

Gweithio'n Gytân Ar Gyfer Plant



Working Together For Children

South East Wales Safeguarding Children Board

SAFEGUARDING CHILDREN FROM HARM: GUIDANCE FOR VOLUNTARY AND PRIVATE ORGANISATIONS

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1. Introduction

This document is intended to provide a framework within which voluntary and private organisations can draw up and agree upon their own more detailed ways of working to safeguard and promote the welfare of children.

All Wales Child Protection Procedures (2008) define children as:

“A child is anyone who has not yet reached their 18th birthday. ‘Children’ therefore means ‘children and young people’ throughout. The fact that a child has become sixteen years of age, is living independently, is in Further Education, is a member of the Armed Forces, is in hospital, is in prison or a young offenders institution does not change their status or protection under the Children Act 1989.”

This document draws on the following legislation, policy and guidance:

- Children Act 1989
- Children Act 2004
- Safeguarding Children: Working Together under the Children Act 2004 (WAG, 2006)
- All Wales Child Protection Procedures (2008)

Voluntary and private organisations play a key role in safeguarding children and promoting their welfare as they are often involved in delivering services to vulnerable families or within a community. It is vital, therefore, that all organisations have in place, clear procedures detailing the actions to be taken if there is any concern that a child may be at risk of harm.

Safeguarding is defined as:

- Protecting children from abuse and neglect;
- Preventing impairment of their health or development; and
- Ensuring they receive safe and effective care

All Wales Child Protection Procedures (2008) state:

“Every person in contact with or working with children, young people and their families; or with adults who may pose a risk to children; or responsible for arranging services for children and/or adults, should:

- Understand their roles and responsibilities to safeguard and promote the welfare of children
- Be familiar with and follow their organisation’s procedures and protocols for safeguarding and promoting the welfare of children and know who to contact in their organisation to express concerns about a child’s welfare
- Be alert to indicators of abuse and neglect
- Have access to and comply with the All Wales Child Protection Procedures
- Understand the principles and practice contained in Safeguarding Children: Working Together Under the Children Act 2004

- Have received child protection training to a level commensurate with their roles and responsibilities
- Know when and how to refer any concerns about child abuse and neglect to social services or the Police
- Know that a child, parent, caregiver, relative or member of the public who expresses concerns about a child's welfare to a professional/or agency employee/volunteer must never be asked to make a self referral to social services or the police. The professional and/or agency employee must make the referral.

If a person has knowledge, concerns or suspicions that a child is suffering, has suffered or is likely to be at risk of harm, it is their responsibility to ensure that the concerns are referred to social services or the police, who have statutory duties and powers to make enquiries and intervene when necessary.

2. Children in Need

Children may be defined as in need in many different circumstances. The Children Act 1989 defines such children as those whose vulnerability is such that they are unlikely to meet or maintain a satisfactory level of health and development without the provision of services. All families experience difficulties from time to time but in some cases the support of family and community resources may not be sufficient to ensure the current or future wellbeing of the child. It is in these situations that additional support or services may be necessary.

Some of these children may also be in need of the protection of statutory agencies. The Local Authority Children's Services Division of the Social Services Directorate is able to assist in the consideration of any referral. This advice and discussion can be accessed LA Children's services teams or Safeguarding team during office hours and from the South East Wales Emergency Duty Team on 0800 3284432 outside office hours. In an emergency where there is immediate risk to a child then Gwent Police should be contacted on 999.

3. Children with Disabilities

Safeguarding policies developed by voluntary and private organisations must reflect the importance of responding to the individual needs of children. Research suggests that children with disabilities have increased levels of vulnerability and are therefore at a higher risk of abuse and neglect for a number of reasons. Safeguards for children with disabilities are essentially the same for children who do not have a disability, however particular attention should be paid to promoting a high level of awareness of the risks to these children and high standards of practice.

4. What is Child Abuse?

Children and young people can experience harm in a number of ways. This may include:

- **Physical abuse:** Where someone injures or hurts a child; this includes all forms of physical harm
- **Sexual abuse:** Where someone forces, entices or exploits a child to take part in any form of sexual activity
- **Emotional abuse:** Where adults treat a child over time in ways that damage their emotional development; making the child afraid, insecure or feel worthless and unloved
- **Neglect:** Where adults fail to meet a child's basic needs; this includes failing to provide food, shelter, clothing, medical care; failing to protect from danger, leaving them alone
- **Domestic Abuse:** The use of physical and/or emotional abuse or violence, including undermining of self confidence, sexual violence or the threat of violence, by a person who is or has been in a close relationship – it is widely recognised that witnessing and becoming caught up in domestic abuse can have a profoundly negative impact on children's safety and wellbeing
- **Child Sexual Exploitation:** The coercion or manipulation of children and young people into taking part in sexual activities and may involve the giving of 'gifts', money or drugs and alcohol

Break the Suffering; Break the Silence is a short digital clip providing information on abuse and neglect and also the 'What is Child Abuse' leaflet / is a useful resource. The web link is:

<http://www.sewsc.org.uk/professionals/resources/>

For further information about the above please see the attached Glossary of terms at Appendix 1 and All Wales Child Protection Procedures (2008)

Concerns about a child or other children in the household may be triggered by:

- An aspect of or change in the child's appearance or demeanour
- Remarks made by a child's friend or other people
- Behaviour of an adult towards a child
- Remarks made to you by the child
- Behaviour by adults in the home environment
- Injuries to a child
- Direct disclosures to you from the child or an adult of abuse taking place

5. Responsibilities of Voluntary and Private Organisations

Voluntary and private organisations play an important role in providing services to children and their families and in communities. They are responsible for ensuring that through the policies they adopt and their practices, they safeguard and promote the welfare of the children with whom they come into contact. These must be made known to all staff and volunteers, parents and carers and the children and young people themselves.

In particular, youth and community workers, play workers, cultural and leisure staff and their volunteers often work closely with children and young people and are well placed to know when a child may be at risk of harm.

Children will often confide in those who are in a position of trust but not seen as authority figures. Staff should therefore be aware that they might be the only person in whom the child has placed their trust and understand the importance of reporting any concerns they have that the child may be at risk of harm.

While clear and robust policies and procedures must be in place, these alone cannot safeguard children from harm. It is vital that training is provided to ensure that all staff and volunteers have a basic understanding of the rights of children, child abuse and neglect and the organisational and individual responsibilities they have for keeping children safe. All staff should have an induction programme that includes the policies and procedures to be followed for concerns about a child and regular updates should be provided annually.

All staff members including volunteers should have a clear understanding of the organisation's structures and have easy access to advice and guidance about safeguarding concerns. They should receive supervision, wherever possible, at regular intervals based upon observation of the worker's performance and their interaction with children.

6. Policies and Procedures

The following factors should be taken into account when considering the development of any policies, procedures or protocols:

- A clear and simple process by which staff and volunteers can express concerns about the welfare and safety of any child, that details the actions to be taken by the individual/organisation, including a referral to Children's Services in the Local Authority.
- A clear process by which any staff or volunteers can express concerns about the safety or welfare of a child/children from **within the organisation**. This may include any behaviour displayed by an adult towards a child/children. Procedures should include the role and responsibilities of the organisation's management committee when there may be concerns about the behaviour of any individual within the organisation towards children.
- A clear policy for behaviour towards children that would include an understanding of, and respect for the rights of children. Working practices

should minimise situations where abuse of children may occur, for example, unsupervised contact. Children should not be physically restrained unless not to do so would put themselves or another in danger.

- Clear guidelines must inform staff about the management of bullying or child on child abuse and include where and how advice can be obtained.
- A system for recording information must be in place. This must include details relating to the child (e.g. name, address, contact telephone numbers, persons with parental responsibility, relevant medical conditions etc). The record must allow for the recording of any other relevant information. These could include observations or concerns identified by staff or volunteers and any actions taken. Written information about children should be stored in a secure place and consideration must be given about the length of retention of such information. There should be clear accessible policies for all staff concerning that information e.g. when it can be shared and with whom. This would include parents/carers and children and young people.
- The organisation must operate within an environment of openness and trust with any policies and procedures being made available to clients using the service. A clear procedure for the making of and handling of complaints must be in place and made known and accessible to children/young people and their parents/carers and the wider community.
- The organisation must have in place a code of confidentiality and staff must be made aware of the circumstances in which confidentiality may be breached e.g. child protection issues. *(For further information see appendix 3)*
- The organisation must be clear about their limits of responsibility in relation to the care of a child/young person using their service and communicate this to parents and carers. It must be clear about when written consent is required from a parent/carer with parental responsibility with regards to outings or specific activities.
- A robust recruitment and selection procedure that creates a high threshold of entry to deter abusers from seeking work or voluntary work with children and families. *(For further information see appendix 2)*
- Child Protection policies and procedures should be reviewed annually and amended in line with government guidance.

A list of the minimal procedures that must be in place is below:

- Recruitment and Selection policy and procedure
- Child protection policy and procedure

- Procedure for managing an allegation of abuse against a member of the organisation
- Complaints procedure
- Practice guidelines on safe conduct by staff and volunteers
- Bullying
- Whistle Blowing policy

7. Child Protection Procedures

Everyone who encounters concerns about the wellbeing and safety of a child/children should know:

- The principles contained in Safeguarding Children: Working Together under the Children Act 2004 and **the All Wales Child Protection Procedures**
- Who within the organisation takes responsibility for child protection issues and can provide advice, support and guidance to staff/volunteers
- What responsibilities the volunteer/worker has
- Who within the organisation is responsible when there are concerns about a child and how this is recorded
- To whom in the organisation, concerns about the conduct of a member of staff/volunteer should be reported to and how this is recorded
- How to access advice and support from outside the organisation e.g. Children's Services
- Whether or not concerns should be shared with parents/carers (advice around this can be gained from Children's Services if there are any doubts about whether this would place the child at further risk)
- Whether consent for a referral to Children's Services should be sought from parents/carers (see above point)
- When and how to make a referral to the Children's Services Department
- Where and how to record information
- What is likely to happen as a result of a referral to Children's Services
- What services are available locally and how to gain access to them

Including a flow chart in your organisational policy and procedure can be helpful.
Please see appendix 4 for an example.

8. Further Information

All Wales Child Protection Procedures, Welsh Assembly Government, 2008
www.awcpp.org.uk

Safeguarding Children: Working Together Under the Children Act 2004, Welsh Assembly Government, 2006

Safe From Harm: Safeguarding Children in Voluntary and Community Organisations (Welsh Government, 2007)
http://www.scin.org.uk/fileadmin/documents/safeguarding_children_in_voluntary_and_community_organisations.pdf

Local Safeguarding Children Boards (LSCBs) were established by the Children Act 2004. LSCBs in South East Wales merged in 2013 to create the South East Wales Safeguarding Children Board. Its purpose is to co-ordinate what is done by the member agencies in terms of safeguarding children and to ensure that what is done is effective in protecting children.

Its key functions include:

- Raising awareness of safeguarding issues
- Providing training and development to professionals
- Providing safeguarding advice and guidance to children and young people, parents and carers, members of the public and professionals

Further information about the South East Wales Safeguarding Children Board (SEWSCB), local protocols, advice and guidance can be found at
www.sewsc.org.uk

Appendix 1

Glossary of Terms for Children's Services

<p>CAF or Common Assessment Framework</p>	<p>The CAF is:</p> <ul style="list-style-type: none"> • A common process to enable practitioners to undertake a common assessment and then act on the result • A standard form to record the assessment • A pre-assessment checklist to help decide who would benefit from a CAF. <p>The CAF covers development of the child; parents and carers and family and environment.</p> <p>NB:- The CAF has not yet been implemented in Wales although it is planned.</p>
<p>Child in Need</p>	<p>A child is in need if:</p> <ul style="list-style-type: none"> • He/she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority • His/her health or development is likely to be significantly impaired or further impaired, without the provision for him/her of such services; or • He/she is disabled
<p>Child Protection</p>	<p>Child protection is part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering or at risk of suffering significant harm as a result of abuse or neglect.</p>
<p>Child Protection Conference</p>	<p>The child protection case conference brings together family members, the child where appropriate and those professionals most involved with the child and family, following child protection Section 47 enquiries. The conference will decide whether the child/ren's names should be added to the Child Protection Register and if so under what category of abuse. Review child protection conferences review the child protection plan to date and decides whether to keep the child's name on the register or de-register and the category under which the child's name will remain.</p>
<p>Child Protection Register</p>	<p>A list of children and young people who are the subject of child protection plans, centrally held by the local authority children's services department.</p>
<p>Children's Services</p>	<p>The work of the local authorities exercising their social services functions with regard to children.</p>
<p>Chronology</p>	<p>A chronological history of the family's involvement with services and significant life events.</p>

Core assessment	The core assessment provides a structure to collect and analyse information obtained in the course of Section 47 enquiries or in the case of a child with substantial/complex needs. It involves assessing the needs of the child, parenting capacity and wider family and environmental factors but is more in depth than an initial assessment
Core group	At a Child Protection Conference a keyworker is assigned to the child's case and recommendations are made as to what professionals who are involved with the child and family will be part of the core group. Parents will also be part of the group. The purpose of the group is to develop/implement and review the child protection plan.
SEWSCB	South East Wales Safeguarding Children Board
CSSIW	Care and Social Services Inspectorate Wales
DBS	Disclosure & Barring Service (formerly known as Criminal Records Bureau checks)
Development	Physical, intellectual, emotional, social or behavioural development
Domestic abuse	Term used in practice to encompass the spectrum of abuse
Domestic violence	Term often used in legislation and by Criminal Justice agencies
SEWEDT	South East Wales Emergency Duty Team
Emergency Protection Order	An Emergency Protection Order can be granted by a Court where there is immediate risk of harm to a child
Emotional abuse	The persistent ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional and behavioural development
Enquiry	<ul style="list-style-type: none"> • Term used under Section 47 of the Children Act 1989 (part of the child protection process) sometimes referred to as a Section 47 investigation; or • Means whereby checks are made to the Child Protection Register
Framework for the Assessment of Children in Need and their families	This is a Welsh Assembly Government policy that aims to provide guidance in undertaking initial/core assessments that take account of the child's developmental needs, parenting capacity and wider family and environmental factors, to ensure that children are safeguarded and their wellbeing is promoted
Genogram	A family tree
Harm	Ill treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill treatment of another
Health	Physical or mental health
ICS	Integrated Children's System
Initial Assessment	The initial assessment will be undertaken by the local authority children's services department. The purpose is to establish whether a child is in need and additionally

	whether they are in need of protection
Interim Care Order/Care Order	The court may make an interim care order where in an application for a Care Order, the proceedings are adjourned or where a court gives a direction to investigate the child's home circumstances. A Care Order is made by a Court and grants the local authority parental responsibility which is shared with the parents
LAC	An abbreviation of Looked After Child – a child who is being looked after by the local authority children's services department
Local Authority	A County or County Borough Council
MAPPA	Multi Agency Public Protection Arrangements – a professionals meeting to consider and manage the risks posed by violent or sexual offenders in the community
MARAC	Multi Agency Risk Assessment Conference – a professional meeting to address the safety and protection posed to those most at risk of serious assault or murder as a result of domestic abuse
MARF	Multi Agency Referral form used by other organisations to make referrals to the local authority children's services department
Neglect	The persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold, starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development, including non-organic failure to thrive
Partnerships	Term used to describe structures e.g. Health, Social Care and Well Being, Children and Young Peoples Partnership, Community Safety Partnership
Physical abuse	The hitting, shaking, throwing, poisoning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after
Police Protection Powers	Where a Police Officer has reasonable cause to believe that a child is likely to suffer significant harm they can remove the child to suitable accommodation
POVA	Protection of Vulnerable Adults
PR – Parental Responsibility	Those with PR for a child have legal authority for a child and must be consulted about matters that concern that child
Public Law Outline	The PLO is a guide to case management in Public Law Proceedings. For further information see www.judiciary.gov.uk
Safeguarding and promoting the welfare of children	Defined as: <ul style="list-style-type: none"> • Protecting children from abuse and neglect • Preventing impairment of their health or

	<p>development; and</p> <ul style="list-style-type: none"> • Ensuring they receive safe and effective care
Section 47 enquiry/investigation	Section 47 of the Children Act 1989 places a duty on local authorities to make enquiries when they become aware that a child is suffering or likely to suffer significant harm. The purpose of child protection enquiries is to determine what action, if any, is needed to promote and safeguard the welfare of a child. It will include gathering information from other organisations involved with the child and family and the child and family themselves
Sexual abuse	<p>Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening, including:</p> <ul style="list-style-type: none"> • Physical contact, including penetrative or non penetrative acts • Non contact activities, such as involving children in looking at, or in the production of pornographic material or watching sexual activities; or • Encouraging children to behave in sexually inappropriate ways
Sexual exploitation	The coercion or manipulation of children and young people into taking part in sexual activities. It is a form of abuse involving an exchange of some form of payment which can include money, mobile phones and other items, drugs, alcohol, a place to stay, 'protection' or affection
Sexually Harmful Behaviour	Term used to describe abusive sexual behaviour exhibited by a child or young person
Significant harm	Section 31 of the Children Act 1989 states 'where the question of whether harm suffered by a child is significant turns on the child's health or development, his health or development should be compared with that which could be reasonably be expected of a similar child'
Strategy discussion/meeting	<p>The purpose of a strategy discussion/meeting is to share and discuss in detail all information gathered to date as well as the nature of the concern. Children's Services are responsible for chairing the meeting and Police and other relevant organisations attend. The outcomes could be:</p> <ul style="list-style-type: none"> • No further action • Initiate/Conclude Section 47 enquiries • Emergency action to safeguard the child • Commence a core assessment • Provide short term services
Strategy meeting regarding concerns raised about a professional	As above, however those attending will be of a senior position within the organisation
WG	Welsh Government

Appendix 2

Recruitment and Selection of Staff and Volunteers

Procedures for the recruitment and selection of staff/volunteers must be developed with adherence to Safe From Harm: Safeguarding Children in Voluntary and Community Organisations in Wales, Welsh Government guidance:

The procedure must include the following:

- Confirmation of identity of the applicant
- DBS checks
- Employment history and gaps
- Qualifications
- Appropriate training for all interviewers
- Appropriate questions at interview
- 2 written references
- Previous work/contact with children
- Probationary period
- Post recruitment checks
- Repeat DBS checks

Appendix 3

Information Sharing

Effective sharing and exchange of information is essential to safeguard children.

The law is rarely a barrier to disclosure of information. There is no restriction in the Data Protection Act or any other legislation that prevents concerns regarding individuals being highlighted and shared between agencies for the purpose of protecting children.

Wherever possible, consent should be obtained before sharing personal information with a third party, however the public interest in protecting children always overrides the public interest in maintaining confidentiality.

For further information about confidentiality and information sharing please see *Safeguarding Children: Working Together under the Children Act 2004* (2006).

Appendix 4

WHAT TO DO IF YOU ARE CONCERNED ABOUT A CHILD.

