=social+networking

First aid and treatment of injuries

If a child or adult at risk requires first aid or any form of medical attention whilst in the care of an employee, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required;
- Keep a written record of any injury that occurs, along with the details of any treatment given;
- Where possible, ensure access to medical advice and / or assistance is available;
- Only those with a current, recognised First Aid qualification should respond to any injuries;
- Where possible any course of action should be discussed with the child/adult at risk, in language that they understand, and their permission sought before any action is taken;
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible;
- The child's or adult at risk's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or adult at risk's interests and on professional advice not to do so;
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer;
- Familiarise yourself with the bruising in non-mobile babies policy and procedure. This can be found on the SSCB website <http://www.staffsscb.org.uk/Professionals/Procedures/Section-Three/Section-3-Managing-Individual-Cases.aspx>

Transporting children and adults at risk away from home

If it is necessary to provide transport to take children or adults at risk away from home or school the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or adults at risk;
- Always tell another member of staff that a child or adult at risk is being transported, giving details of the route and the anticipated length of the journey;
- Never transport a child or adult at risk unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or adult at risk;
- Ensure all vehicles are correctly insured and well maintained;
- Ensure drivers hold current, appropriate driving licenses, and have undergone training as appropriate (e.g. minibus driving, use of wheelchair hoist);
- All reasonable safety measures must be taken, e.g. children in the back seat behind the driver, seatbelts worn and booster seats in place;
- Ensure where possible at least one male and one female accompany mixed groups of children or adults at risk. These adults should be familiar with and agree to abide by the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy;
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians.

Use of Contractors

Contractors must comply with the principles set out in:

- The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012;
- The Department for Education 'Keeping Children safe in education (2015)';

- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011).

The operation of effective safeguarding practice relies on having safer selection and recruitment policies in place, which are implemented on each occasion a person is employed or volunteers to work with children or adults at risk of abuse and neglect.

Newcastle-under-Lyme Borough Council and its employees, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the Council are monitored appropriately. Service level Agreements or contracts in place for these contractors should therefore specify this requirement.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or adults at risk¹ and take part in 'regulated activity'² (as defined within the new definition with effect from September 2012) must have an appropriate DBS check in place. Additionally they must have their own equivalent Safeguarding Policy, or failing this, must confirm in writing to the relevant departmental manager that they have read and understood and are willing to comply with the terms of this Policy and associated procedures.

There are five types of check that are available. Further guidance is provided on the DBS website (www.gov.uk/disclosure-barring-service) to enable employers to establish, which, if any, level of check is required. The checks that are available are:

1. **Enhanced Check for Regulated Activity (Children)** - used when someone is undertaking regulated activity relating to children. This check involves a check of the police national computer, police information and the children's barred list.
2. **Enhanced Check for Regulated Activity (Adults)** - used when someone is undertaking regulated activity relating to adults. This check involves a check of the police national computer, police information and the adults barred list.
3. **Enhanced Check for Regulated Activity (Children and Adults)** - used when someone is undertaking regulated activity relating to both children and adults. This check involves a check of the police national computer, police information and the children's and adults barred list.
4. **Enhanced DBS Check** - used where someone meets the pre September 2012 definition of regulated activity. This level of check involves a check of the police national computer and police information.
5. **Standard DBS Check** - used primarily for people entering certain professions such as: members of the legal and accountancy professions. Standard DBS checks just involve a check of the police national computer and do not include a check of police information or the children's or adults barred lists.

Where there is potential for contact with children or adults at risk it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Disclosure and Barring Service (DBS) check has been satisfactorily completed.

1 The DBS definition of regulated activity relating to **adults** no longer labels adults as 'vulnerable'. Instead the definition identifies the **activities** which, if any requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity. Further guidance is on the DBS website: www.gov.uk/disclosure-barring-service

2 The full definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Further information can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf

Guidelines on Children and Adults at Risk in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and adults at risk. In some cases, however, displaying certain information about children and adults at risk could place them at risk.

The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or adult at risk. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or adult at risk, written consent must be obtained from the child or adult at risk's parent / guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.
- The content of photographs or videos must not depict a child or adult at risk in provocative pose or in a state of partial undress. Children and adults at risk must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults at risk ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or adult at risk are to be restricted to first names only.
- All published events involving children or adults at risk must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/adult at risk events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or adults at risk who are considered particularly vulnerable e.g. the subject of a child or adult at risk protection issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's Communications Team.

Guidelines on Use of Photography, Videoing and Filming of Children and Adults at Risk – (Including Mobile Phone Technology)

There is evidence that some individuals have used public events as an opportunity to take inappropriate photographs or film footage of children. The following best practice is to be adopted to protect children and adults at risk who are being photographed or videoed.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities organisers must ensure that they make expectations clear in relation to child and adult at risk protection.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian/carer for photographing, videoing and / or filming of a child or adult at risk must be obtained prior to the event or activity.
- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.
- An activity or event specific identification badge/sticker must be provided and clearly displayed at all times by the accredited photographers, film and video operators on the day of the activity or event.

- Unsupervised access must not be allowed to children or adults at risk or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or adult at risk's home.
- It is recommended that the names of children or adults at risk should not be used in photographs or video footage, unless with the express permission of the child or adult at risk's parent, guardian or carer.
- The Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event. The recommended wording is;

“In line with the recommendation in the Council’s Safeguarding Children and Adults at Risk of Abuse and Neglect Policy, the promoters of the event request that any person wishing to engage in any video, zoom or close range photography should register their details with staff at the spectator’s entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoter’s conditions.”

Any concerns with photographers or video or film operators are to be reported to the Council’s Designated Safeguarding Officer or Deputy Designated Safeguarding Officer and where relevant, the Police.

Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of the Council’s expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, adults at risk and parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the initial reporting a concern form and pass on to the Designated Safeguarding Officer or Deputy Designated Safeguarding Officer to take appropriate action.

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

“In line with the Council’s Safeguarding Children and Adults at Risk of Abuse and Neglect Policy, any person wishing to engage in zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness”

APPENDIX G

Best Practice in the recruitment of staff and volunteers

Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and adult at risk protection.
- The use of the Disclosure and Barring Service procedures to promote safe recruitment and selection processes.

Applicant Information

All applicants, whether for paid or voluntary, full or part-time positions, should complete an application form which should elicit the following information:

- Name, address and National Insurance Number.
- Past career, relevant interests, any gaps in employment and reasons for leaving.
- Relevant experience, educational qualifications, job specific qualifications and training.
- Any criminal record, convictions or cautions.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with children or adults at risk where it is a requirement of the job or volunteering role,
- And a willingness to assist in the completion of a DBS check.

Checks and References

Staff and volunteers recruited to work in services for children and adults at risk must be checked for any possible irregularities (or issues), which may give reason for concern.

A minimum of two references should be taken up, one of which must be the previous employer and if available, at least one should be associated with former work with children or adults at risk. References should include the applicant's suitability to work with children or adults at risk where it is a requirement of the job. Where references are given verbally, they must follow a prescribed format and a written record kept.

In accordance with guidance from the Disclosure and Barring Service (DBS) all posts that have direct contact with children and vulnerable adults will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and adult at risk protection issues. Questions will assess competencies around:

- Forming appropriate relationships
- Acting in an appropriate way to protect the safety of individuals
- Behavioural cues and signs

Induction and Training

Checks are only part of the process to protect children and adults at risk from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and adults at risk from possible abuse.

The induction and training should include:

- An assessment of the training needs required to be carried out by the local manager.
- Clarification, agreement and signing up to the Council's Code of Conduct for Employees.
- Clarification, agreement and signing up to the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy.
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.

As a minimum the Council expects all staff to have participated in formal children and adults at risk safeguarding training within 3 months of commencement of employment with the Council. Refresher training will be required every 3 years. It is the responsibility of line managers in services where children and/or adults at risk are clients/customers to liaise with the Designated Safeguarding Officer(s) to identify additional appropriate training that may be required.

Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role.

All members of staff who have contact with children and adults at risk will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line managers should be sensitive to any concerns about poor practice and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

Particular care must be taken to monitor casual and agency staff, whose less frequent employment reduces the opportunities for regular supervision and training and who may therefore be less familiar with policies and procedures.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service.
- Staff appraisals, mentoring and providing feedback on performance.
- Children's and adults' feedback on the activities or services.

Rehabilitation of Offenders

Newcastle-under-Lyme Borough Council is committed to the fair treatment of its employees (both paid and voluntary), potential staff or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working or volunteering with the Council. This will depend on the nature of the position, the nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.

APPENDIX H

A Safer place for children – Guidance for promoting the Safety of Children in Public settings

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1. INTRODUCTION

Public settings such as sports centres and community facilities can be dynamic and exciting places for children, providing relevant and accessible services. To enable these services to flourish it is essential that they are a safe place for the children who use them. Children should feel safe and secure and know that they will receive suitable help if required.

These guidelines have been produced to support organisations responsible for such settings to create an appropriately safe environment. They have been written specifically for managers of public settings, committee members and directors of voluntary organisations who require a framework to assist them in the development of policies and procedures to promote the safety of children.

Guidance promoting the safety of children is one of the foundations of a well-managed service. Rather than reacting to particular difficulties or threats, we should seek to proactively create an environment in which children feel comfortable and safe where their self-confidence can grow.

As agencies working with children, it is important that we are seen to create safe public settings within the community which take the issue of children's safety seriously.

It is important that such settings make information available to parents to ensure the safety of their children when using such facilities. This should include details of who to contact if they have concerns such as:

- Child abuse and neglect
- Bullying
- Forced marriage
- Sexual exploitation
- E-safety

These guidelines must be read and used in conjunction with the policies and procedures of the Staffordshire Safeguarding Children Board which can be found at <http://www.staffsscb.org.uk> and the Borough Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy 2015 which can be found at <https://www.newcastle-staffs.gov.uk/all-services/community/partnerships/safeguarding>

2. LEGAL BACKGROUND

The ultimate responsibility for children using public settings rests with their parents or carers. This should be made clear to all parents and carers whose children use such settings. Unless staff are leading a specific activity which parents have agreed that their child can attend, they are not generally in loco parentis ie taking the responsibility of a parent.

Staff leading specific activities in public settings should take such care of children as a reasonable parent would take. This is both a personal responsibility of the staff member and that of the employer.

For staff not directly involved in leading such activities, their employers owe a duty of care to children under the Occupier's Liability Act 1957. This duty is to take such care as is reasonable to ensure that visitors will be safe in using the setting for the purpose for which they are permitted to be there. The standard of care expected in relation to children is higher than in relation to adults because staff must expect children to be less careful than adults. In the event that there is anything on the premises which is both an allurements and danger to children, the 1957 Act requires that reasonable care must be taken to protect them from that danger.

Whether or not staff take direct responsibility for children in the course of their duties, they should be guided at all times by the fundamental principle of the Children Act 1989 that **the welfare of the child is paramount**.

Staff should be aware of their organisations policies concerning child protection and health & safety and should ensure they comply with those policies at all times.

Any hirers, organisations or individuals using the premises to put on an activity for children should be required to use the same standards and duty of care as the organisation ultimately responsible.

3. UNSUPERVISED CHILDREN (under the age of 8) IN PUBLIC BUILDINGS

Children are the legal responsibility of their parents and carers and the view of Staffordshire Safeguarding Children Board (SSCB) is that all children under the age of 8 should be accompanied by an appropriate adult whilst they are in a public setting unless they are part of organised and supervised activities.

Clearly the Council would not wish to discourage any child children from visiting public settings but it is important that the responsible organisation takes reasonable steps to ensure the safety of children and to inform parents and carers of their responsibilities.

The way in which staff deal with unaccompanied children discovered in the building must be based both on an awareness of the responsibility of the parent or carer, and their duty of care to all children on the premises.

If a member of staff believes that a child may be under the age of 8, the following steps should be followed:

- If possible, staff should try to ensure colleagues are present when dealing with an unsupervised child.

- Staff should try to avoid being left alone with the child.
- Staff should attempt to establish whether the child is allowed by the parent or carer to come and go alone. If satisfied that this is so, staff should allow the child to leave. If staff gather this information only from the child they will need to use their judgement to ascertain whether the child is competent to leave alone.

Relevant factors to consider are:

- Whether the child exhibits signs of nervousness.
- Whether the child appears to clearly understand the questions they are asked.
- Whether the child seems physically capable.
- Whether the child appears to know clearly and readily where he or she lives.
- How far the journey is.
- Whether there are any known hazards on the journey.

If in doubt, staff should encourage the child to remain in the building until they have been able to contact a parent or carer. Children under 8 should not normally be allowed to leave alone unless it is known that in the particular case the parent/carer allows it.

Recommended actions for staff:

- Ask the child if they are expecting to be collected by an adult. Even if the child is expecting to be collected soon, do not wait before taking the next step.
- If the child is able to give an address or telephone number; try to contact the parent or carer. If the setting holds registration details, check to see if the child, parent or carer is a registered user of the facilities.
- If it is not possible to contact the parent or carer, see if the child can give contact details of a relative or close family friend.
- Never release a child into the care of another adult unless it is known that they are the parent or carer or the parent/carer has given permission.
- If all attempts fail, please contact the relevant children's social care team (or emergency duty team if outside office hours) or the police.
- Under no circumstances should a child ever be escorted home by a member of staff.
- Under no circumstances should a member of staff try to physically restrain a child from leaving the premises.
- The incident should be reported to the relevant senior manager at the earliest opportunity.

Where concerns relate to a child or young person a referral must be made to Staffordshire Children's Social Care's First Response Team based at the MASH on 0800 1313126 (between 8am and 5pm Monday to Thursday and 8am to 4.30 pm on a Friday) or via a brief e-mail firstr@staffordshire.gov.uk with your contact details (please note this should not include any confidential details about a child or young person) and explain the need for an urgent response due to a child protection concern.

To make an Adult Protection referral advice should be sought from the Adult Protection Contact Centre 0345 604 2719.

Outside of 8am and 5pm any concerns relating to a child should be directed to Staffordshire County Council Emergency Duty Service on 0345 6042886.

Alternatively you can contact Staffordshire Police on 101 or dial 999 in an emergency where someone is at risk of immediate harm.

4. ORGANISED ACTIVITIES FOR CHILDREN IN PUBLIC SETTINGS

The Children Act 1989 (as amended by the Care Standards Act 2000) regulates the provision of 'day care'. This is defined as care provided at any time for children under the age of 8 on premises other than domestic premises.

It is unlikely that any public setting will need to register under the Act, but the standards should nevertheless be noted and used wherever possible. This represents good practice and a common sense approach. The Act does **not apply** if the total period during any day on which care is provided is **two hours or less** (thus exempting most activities, events and groups).

It also does not apply if such care (even though exceeding 2 hours in the day) is provided at the premises on fewer than six days in any year if the person providing such day care has notified Ofsted in writing before the premises are so used for the first time in that year.

If the Act applies, it is an offence to provide day care unless registered to do so. It is therefore important that public settings either:

- Do not agree to care for any child for more than two hours in any day; or
- Check that a notification to Ofsted is in force and that no more than 5 such activities take place in any year; or
- Check the registration requirements before offering activities that are likely to be covered by the Act

National standards for day care have been issued under the Children Act 1989. The relevant standards are the National Standards for Sessional Care. Sessional care is day care for children under eight for a session of less than a continuous period of 4 hours in any day on non-domestic premises. The standards are written mainly with nursery care in mind but will only apply if a building is registered to provide day care. However, it is considered good practice to comply with these standards wherever possible.

There are 14 national standards dealing with all aspects of care from the suitability of the adults to health and safety requirements. To comply with as many of the standards as realistically possible, the following guidance should be adhered to:

- For craft activities and events where a high level of staff input/supervision is required and the audience is made up of children of all ages, implement a limit of 15 children per event - in line with the minimum staffing to children ratio (1:15 for 7-16 year olds) in the Children Act 1989. Where 2 or more staff are present, the maximum attendance figure can be increased in line with venue requirements.
- For family events and performance events for larger audiences, where a wide audience of children and parents or carers is present and staff input/supervision is minimal, limits on numbers should be implemented according to venue requirements.
- For events targeted at specific age groups, the staffing ratios in the Children Act 1989 should be followed wherever reasonably possible:
 - 1:3 for children under 2 years
 - 1:4 for 2 year olds

- 1:8 for 3 - 7 year olds
- For all events children under 8 years must be accompanied by a responsible adult.
- There must be a first aid box complying with the Health and Safety (First Aid) Regulations 1981 in every community building or venue and preferably several members of staff trained in Emergency First Aid.
- There must be access to a telephone on the premises.
- Equipment must conform to safety standards.
- COSHH reports should be filled out for new materials and resources used in any activities or events with children, by a senior member of staff. All staff should be encouraged to attend the COSHH internal training course.
- Risk assessment forms should be filled out for all events and activities for children in all community libraries, by a senior member of staff. Where a regular event of similar content takes place repeatedly in the same location, eg parent and toddler group or story times, then only 1 risk assessment needs to be carried out at the outset. All staff should be encouraged to attend the risk assessment internal training course.
- The organisation accepts that when children are present in a building that noise levels will rise. Examples of acceptable levels are: a baby crying is acceptable, teenagers shouting at the top of their voices is not.
- Special needs should be catered for, wherever possible.

When planning an activity, the following should be considered;

- Suitable numbers of adults to supervise the event.
- When using outside speakers/entertainers, at least one member of staff should remain with the group at all times.
- General health and safety considerations must be borne in mind.
- Activities should not discriminate against any person on grounds of disability and must take any reasonable steps to enable disabled children can take part in the activity.
- Awareness of first aid arrangements.
- Maximum attendance figure, based on staff, space and the type of activity. If there is any doubt about the ability to control numbers, then limit the activity.
- Ensure that the activity complies strictly with the requirements of the building's fire certificate and any recommendations or requirements of the fire authority and the premises' insurers.
- Any publicity materials should specify the age of the children which the event is aimed at and clearly state starting and finishing times. It should include advice to parents and carers collecting children from an activity that they should instruct their children to stay in the building until collected.

During the activity

- A register of all children attending the event should be maintained, including:
 - name
 - address
 - telephone number
 - name and signature of parent or carer collecting
 - consent to activity
 - any known medical conditions and how they should be dealt with
 - All staff should be identifiable (by wearing staff badge).
- If a child wishes to leave an event, every effort should be made to persuade them to stay until the return of the parent or carer.

- A child should only be released into the care of the agreed parent or carer, unless previously agreed that the child would leave alone.
- A child should only be allowed to leave in the care of another child if it is deemed that the supervising child is of an age and competence to be able to accept responsibility for their own or another's safety and permission has been obtained from the parent or carer.
- Under no circumstances should a child ever be escorted home by a member of staff.
- Under no circumstances should a member of staff try to physically restrain a child from leaving the premises.
- Activities should be scheduled to end at least half an hour before the premises close to allow time for parents or carers who are late in collecting their child.

5. EVACUATION PROCEDURES

- A poster clearly displaying the location of the premises' assembly point should be clearly displayed.
- All staff must be familiar with procedures to ensure the safety of children, including any requirements imposed by the fire authority.
- On the sounding of the alarm, a nominated member of staff should have responsibility for checking that no unaccompanied children are left on the premises.
- Any unaccompanied children should be taken by staff to the assembly point and supervised until the parent or carer arrives to collect them. Children who are not expected to be met and who are allowed to leave the building unaccompanied should be allowed to make their own way home.
- During an organised activity, staff must lead children to the assembly point taking the register of children attending the event. The register must be checked to ensure that all children are safely accounted for. If any child is not present this must be reported immediately to the emergency services.

6. ADULTS IN AREAS DESIGNATED FOR CHILDREN'S USE

It is important to remember that adults may use public settings, including areas designated for children's use, for a variety of legitimate purposes. However, staff must be watchful of adults acting in ways that may threaten a child's safety and be responsive to any concerns expressed by a child.

Clearly this is a sensitive area so staff should be cautious, but as stated previously; a child's welfare is paramount.

If a member of staff observes an adult in an area designated for children who does not appear to be there for legitimate purposes, they should be politely asked by staff if they can be helped in any way. If necessary, the staff member should remain in the children's area with the adult, or the adult should be asked to leave the area. Any concerns about an adult's behaviour should be immediately shared with the senior staff member on duty.

Any areas designated for children need to be clearly signed as for the use of children and their parents or carers.

7. USE OF STAFF TOILETS

Where there is no public toilet on the premises, it is reasonable to allow children to use the staff facilities in an emergency. Staff should be in attendance for security purposes, but it is strongly advised that staff do not enter the toilet with the child. Wherever possible, parents

should be encouraged to accompany their child to the toilet, with staff escorting them to and from the staff areas for health and safety reasons.

8. CONSULTATION AND SURVEYS

When staff undertake consultation work and surveys, it is important that they should be aware of sensitivities regarding talking to children.

If it is proposed to consult or survey children under the age of 14, either on a 1:1 basis or as part of a focus group, permission should be sought from parents or carers in advance. If the resulting data is purely statistical, there will be no data protection considerations. However, if it may be possible to identify a child from the data produced, express permission should be sought from the parent or carer.

If it is proposed to undertake consultation or surveys in a public setting, notices should be displayed that explain why children are being approached. It is also strongly recommended that a publicity campaign takes place before the consultation or survey commences.

All interviews with children should take place in a public area and staff should wear identification at all times.

9. AVOIDING SITUATIONS WHERE STAFF MAY BE IN A VULNERABLE POSITION

It is important that staff working in public settings are aware of the following:

- A child should never be accompanied into a toilet, unless in an emergency.
- A child should never be allowed to sit on a member of staff's knee.
- When dealing with difficult situations with children, staff should always try to ensure another member of staff is present to observe and offer support if required.
- A child should not be led by the hand off the premises in search of a parent or carer. They should be kept safe until the parent or carer arrives. If there is cause to believe that the child has been abandoned/ forgotten, the police should be called.
- If a child is obviously distressed, staff should try to comfort them.
- Staff should never make arrangements to contact a child in a personal capacity
- Staff should not do things of a personal nature for a child that they can do for themselves.
- Staff should not be left alone with a child, for reasons of their own safety and liability.

10. DEALING WITH UNACCEPTABLE BEHAVIOUR

The organisation should have a written policy that defines unacceptable behaviour, including racist, sexist and other offensive language, to ensure that it is dealt with consistently. The policy should identify that staff that are expected to deal with such behaviour.

It is important that staff deal with such situations calmly and quietly and avoid putting themselves or others in danger.

Most Local Safeguarding Children Boards and Local Authorities have an anti-bullying policy that has been adopted by schools and other children's services. It is advised that organisations responsible for public settings should apply the same principles.

There should be a clear policy in place which ensures that any member of staff knows how to respond should they witness a child being bullied, or a child complains of being bullied to them.

11. FAMILY FRIENDLY

Staff should have empathy for parents with young children. They are our users of the future, as well as the present and so we should always endeavour to offer a family friendly environment.

Organisations responsible for public settings should consider whether they:

- Welcome breastfeeding and display a sign indicating this. Are staff sympathetic, and if requested is a suitable private room/area made available wherever possible?
- Welcome baby changing. Are staff supportive to parents needing to do this?
- Assist parents with pushchairs/buggies and those in wheelchairs who are entering or leaving the premises.

12. PHOTOGRAPHING CHILDREN

Care should be taken to seek prior consent from parents or carers when taking photographs of children on the premises in order to protect children's identity and prevent images of children being manipulated on the Internet.

The following guidelines should be followed:

- Never identify a child in a photograph by name, including posters, publicity materials or websites.
- Never use a photograph of an individual child or without seeking the consent of the parent or carer.
- It is generally considered to be acceptable to use large group shots without seeking consent, providing it is not possible to identify an individual child.

13. USE OF THE INTERNET

All public settings that provide access to the internet via computers, games consoles or mobile phones should have an acceptable use policy in place. This policy should clearly stipulate that all children under the age of 10 must be supervised by an adult when using the Internet.

SSCB strongly recommends that any organisation responsible for a public setting which provides internet access utilises filtering software eg Websense to prevent all users, but especially children, from accessing certain categories of sites.

It must be borne in mind that adults may attempt to approach a child on the premises via the internet. For this reason all children using the internet should be advised against divulging personal information for their own safety.

14. THE WIDER CONTEXT OF CHILD SAFETY

The Staffordshire Safeguarding Children Board (SSCB) is a statutory body responsible for developing, monitoring and reviewing child protection policies, procedures and practice issues and making sure training is available to agencies working with children. It brings together the main agencies; education, health, social care, police and the voluntary sector working in partnership with children, families and communities to provide an effective system that safeguards and promotes the welfare of children in need of protection.

Organisations responsible for public settings must ensure that all staff have access to current police, social care and relevant community contacts to support their work. These and other useful contacts can be found in the appendices of the Staffordshire Safeguarding Children Boards' Procedures which is available on the internet at <http://www.staffsscb.org.uk>

When services are delivered through partnership projects it is essential that the policy of the organisation responsible for the public setting is synthesised with that of other partners and a common approach to child safety is agreed as part of the partnership agreement.

Child safety is a society-wide responsibility. It is important for all staff to be aware that as part of the community working with children they share in this responsibility. Appropriate training should be provided to staff in order to maintain their knowledge and understanding of safeguarding issues and awareness of local procedures.

APPENDIX 1

DISCLOSURE & BARRING SERVICE CHECKS

The Disclosure & Barring Services (DBS) has been established to improve access to information on criminal records held by the police. This service enables criminal convictions checks to be undertaken for candidates selected to work with vulnerable client groups, including children.

How it happens;

A disclosure application form must be filled in by the individual and submitted by an authorised body.

The original copy of a range of ID, which must be photocopied and authorised by an appropriate officer is required. Each organisation will then have its own designated officer, usually in human resources, who will be the counter signatory, and who will send off the form to the CRB.

The DBS will return the disclosure certificate to the counter-signatory with a copy to the applicant.

When a criminal record is revealed;

Where there is a perceived risk of future misconduct, based on information in the disclosure, this should be discussed with the individual.

If the report relates to a candidate for a post, and it is decided not to appoint, where appropriate the candidate should be given written reasons for the decision. An appointment should not be made before the disclosure has been received.

The fact that a person has a criminal record does not automatically render him or her unsuitable for work with children or other vulnerable groups. Research has shown that one adult male in three has a criminal record (excluding motoring offences) by the time he is thirty. Furthermore, NSPCC records suggest that only one in ten people who pose a threat to children actually have a past conviction.

However, it is not only sexual offences, which may render a person unsuitable. A person's suitability should be looked at as a whole in the light of all the information available.

In deciding the relevance of convictions and/or other matters revealed in a Disclosure, a number of points should be considered:

a. What is the nature of the offence?

In general, convictions of sexual, violent or drug offences will be particularly strong, contra-indications for work with children or other vulnerable groups.

b. What is the nature of the appointment?

Often, the nature of the appointment will help to assess the relevance of the conviction. For example, serious sexual, violent, drug or drink offences would give rise to particular concern

where the position was one of providing care. Driving or drink offences would be relevant in situations involving transport of children or other vulnerable groups.

c. When did the offence occur?

Offences, which took place many years in the past, may often have less relevance than recent offences.

However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for continuing concern than, say an isolated case of dishonesty committed when the person was young. The chance for rehabilitation must be weighed against the need to protect children or other vulnerable groups.

d. Frequency of offence

Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction.

APPENDIX 2

CHILD PROTECTION ISSUES

Whilst many staff are rarely directly involved in child protection issues it is important that everyone is aware of their duties both as responsible members of society and as employees.

All organisations should have their own child protection procedures, copies of which should be available for both public and staff. It is also valuable for partnership working to invite someone from the children's social care team to talk to staff.

Section 47 of the Children Act 1989 states that the Local Authority has a duty to investigate if a child is believed to be at risk of significant harm. As responsible adults, everyone has a duty to report any suspicion of significant harm.

Referrals to children's social care can be made anonymously and can be made by a member of the public or staff. It is not necessary to have proof but you do need to have serious concern. In cases of suspected ill treatment, severe neglect or abuse the child's welfare is paramount and you will not be contravening the data protection act if you disclose names and addresses to children's social care or the Police. It will help children's social care investigate the case if you can supply context and evidence and your reasons for suspicion.

If you have serious concerns about a child it is helpful to record the following:

- the concerns you have
- what actions you have taken
- any physical signs that you have seen
- what the child has said
- the observations of any other member of staff

Make sure you inform your manager.

Inform either children's social care or the police. The social worker will check files; contact the police and school to find out if anything is known about the family. From this information they will decide whether they need to take the matter further. It could be that no action is required or that the family can be offered support. Child protection procedures will only be followed if all the information they collate suggest it is appropriate.

Where a child protection investigation is indicated, they will arrange a meeting with the police officer from the child protection unit to decide what action the investigation requires. You should be contacted and informed about what is happening.

Children are most likely to disclose information about abuse to people outside the family and often to a trusted adult. If this should happen try and stay calm;

- listen
- respect what the child is telling you
- don't interrupt, prompt or ask questions
- reassure the child if they are upset
- you must tell the child that you cannot keep the information secret
- write down everything, date, time, what has been said, any injuries you have seen

- often children will not want to make eye contact with you but will carry on looking at a book or colouring as they talk

As with all witnessed instances, inform your line manager and children's social care. Remember that the guiding principle of child protection is that the community has a responsibility for the wellbeing of all children and that all professionals should work together to provide that protection.

What to do if you have suspicions about another member of staff;

The most important consideration is the welfare of the child. Refer to your local guidelines and inform the local authority designated officer (LADO). As a general rule, in the first instance report your concern to your manager. If it is your manager you are concerned about, go directly to the most senior person with responsibility for children and young people within your building authority. Managers should treat any suspicion as urgent and the person concerned should be removed from duties that involve direct contact with children. The staff member should be informed of your concerns. Unless there has been a complaint from a child, the situation can usually be dealt with as an internal matter.

Remember that the guiding principle of child protection is that the community has a responsibility for the well-being of all children and that all professionals should work together to provide that protection.