

SAFEGUARDING CHILDREN POLICY AND PROCEDURE

1. Introduction

RCVA is committed to safeguarding and promoting the welfare of children and young people, engaged in the breadth of its activities. We comply with North Yorkshire Safeguarding Children Board guidance and procedures. The key objectives of this policy are to:

- explain the responsibilities RCVA and its staff, volunteers and trustees have in respect of child protection.
- provide staff with an overview of child protection.
- provide a clear procedure that will be implemented where child protection issues arise.

2. Context

The legislative emphasis is now on 'regulated activities.' The definition of regulated activity relating to children places the emphasis on the kind of activity carried out rather than on any specific groups of people or vulnerabilities. For the purpose of this policy a child is defined as a person under the age of 18. The term young person includes those aged between 5 and 24 years. For the purposes of this policy, a young person aged under 18 years is regarded as a child.

3. Legal Framework

This policy reflects the current legislative framework and links in with other RCVA key policies such as:

- Appraisal and Supervision
- Confidentiality
- Complaints
- Data Protection
- Equal Opportunities
- Grievance and Disciplinary
- Recruitment and Selection
- Recruitment of Ex - Offenders
- Whistle Blowing

3.1 Reporting cases to the Disclosure and Barring Service

RCVA has a statutory duty to make reports and provide relevant information to the DBS where there are grounds for believing, following an investigation, that an individual is unsuitable to work with children or adults in certain regulated activities, or may have committed misconduct. The responsibility for reporting cases to the DBS lies with the Designated Safeguarding Officer. The DBS make barring decisions for Section 142 of the Education Act (formally known as List 99), The Protection of Children Act List (PoCA) and the Protection of Vulnerable Adults List (PoVA) and the Protection of Freedoms Act 2012. This has now been combined as part of the Vetting and Barring Procedures of the DBS.

4. The role of staff, volunteers and trustees

This policy applies to all employees, trustees and volunteers. All staff, volunteers and trustees working on behalf of RCVA have a duty to promote the welfare and safety of children. Employees, volunteers and trustees may receive disclosures of child abuse and observe children who are at risk. This policy will enable staff/volunteers to make informed and confident responses to specific child protection issues.

Any concerns will be taken seriously and acted upon appropriately and the organisation will pay attention to what children feel.

RCVA will be rigorous and vigilant in protecting everyone using our services from abuse, bullying and intimidation. We will do this through a careful recruitment and selection process, ongoing supervision and monitoring arrangements and guidance on appropriate behaviour.

Everyone involved in RCVA is obliged to make sure that anyone using our services is safe. They must report concerns without delay using the reporting procedures set out in this policy

All those involved in the organisation will be made aware of this policy and of what to do if they have any concerns. There is guidance for those responsible for responding to concerns so that they are properly dealt with.

RCVA has a Designated (named) Safeguarding Officer Judith Bromfield the Chief Officer or the Chairperson Keith Hall in her absence. The Designated Safeguarding Officer is responsible for child protection and the implementation of this policy. It is the responsibility of the Designated Safeguarding Officer to take appropriate action following any expression of concern and make referrals to the appropriate agencies.

4.1 Designated Safeguarding Officer

The Designated Safeguarding Officer will attend training as appropriate and make referrals to external agencies. Other aspects of their role include:

- obtaining information from staff, volunteers, children, parents or carers who have concerns relating to the protection of children and to record this information;
- assessing information quickly and carefully and asking for further information where appropriate;
- consulting with statutory child protection agencies e.g. the local social services department and police, to clarify doubts or worries;
- making referrals to Social Services, the Disclosure and Barring Service or the police, without delay.

All employees, trustees and volunteers will be made aware of the named Designated Safeguarding Officer and how to contact them. Contact details also appear at the end of this policy. The Designated Safeguarding Officer has contact telephone numbers for the local Area Safeguarding Boards and other statutory agencies.

5. What is Child Abuse?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing 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 a stranger. They may be abused by an adult or adults, or another child or children (Working Together to Safeguard Children 2006)

The 'Working Together to Safeguard Children' guidance published by the Government defines four categories of abuse as follows.

Physical Abuse

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

Emotional Abuse

This is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless, unloved or inadequate. It may involve bullying, causing children to feel frightened or in danger.

Sexual Abuse

This type of abuse involves forcing or enticing a child to take part in sexual activities, including prostitution whether or not the child is aware of what is happening. Examples of physical contact include penetrative acts (rape, buggery or oral sex) or non-penetrative acts kissing, fondling, masturbation. It may include non-contact activities involving children in looking at or be involved in sexual online images and or encouraging children to behave in sexually inappropriate ways.

Neglect

This is the persistent failure to meet a child's basic physical and or psychological needs, likely to result in the serious impairment to the child's health and development. It can include failing to provide adequate food, clothing and shelter, adequate supervision or failing to provide medical help when needed.

6. Criminal Offences

Some instances of abuse will constitute a criminal offence. In these cases reference to the police should be made as a matter of urgency. The responsibility for initiating action rests with the police and the Crown Prosecution Service. Criminal investigation by the police takes priority over all other lines of enquiry.

7. Who are the Abusers?

Children may be abused by a wide range of people including:

- Relatives and family members
- Professional staff
- Paid care workers
- Volunteers
- Other service users
- Neighbours, friends and associates
- People who deliberately target vulnerable people
- Strangers

8. Recruitment and Selection of Staff (Paid, trustees and volunteers)

8.1 Recruitment Procedure

Determined abusers have often managed to gain access to children. Our policy and procedure are important safeguards to stop this happening. They will be understood by good applicants and will put ill-intentioned people off.

All volunteers and staff, including temporary personnel will be subject to a careful and rigorous selection and vetting process in accordance with our 'Recruitment and Selection Policy.

On appointing a new member of staff the post will be assessed and a decision will be taken as to whether to apply to the Disclosure and Barring Service (DBS) for a check. If the job or role is eligible then a DBS 'Standard', 'Enhanced' or 'Enhanced check with list checks' as appropriate check will be carried out.

In particular, RCVA ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act.

At the interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment or subsequent dismissal.

For the recruitment of people who will be working with children the candidates will be asked to identify reasons for gaps or inconsistencies in employment.

No unsupervised access to children will be allowed until references have been verified and checks with the Disclosure & Barring Service (DBS) have been carried out.

RCVA makes every subject of a Disclosure and Barring Service (DBS) check aware of its existing policy and practice on safeguarding children and makes a copy available on request.

We will discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar any job applicant from working for RCVA. It will depend on the nature of the position, the circumstances and background of the offences committed. Advice will be sought about appointing people with a criminal record.

9. Support and supervision

All staff will receive support, supervision and line management which will be carried out in accordance with our 'Supervision and Appraisal Policy.' A regular component of supervision will include a risk assessment as to whether changes in working patterns necessitate a Disclosure & Barring Service (DBS) check.

10. Procedures for Dealing with Breaches of the Policy

In the case of paid staff, a serious breach of this policy may be grounds for disciplinary action.

In the case of members (including trustees), a serious breach of this policy may result in termination of membership and removal from the Board.

11. Safe Working Arrangements

This Policy will be issued to all new staff as part of their induction. All relevant staff will receive training in Safeguarding issues RCVA will ensure that users of the service, their families and carers are aware of the child protection policy and who to speak to if they have any concerns and the procedures to follow.

We will develop appropriate guidance for staff involved with children, which outline codes of behaviour. These will be developed on a group by group basis taking into account the needs of the particular group.

Responsibility for implementing and monitoring the policy rests with the Board.

All work with children will be monitored in accordance with the organisation's monitoring and evaluation procedures which are:

- the Board receiving regular reports from its recruitment panels, sub-groups and staff.
- all staff receiving line management which includes monitoring the equal opportunities aspects of their work;
- specific surveys are carried out from time to time in communities experiencing deprivation;
- the results of any monitoring and evaluation exercises are fed into priorities for work and future funding.

12. Whistleblowing

Any member of staff who raises an issue where they believe the employer, a fellow employee or any volunteer is acting in a way which is unlawful or falls below proper standards or contrary to this policy are protected by the Public Disclosure Act 1998, provided they comply with statutory procedures.

Any employee looking at whistleblowing can do so by using the procedure set out in our 'Whistleblowing Policy' and in the first instance should discuss it with the Chief Officer or the Safeguarding Officer.

Any volunteer with such concerns must raise it with the person responsible for their management or the Chair of the Management Committee. Anyone involved in whistleblowing will be supported and RCVA will ensure that proper procedures are followed.

13. Confidentiality

Child protection raises issues of confidentiality which should be clearly understood by all.

Staff, volunteers and trustees have a professional responsibility to share relevant information about the protection of children with other professionals, particularly investigative agencies and adult social services.

Clear boundaries of confidentiality will be communicated to all.

All personal information regarding a child will be kept confidential. All written records will be kept in a secure area for a specific time as identified in data protection guidelines. Records will only record details required in the initial contact form.

If a child confides in a member of staff and requests that the information is kept secret, it is important that the member of staff tells the child sensitively that he or she has a responsibility to refer cases of alleged abuse to the appropriate agencies.

Within that context, the child should, however, be assured that the matter will be disclosed only to people who need to know about it.

Where possible, consent should be obtained from the child before sharing personal information with third parties. In some circumstances obtaining consent may be neither possible nor desirable as the safety and welfare of the child is the priority.

Where a disclosure has been made, staff should let the child know the position regarding their role and what action they will have to take as a result.

Staff should assure the child that they will keep them informed of any action to be taken and why. The child's involvement in the process of sharing information should be fully considered and their wishes and feelings taken into account.

Our statement relating to confidentiality will be made known to all who access any of our provision.

14. Procedure in the event of a disclosure

It is important that children are protected from abuse. All complaints, allegations or suspicions must be taken seriously.

This procedure must be followed whenever an allegation is made that a child has been abused or when there is a suspicion that a child has been abused.

Promises of confidentiality should not be given as this may conflict with the need to ensure the safety and welfare of the child.

14.1 Guidance for Workers on Action to be Taken

If you suspect a child is being abused:

- immediately discuss with the Designated Safeguarding Officer
- record the facts as you know them

If a child discloses abuse by someone else:

- allow them to speak without interruption, accepting what is said

- advise that you will offer support where possible, but you must pass the information on
- discuss with the Designated Safeguarding Officer

If you receive an allegation about any adult or about yourself:

- immediately discuss with the Designated Safeguarding Officer
- record the facts as you know them
- try to ensure no-one is placed in a position which could cause further compromise

14.2 Responding to an allegation

All employees and volunteers are instructed to report the disclosure or discovery of abuse or alleged abuse directly to the Designated Safeguarding Officer on that working day where possible. All trustees will report such incidents directly to the Designated Safeguarding Officer.

The designated safeguarding officer or their deputy shall telephone and report the matter to the appropriate local child social services duty social worker. A written record of the date and time of the report shall be made and the report must include the name and position of the person to whom the matter is reported. The telephone report must be confirmed in writing to the relevant local authority adult social services department within 24 hours.

14.3 Responding appropriately to a child making an allegation of abuse

- Stay calm.
- Listen carefully to what is said.
- Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others – do not promise to keep secrets.
- Tell the child that the matter will only be disclosed to those who need to know about it.
- Allow the child to continue at her/his own pace.
- Ask questions for clarification only, and at all times avoid asking questions that suggest a particular answer.
- Reassure the child that they have done the right thing in telling you.
- Tell them what you will do next, and with whom the information will be shared.
- Record in writing what was said, using the child's own words as soon as possible – note the date, time, any names mentioned, to whom the information was given and ensure that the record is signed and dated.

DON'T

- Confront the alleged abuser
- Be judgmental or voice your own opinion
- Be dismissive of the concern
- Investigate or interview beyond that which is necessary to establish the basic facts
- Disturb or destroy possible forensic evidence
- Consult with persons not directly involved with the situation
- Ask leading questions
- Assume Information
- Make promises
- Ignore the allegation
- Elaborate in your notes
- Panic

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child protection agencies, following a referral from the designated child protection officer.

14.4 Keeping A Record of Concerns

When a child concern arises, it is essential you record what is said or seen and what action was taken.

This record or any other written record should be kept following Data Protection Procedures: in a locked cabinet or drawer and/or password protected if kept electronically. Access should be limited to only:

- the person who has completed the form;
- the designated safeguarding officer or deputy;
- the Chair of RCVA if the person complained about is the Chief Officer.

It may be shown to the police or Social Services and could possibly be used in court, although this is rare. The child concerned can be shown this document but discretion should be used. Their permission should be obtained before showing to the family/carer.

A full record shall be made as soon as possible of the nature of the allegation and any other relevant information. This should include information in relation to the date, the time, the place where the alleged abuse happened, your name and the names of others present, the name of the complainant and, where different, the name of the child who has allegedly been abused, the nature of the alleged abuse, a description of any injuries observed, the account which has been given of the allegation.

All stages of the reporting procedure must be documented, marked CONFIDENTIAL and stored securely following the procedures laid out in the Data Protection Policy.

14.5 Allegations against employees, trustees or volunteers

When any form of complaint is made against an employee or volunteer, it will be taken seriously and the complaint will initially be dealt with by the Chief Officer giving details of the circumstances. If the Chief Officer is the person against whom a complaint has been made the Chair or in their absence Vice Chair of the Trustee Board must be informed immediately and they will deal with the complaint.

If any of the above Chair, Vice Chair, Chief Officer is the person against whom a complaint has been made they will be excluded from the processing of the complaint.

The Chief Officer or the Chair/Vice Chair will attend the site of the allegation to gain an initial account of what has occurred from all relevant parties, including the person against whom the allegation has been made. If this is not possible, contact will be made by telephone.

The Chief Officer or the Chair/Vice Chair will have the right to suspend from duty and/or the premises, any person who is a party to the allegation until a full investigation has been made in line with RCVA Disciplinary Procedures or the Code of Conduct.

This action does not prejudice the outcome of the investigation of the complaint or imply in any way that the person suspended is responsible for, or is to blame for, any action leading up to the complaint. The purpose of any such suspension is to enable a full and proper investigation to be carried out in a totally professional and objective manner.

The Safeguarding Officer will decide on a course of action as laid down by the appropriate local Safeguarding Board. They may also need to follow their legal duty to report/provide relevant information to the DBS.

RCVA will co-operate fully with the Police, Social Services, the NHS and all other parties involved.

The Chief Officer will make a full written report of the incident and the actions taken. This report will be stored securely following the procedures detailed in the Data Protection Policy.

14.5 Resignation

If, during the course of an investigation relating to safeguarding, an employee tenders his or her resignation, or ceases to provide their services, RCVA is not prevented from following up an allegation in accordance with these procedures. Every effort will be made to reach a conclusion, including in cases where the person concerned refuses to co-operate with the process.

14.6 Outside Organisations

Any club, society, organisation or individual undertaking activities on our behalf involving children will be required to either adopt our Safeguarding Policy or show proof that they have their own robust policies.

Any club, society, organisation or individual undertaking any activity that has been sanctioned by RCVA which involves children on our land or in our premises will be required to adopt our signing in and signing out procedures.

Any club, society, organisation or individual working with children who refuse to adopt our policies, signing in and signing out procedures or adopt their own policies and procedures will not be permitted to use our facilities.

Any club, society, organisation or individual working with children will be subject to random spot checks periodically by RCVA employees to ensure policies and procedures are in place and being implemented.

15. Use of photographic/video equipment

Written consent to take and use images of children should be obtained prior to the taking of photographs and or video footage. Parents/carers should be made aware of when, where and how the images may be used to give their informed consent.

The Role of Key Individual Agencies***Social Services***

The Children's Act 1989 gives Local Authority Social Services the primary responsibility for the care and protection of abused children and children at risk of abuse. It is their statutory duty to ensure that there is an investigation in cases of suspected abuse or significant harm.

To take action to protect the child and to promote the welfare of the child.

Social Services also convene Child Protection conferences and manage the Child Protection Register.

Police

The overriding concern of the Police in child protection is the welfare of the child. Their general duties are to investigate crimes as well as a duty to prevent offences being committed and to protect those at risk of harm. The Children's Act 1989 permits the Police to take a child into police protection; where there is reasonable cause to believe that he/she would otherwise be at risk of significant harm.

Police and Social Services will work jointly where it is likely that criminal proceedings will be brought against the perpetrator of the abuse.

NSPCC

The NSPCC pursues its objective of identifying and preventing child abuse through consultation and cooperation with Social Services. They are identified as an 'authorised person' under the Children Act 1989. NSPCC runs national Child Protection Helplines.

Child Protection Officers of the NSPCC are required to initiate procedures that ensure their own appropriate response to any complaint or request for help on all matters concerning children.

Role of designated safeguarding officer

The role of the designated safeguarding officer is to deal with all instances involving child protection that arises within RCVA. They will respond to all child protection concerns and enquiries.

The Designated Safeguarding Officer for RCVA is Judith Bromfield, Chief Officer judith.rcvs@virgin.net (01748) 822537.

The Deputy Designated Safeguarding Officer is: Keith Hall, Chairperson

References, internet links and further sources of information

Working together to Safeguard Children – (A guide to inter-agency working to safeguard and promote the welfare of children.)

Available to download at www.everychildmatters.gov.uk

North Yorkshire Safeguarding Children Board <http://www.safeguardingchildren.co.uk/>

North Yorkshire Safeguarding Concerns Contact No: 01609 534527

Safeguarding Children

Initial cause for concern form

Date

Time

Name of individual cause for concern is about

Age (if known)

Address (if known)

Describe your concern and action taken.

Observations to support cause for concern

Description and location of any visible marks, bruising or change in behaviour etc.

Name of alleged abuser, relationship with child (if known)

Do the parents/carers know?

Witness.....Date.....