

CHILD PROTECTION POLICY

**Keeping children and young people
safe is everyone's responsibility**

June 2015 to March 2019

(May 2016 update)



**North Warwickshire
Borough Council**

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1 INTRODUCTION

Abuse can occur within many situations including the home, at school and within all forms of clubs and societies. It is known that some individuals actively seek employment or voluntary work with children in order to harm them. Safeguarding children – the action we take to promote the welfare of children and protect them from harm – is everyone’s responsibility. Everyone who comes into contact with children and their families has a role to play in safeguarding all vulnerable people.

All North Warwickshire Borough Council staff who come into contact with children and young people during the normal course of their duties should be able to identify the signs and symptoms of abuse and neglect; know how and with whom to share that information and work together to provide children and young people with the help they need. In addition, the Borough Council recognises that it has both a moral and legal obligation to ensure that when staff are given responsibility for children, they should provide them with the highest possible standard of care. This Policy has been developed on the basis of guidelines established by the Warwickshire Safeguarding Children Board (WSCB), of which the Authority is a member and with which it has a statutory duty to cooperate.

1.1 Policy Statement:

North Warwickshire Borough Council will ensure that its Councillors, staff and everyone associated with the provision of its services will take all reasonable steps to protect children and young people from harm, discrimination or degrading treatment and that their rights, wishes and feelings will be respected.

This will be achieved by adopting the following key principles:

- Promoting an understanding that **safeguarding is everyone’s responsibility**. For services to be effective, each professional has to play their full part
- Services must develop a **child-centred approach**. For services to be effective, they must be based on a clear understanding of the needs and views of children and young people

1.2 Safeguarding Champion and Named Senior Officer

In recognising the importance of protecting children and young people from harm, the Borough Council has a nominated “Safeguarding Champion”.

Young Persons’ Safeguarding Champion – Member Lead

The Young Person’s Champion is also the Young Persons Safeguarding Champion.

The Champion’s role is to assist in ensuring that elected Members are aware of the Council’s safeguarding responsibilities and that Councillors evidence leadership in all aspects of the safeguarding and protection of children and young people.

Named Senior Officer – Officer Lead for Child Protection and Allegations

The Borough Council also has a “Named Senior Officer” – The Assistant Director (Leisure and Community Development), who has overall responsibility for:

- Ensuring that the organisation operates procedures for dealing with allegations in accordance with the guidance in Sections 3 and 6 of WSCB Inter-agency Safeguarding Procedures;
- Resolving any inter-agency issues
- Liaison with the WSCB
- Promoting the need to safeguard and protect children and young people from harm, discrimination or degrading treatment and for ensuring the Borough Council's engagement in the work of the WSCB, including in respect of child sexual exploitation

1.3 Safeguarding Contacts - Assistant Director / Head of Service

Has responsibility to ensure that staff are following safeguarding procedures and that any concerns are reported through to the local Children Team and the Assistant Director (Leisure and Community Development)..

2 RECOGNISING ABUSE

2.1 Being Alert to Children's Welfare

Safeguarding and promoting the welfare of children for the purposes of this Policy is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- Taking action to enable all children to have the best life chances

This Policy applies to all children who have not yet reached their eighteenth birthday. The fact that a child has reached sixteen years of age, is living independently, is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his or her status or entitlements to services or protection.

Whilst this Policy applies to children who have not yet reached 18 years of age, support through the Common Assessment Framework (see Section 3) includes children up to 24 years of age if the young person has a learning difficulty or disability.

Child protection is part of safeguarding and promoting their welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

2.2 Assessing Children in Need

The Department of Health "Framework for the Assessment of Children in Need and their Families" provides a systematic basis for collecting and analysing information to support professional judgements by Children's Teams about how to help children and families in the best interests of the child.

2.3 Background Factors Influencing the Vulnerability of Children

Many families under considerable stress manage to raise their children in a warm, loving and supportive environment, in which the children's needs are met and they are kept safe from harm. Sources of stress within families may, however, have a negative impact on children's health, development and well-being, either directly, or because they adversely affect the capacity of parents to respond to their children's needs. Research tells us that such sources of stress may include the following:

Social Exclusion

Including racism and poverty (causing issues such as poor housing / education / health).

Domestic Abuse

Noting the inter-relationship between domestic abuse and the neglect of children, the emotional abuse they suffer from witnessing abuse and sometimes may become physically abused themselves.

Mental Health

Parental illness may markedly restrict children's social and recreational activities. Where severe, children may have age inappropriate caring responsibilities placed upon them. Children may become targets for aggression or rejection or may be neglected as a result of a parent's illness.

Drug and / or Alcohol Misuse

As with mental ill-health, it is important not to generalise, or make assumptions, about the impact on a child of parental drug and / or alcohol misuse. It is, however, important that the implications for the child are properly assessed.

Parental Learning Disability

Where a parent has a learning disability it is important not to make assumptions about their parental capabilities. They may need support to develop the understanding, resources, skills and experience to meet the needs of their children.

Children Who Are Disabled

The particular needs of children with disabilities may make initial recognition of abuse more difficult. Disclosures of abuse may be less likely from children who are disabled because of communication difficulties, isolation or a lack of awareness.

Child Victims of Trafficking

Trafficking is the control, movement and exploitation of children or adults (trafficking does not need to be between countries, it can be from one village to another).

Female Genital Mutilation

Female Genital Mutilation, also regarded as physical abuse, is a collective term for procedures that include the removal of part or all of the external genitalia for cultural or non-therapeutic reasons.

Sexual Exploitation

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Additional consideration also needs to be given to children who are:

- Young carers
- Asylum seekers
- Looked after by the Local Authority (Warwickshire County Council)
- Otherwise living away from home (such as in a private fostering arrangement)
- Vulnerable to being bullied, or engaging in bullying behaviours
- Living in temporary accommodation
- Living transient lifestyles
- Living in chaotic and unsupportive home situations
- Vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality
- Speaking a language other than English as a first language
- At risk of becoming radicalised, involved in gangs and / or subject to violent extremism

2.4 Significant Harm

The Children Act 1989 introduced the concept of “significant harm” as the threshold that justifies compulsory intervention in family life in the best interests of children. The County Council is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or likely to suffer significant harm (Section 47).

The legal definition of significant harm is contained within the WSCB Inter-agency Safeguarding Procedures (<http://www.warwickshire.gov.uk/wscbresources>), but there are no absolute criteria on which to rely when assessing what constitutes significant harm.

2.5 Definitions of Abuse

The following definitions of abuse and the guidance on recognition are given to assist staff and those providing services to children in assessing whether abuse may have occurred.

Abuse

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.

Neglect

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

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

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Physical Abuse

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

Sexual Abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely

perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Emotional Abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

2.6 The Impact of Abuse and Neglect

The sustained abuse or neglect of children, physically, emotionally or sexually, can have major long-term effects on all aspects of a child's health, development and well-being.

The harm may be physical, such as neurological damage, physical injuries, impaired growth, disability or, in the extreme, death.

The harm may be emotional and impact on a developing child's mental health, behaviour and self-esteem, which is especially damaging in infancy. Domestic violence, adult mental health problems and substance misuse may feature in the families where children suffer emotional harm.

The harm may be psychological, manifesting itself in behaviour problems, such as aggression, long-term difficulties with social functioning and relationships, educational difficulties or intellectual impairment.

Sexual abuse can lead to disturbed behaviour, including self-harm or inappropriate sexualised activity, that may endure into adulthood. The severity of the harm increases the longer the abuse occurs, the more extensive the abuse and the older the child. The severity of harm is also linked to the extent of premeditation and the degree or threat of coercion. The child's ability to cope with the experience of sexual abuse, once recognised or disclosed, is strengthened by the support of a non-abusive adult or carer who believes the child, offers protection and helps the child to understand the abuse from which they are suffering.

3 LOW LEVEL CONCERNS

3.1 Common Assessment Framework (CAF)

There are circumstances in which Officers may be concerned about the well-being of a child, although it is NOT a child protection concern. Under these circumstances, trained professionals can initiate a Common Assessment Framework (CAF). The intention is to ensure that any child or young person in Warwickshire with needs that do not meet the thresholds for intervention by statutory services is provided with access to support.

Any child or young person up to 19 years of age (or 24 if the young person has a learning difficulty or disability), is entitled to a CAF to support them or their families, particularly where:

- There are worries about how a child or young person is progressing, for example concerns relating to their health, development, welfare, behaviour or any other aspect of their well-being
- A child or young person or their parent / carer raise a concern
- The child or young person's needs are unclear, or not being met by their current service provision

The CAF process can address emerging needs, which may include (but are not limited to):

- A significant change in the child's behaviour and / or appearance
- Children at risk of exclusion from school
- A routine visit (e.g. housing) that gives cause for concern about the welfare of an unborn child or a visit that may lead to a concern about a child's circumstances
- Low attendance / frequent absences from a club
- Worries that a child is being affected by factors at home
- The impact on children of a family breakdown
- Children and young people exhibiting signs of anti-social behaviour
- Concerns about a child or young person's physical and / or mental health
- The impact of a family member being imprisoned
- A child who may be a young carer

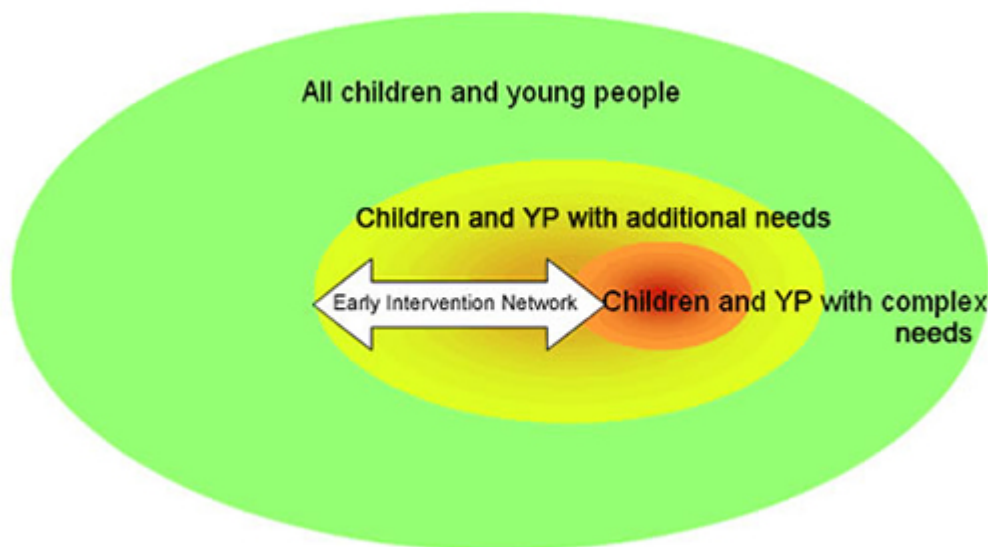
A CAF can be used in respect of an unborn baby.

The CAF is based on an assessment document that is designed to establish an early and complete picture of a child's additional needs (i.e. before problems become exacerbated and need more intensive support).

The CAF ensures that, irrespective of the agency in which the initiating practitioner works, an holistic assessment of the child / young person's situation is undertaken. This prevents young people and their families from having to repeat their story as they move from one agency to another and facilitates much more effective sharing of information between agencies.

The CAF is an entirely voluntary and consensual process, in which the young people and their families are actively engaged in the assessment and planning stages, thereby retaining ownership of any subsequently agreed actions. The assessment is the starting point to co-ordinate a multi-agency action plan, which also includes actions for the young person and their family.

CAF is the bridge between universal services and specialist intensive support services. The aim is to build resilience and independence to enable families to respond to the changes and challenges that life brings.



3.2 CAF Training and Contacts

Currently, staff within the Housing Division have received CAF training. If any Officer would like to discuss CAF, enquiries should be forwarded to:

NWBC Contact:

Partnership and Development Manager

(01827) 719492

Common Assessment Framework

[Contact the CAF duty system by calling the Multi Agency Safeguarding Hub \(MASH\) on 01926 414 144](#)

4 GUIDELINES FOR MANAGERS - Recruitment and Training

4.1 Reducing Opportunities for Allegations / Abuse to Occur

By following the Council's Recruitment and Selection Policy, the risk of recruiting someone who may pose a risk to children and young people is significantly reduced. Unfortunately, however, that risk can never be eliminated; which is why it is important that staff are appropriately inducted, trained and managed.

Managers must be aware of the need to reduce the opportunities for allegations of child abuse being made against staff. This can be achieved through adherence to appropriate induction and training processes and ensuring that staff are aware of the Council's Code of Conduct.

Managers delivering services directly to children and young people must ensure that they are aware of the Safe Working Procedures relating to Child Protection - Sessional Guidelines for Managers.

Housing Officers must ensure that they are fully conversant with the content of the Warwickshire Protocol for Assessing and Managing the Housing Needs of Homeless Young People.

4.2 Recruitment and Criminal Records Checks (Disclosure and Barring Service Checks)

All staff who have unrestricted access to children will be required to undergo a criminal records (DBS) check before the commencement of their employment with the Borough Council. Please refer to the Council's Recruitment and Employment of Ex-offenders Policy.

The Borough Council will also undertake DBS checks, on a risk-based approach, for certain positions held by elected Councillors. These positions will include the Mayor and Deputy Mayor, Young Person Champions, Spokesperson (and opposition spokesperson) for Health Well-being and Leisure and the Lead Councillors on CCTV.

4.3 Child Protection Training

All members of Borough Council staff who come into contact with children and young people during the normal course of their duties, or those who work with computers, must attend the Borough Council's Child Protection and Child Sexual Exploitation training course within three months of commencing their employment and on a regular (minimum of once every three years) basis thereafter. All members of staff must understand their responsibilities towards protecting children and young people, and must be aware of the procedure to follow should they have a related concern.

All Borough Councillors will be encouraged to attend the Borough Council's Child Protection and Child Sexual Exploitation training course, in respect of which refresher training will also be offered every four years.

4.4 Clubs and Organisation Using Borough Council Facilities

All clubs and organisations working with children and young people that use Borough Council facilities must have an acceptable Child Protection Policy in place. If a club or organisation does not have its own Policy, a copy of this Policy will be distributed with Terms and Conditions of Hire. The club / organisation will then be required to accept and commit to adhere to the provisions of this Policy and the standards of care outlined herein.

4.5 Contracting Individuals and Organisations

If the Borough Council is contracting an individual or organisation to work directly with children, or on a site where children will be present, it must be determined whether or not the contractor and its employees (if any) will be engaging in "Regulated Activity" (check with Human Resources) in order to determine whether DBS checks are required.

The key questions to ask in order to ascertain whether or not checks are required are:

- Does the activity give the opportunity for contact with children?
- Is the activity carried out regularly or frequently (i.e. once a week or more or on more than three days in a 30 day period)?

Contractors and their employees for whom an appropriate DBS check has not been undertaken will be supervised at all times if they have contact with children.

If a self-employed contractor has contact with children, officers will obtain the DBS check because self employed people are not able to make an application directly to the DBS on their own account.

Should it be determined that a DBS check is required, the staff should not only have an up to date (less than three years old DBS check); they should also have completed appropriate child protection training (which should also be refreshed every three years). This should be factored in as part of the initial contract arrangement and subsequent contract monitoring.

It is the responsibility of the Officer engaging the contractor to ensure that appropriate checks have been made and that relevant supervision arrangements are in place at all times.

5 ALLEGATIONS AGAINST ADULTS

5.1 Managing Concerns in Relation to Adults - Concerns / Allegations Regarding People Who Work with Children (Staff and Volunteers)

This procedure is concerned with the management of allegations that indicate the a person would pose a risk of harm if they continue to work, in any capacity, in regular or close contact with children and young people. It should be used in respect of all cases in which it is alleged that an individual who works with children has:

- **Behaved in a way that has harmed a child, or may have harmed a child**
- **Possibly committed a criminal offence against, or related to, a child**
- **Behaved towards a child or children in a way that indicates that they may pose a risk of harm to children and / young people**

The procedure applies to a wider range of allegations than those in which there is reasonable cause to believe that a child is suffering, or likely to suffer, significant harm, including any allegations or concerns that might indicate that an individual is unsuitable to continue working with children in any capacity.

Experience has shown that children can be subject to abuse by those who work with them in a wide variety of settings. All allegations of abuse of children by an adult in a position of trust, e.g. staff member or volunteer, should be taken seriously and treated in accordance with these procedures.

Where an allegation is made, or where there are concerns about an individual's suitability to work with children, a subsequent investigation is likely to involve one or more of the following three strands of activity:

- The Police investigation of a possible criminal offence
- Enquiries and assessment by Children's Social Care as to whether the child is in need of protection or in need of services
- Consideration by an employer of disciplinary action in respect of the individual.

Any concerns or allegations should be reported immediately to the Assistant Director (Leisure and Community Development), who will ensure that the response is based upon the guidance detailed in Section 6 of the WSCB Inter-agency Safeguarding Procedures document, rather than being dealt with as a complaint or any other form of representation. In the absence of the Assistant Director (Leisure and Community Development), the report should be escalated to the Deputy Chief Executive and ultimately the Chief Executive.

Within one working day, all allegations brought to the attention of the Assistant Director (Leisure and Community Development) will be reported to Warwickshire County Council's Local Authority Designated Officer (LADO).

All allegations will be dealt with quickly, thoroughly and in a fair and consistent manner that provides effective protection for the child / children, whilst at the same time providing support for the person who is the subject of the allegation.

The procedure for dealing with allegations needs to be applied with common sense and good judgement. The LADO will advise the Borough Council about the most appropriate course of action to take. Some allegations may be sufficiently serious that they require immediate intervention by Children's Social Care and / or the Police. The LADO will still be informed of all such allegations within one working day, ensuring consultation between the Police, Children's Social Care and the LADO.

5.2 Confidentiality

When an allegation is made, it is extremely important that the Council makes every effort to maintain confidentiality and guard against unwanted publicity whilst it is being considered and / or investigated.

The Assistant Director (Leisure and Community Development) will take advice from the LADO, the Police and Children's Social Care to agree the following:

- Who needs to know and, importantly, exactly what information can be shared and with whom
- How to manage speculation, leaks and gossip
- What, if any, information can reasonably be given to the wider community to reduce speculation
- How to manage press interest, if and when it should arise.

If there is any indication of actual, or potential, media attention the LADO and the Assistant Director (Leisure and Community Development) will liaise with Management Team and the Communications and Public Relations Officer.

6 MAKING A CHILD PROTECTION REFERRAL [SEE 6.2]

6.1 Circumstances in Which to Refer

It is particularly important that all those whose work either brings them into contact with children or contact with adults who have children, are alert to the definitions and indicators of child abuse. In circumstances where **you** have concerns that a child is suffering, or is likely to suffer, significant harm to his or her health or development, or where a child gives information detailing abuse, you must adhere to the following principles:

- a) All concerns and allegations, whatever their origin, must be taken seriously and considered with an open mind that does not pre-judge the situation
- b) In circumstances where a child volunteers / discloses information about abuse, listen to the child. Ask sufficient questions to verify your concern, but **do not interrogate him / her**
- c) Never stop a child who is freely recalling significant events
- d) The child should **not** be asked to repeat their story or asked to write it down
- e) In circumstances where a child has an injury but no explanation is volunteered, it is acceptable to enquire how the injury was sustained
- f) If there are concerns about the explanation given for the cause of any injury, these must be referred to Children's Services
- g) As soon as possible, always make a written record of any information volunteered to you. The record must include the time it was written, the setting, personnel present, as well as what was said (you can use the Appendix to assist as this will need completing)
- h) Record all subsequent events up to the time of Children's Services / Police intervention
- i) Do not promise confidentiality
- j) **ACT NOW – DO NOT DELAY.** If you are at all unsure, contact your Divisional Officer / Head of Service

It is the responsibility of the individual professional who identifies a concern to ensure that the matter is referred without delay.

Whilst professionals should, in general, seek to discuss any concerns with the family and where possible seek agreement to make a referral to Children Services, **this should only be done where such discussions will not place a child at increased risk of significant harm or cause any significant delay.**

Whilst advice can be sought from a senior officer, this should not unduly delay the referral process. Concern need not be related to a single specific incident. It may also arise from the accumulation of minor concerns.

**PLEASE FOLLOW THE FLOWCHART AT 6.2
TO REPORT YOUR CONCERN**

Flowchart on next page

6.2 Child Protection Referral Procedure

