

**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure

SEPTEMBER 2015



**The Staffordshire and Stoke-on-Trent
Adult Safeguarding Partnership**
Abuse must stop

CONTENTS

Section 1 – Policy		Page
1.1	Introduction	3
1.2	Policy Statement and Scope	3
1.3	Principles	4
1.4	Supporting documents/ legislation	4
 Section 2 - Procedure Guide		
2.1	Introduction	5
2.2	Definitions used within procedure	5
2.3	Recognition of abuse including neglect and bullying	5
2.4	Increased risk	13
2.5	Responding to disclosure, suspicions and allegations	14

APPENDICES

Appendix A (i) - Procedural Flow Chart for Child Referral	19
Appendix A (ii) – Procedural Flow Chart for an Adult at Risk Referral	20
Appendix B – Relevant Guidance and Legislation	21
Appendix C – Initial Concerns Reporting Form	23
Appendix D – Roles and Responsibilities	25
Appendix E – Contact Information	27
Appendix F - Promoting Good Practice when working with Children and Adults at Risk	28
• <i>Social Networking</i>	28
• <i>First Aid and Treatment of Injuries</i>	28
• <i>Transporting children and adults at risk away from home</i>	29
• <i>Use of Contractors</i>	29
• <i>Guidelines on children and adults at risk in publications and on the internet</i>	31
• <i>Guidelines on use of photography, video and filming children and adults at risk</i>	31
Appendix G – Best Practice on the recruitment of staff and volunteers	33

SECTION 1

1.1 Introduction

All children ¹and adults at risk of abuse or 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. We are 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 everyone'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 of abuse and neglect. The Policy covers Safeguarding Children and Adults at risk.

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

We will aim to comply with our duties by:

- 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 from abuse, and to also minimise any risks to themselves.

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.

- 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 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 Children and Adults at Risk of Abuse and Neglect Policy and Procedure, 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 of Newcastle-under-Lyme Borough Council who have contact with children, young people or adults are subject to safer recruitment procedures. This is also applicable for when the Council is working in partnership with other private, voluntary or contracted organisations and employees.

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 to ensure 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:**
 - Children Act 1989
 - Children Act 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 (DBS) (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 for adult safeguarding.

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 direct 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 or discuss your concerns with the Designated Safeguarding Officer or Deputy or a Safeguarding Champion, 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. We do however have a responsibility to act if we think it may be happening.

Abuse, including neglect, are forms of maltreatment of a child or adult. Somebody may abuse a child or adult by inflicting harm, 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 the following types of abuse:

Children and Adults:

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

Adults:

Financial abuse, discriminatory abuse, organisational abuse, domestic abuse, modern slavery, neglect and acts of omission and self 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 employees and members identify the types and signs of abuse and to help them decided whether concerns should be raised.

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 • The denial of human and civil rights • Harassment • Being made to fear for one's well being 	<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 • 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 • For adults, being denied access to a sexual life • 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 • Disclosure

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 vulnerable 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 • 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
SELF-NEGLECT (Adults)	
Examples include	Signs include
<ul style="list-style-type: none"> • Little or no personal care • Refusing medication or refusing to stay on medication • Disorientated or incoherent • Unsafe living conditions & hoarding • Inability to manage finances and property • Isolation 	<ul style="list-style-type: none"> • poor grooming, dirty or ragged clothes, unclean skin and fingernails • unwilling to accept medical care • unable to focus, carry on normal conversation or answer basic questions about date, place, and time • Lack of food or basic utilities in the home, unclean living quarters, rodents or other vermin • Hoarding animals or trash, inability to get rid of unneeded items • Inability to manage finances and property: not paying bills, repeatedly borrows money, gives money or property away • Little contact with family or friends, no social support.

Adults at risk may experience several other types of abuse as detailed below;

FINANCIAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Being over charged for services • Being tricked into receiving goods or services that they do not want or need • Inappropriate use, exploitation, or misappropriation of property and/or utilities • Theft • Deception • Fraud • Exploitation or pressure in connection with wills 	<ul style="list-style-type: none"> • Lack of basic requirements e.g. food, clothes, shelter • Inability to pay bills. • Unexplained withdrawals from accounts. • Inconsistency between standard of living and income • Reluctance to take up assistance which is needed • Unusual interest by family and other people in the person's assets • Recent changes in deeds • Power of Attorney obtained when person lacks capacity to make the decision.
DISCRIMINATORY	
Examples	Signs
<ul style="list-style-type: none"> • Use of inappropriate "nick names" • Use of derogatory language or terminology • Enforcing rules or procedures which undermine the individual's well being • Denial to follow one's religion • Lack of appropriate food • Denial of opportunity to develop relationships • Denial of health care. 	<ul style="list-style-type: none"> • Being treated unequally from other users in terms of the provision of care, treatment or services • Being isolated • Derogatory language and attitude by carers • Dismissive language by staff • Hate campaigns by neighbours or others • Deteriorating health • Indicators of other forms of abuse
ORGANSATIONAL ABUSE	
Examples	Signs
<ul style="list-style-type: none"> • Service users required to 'fit in' excessively to the routine of the service • More than one individual is being neglected • Everyone is treated in the same way • Other forms of abuse on an institutional scale 	<ul style="list-style-type: none"> • Inflexible daily routines, for example: set bedtimes and/or deliberate waking • Dirty clothing and bed linen • Lack of personal clothing and possessions • Inappropriate use of nursing and medical procedures • Lack of individualised care plans and failure to comply with care plans • Inappropriate use of power, control, restriction or confinement • Failure to access health care, dentistry services etc • Inappropriate use of medication. • Misuse of residents' finances or communal finances • Dangerous moving and handling practices • Failure to record incidents or concerns

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 to cases that meet the **threshold for significant harm** – for further information please refer to Section 1E threshold framework 'Accessing the right help at the right time'.
www.staffscb.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, then an Adult Protection referral should be made to the Contact Centre on **0845 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.staffscb.org.uk/Professionals/Procedures/Procedures.aspx

Child Sexual Exploitation

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. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the

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.

child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability. (Safeguarding Children and Young People from Sexual Exploitation DCFS 2009).

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

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.staffsscb.org.uk/Professionals/Procedures/Section-Four/Section-Four-Docs/Section-4M-Female-Genital-Mutilation.pdf>

Modern slavery

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, deception, abuse

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.

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.

If you have a concern regarding the possible 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 or neglect, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the Council.

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 **0845 6042719**.

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's Board 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.staffscsb.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 to Adults at Risk

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 may occur, by promoting good practice to all staff and elected members (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. It is however their responsibility to act immediately on any such suspicions and report their concerns and to ensure any relevant information is passed to the appropriate team (see **Appendix A**).

Responding to disclosure

Abused children and adults 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 the child or vulnerable adult. • 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 of abuse and neglect 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. 	<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.

Responding to Concerns

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

If any employee, elected member or volunteer has any concerns regarding a child or adult who they think is being abused it is important for them to act **immediately**. All concerns must also be shared with the Designated Safeguarding Officer or Deputy. If these persons are not available, either because they are on annual leave or off sick 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, using the initial concerns form at **Appendix C** which should include:

- The date and time
- The child or adult at risk's name, address and date of birth
- The nature of the allegation
- 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
- 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 Lead Officer or Deputy.

A copy of this should be shared with the Designated Safeguarding Officer 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.

Actions to be taken by the employee / elected member / volunteer / Designated Safeguarding Officer(s) / Safeguarding Champions

(Please see Appendix A (i) and (ii) for Procedural Flowcharts).

- 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 **0845 604 2719**.
- Outside of 8am and 5pm any concerns relating to a child should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police on **101** or **dial 999 in an emergency where someone is at risk of immediate harm**.

**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.*

The Borough Council's Designated Safeguarding Officer or Deputy should also ensure that the employee reporting the incident is reassured that their concerns are being appropriately addressed and that they have access to staff support if needed.

Consent

Whilst professionals should in general discuss any concerns with the child and family and where possible seek their agreement to making referrals to Staffordshire Children's Social Care Services, this should only be done where such discussion and agreement-seeking will not place the child or others at increased risk of suffering significant harm.

Consent is **not** required for referrals that meet the threshold for significant harm.

Consent is not required for adult protection referrals; however it is good practice to gain consent if possible. If the adult lacks capacity to make a decision to share the information for themselves, a decision can be taken in their best interests about whether this is appropriate.

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 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 (**for contact details see Appendix E**).

If a child or children may have suffered or be at risk of suffering significant harm due to the alleged actions, or inactions, of a member of staff, an immediate referral will be made to the Staffordshire First Response Team. They will ensure that a safeguarding investigation is implemented in appropriate circumstances. The Duty LADO (Local Authority Designated Officer) will also be informed and will contact the Designated Safeguarding Officer or Deputy for an initial discussion in regards to the position of trust issues.

If the matter does not appear to meet the threshold of significant harm the Designated Safeguarding Officer or Deputy will refer to the LADO, via the First Response Team within 24 hours.

The LADO is a statutory role in relation to allegations against children⁶. 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

⁶ As defined in Working Together 2013, Chapter 2, page 48

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 Designated Safeguarding Officer or Deputy will make a referral to the Adults Contact Centre 0845 604 2719.

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, or in exceptional circumstances and if requested by the person raising concerns by 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 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

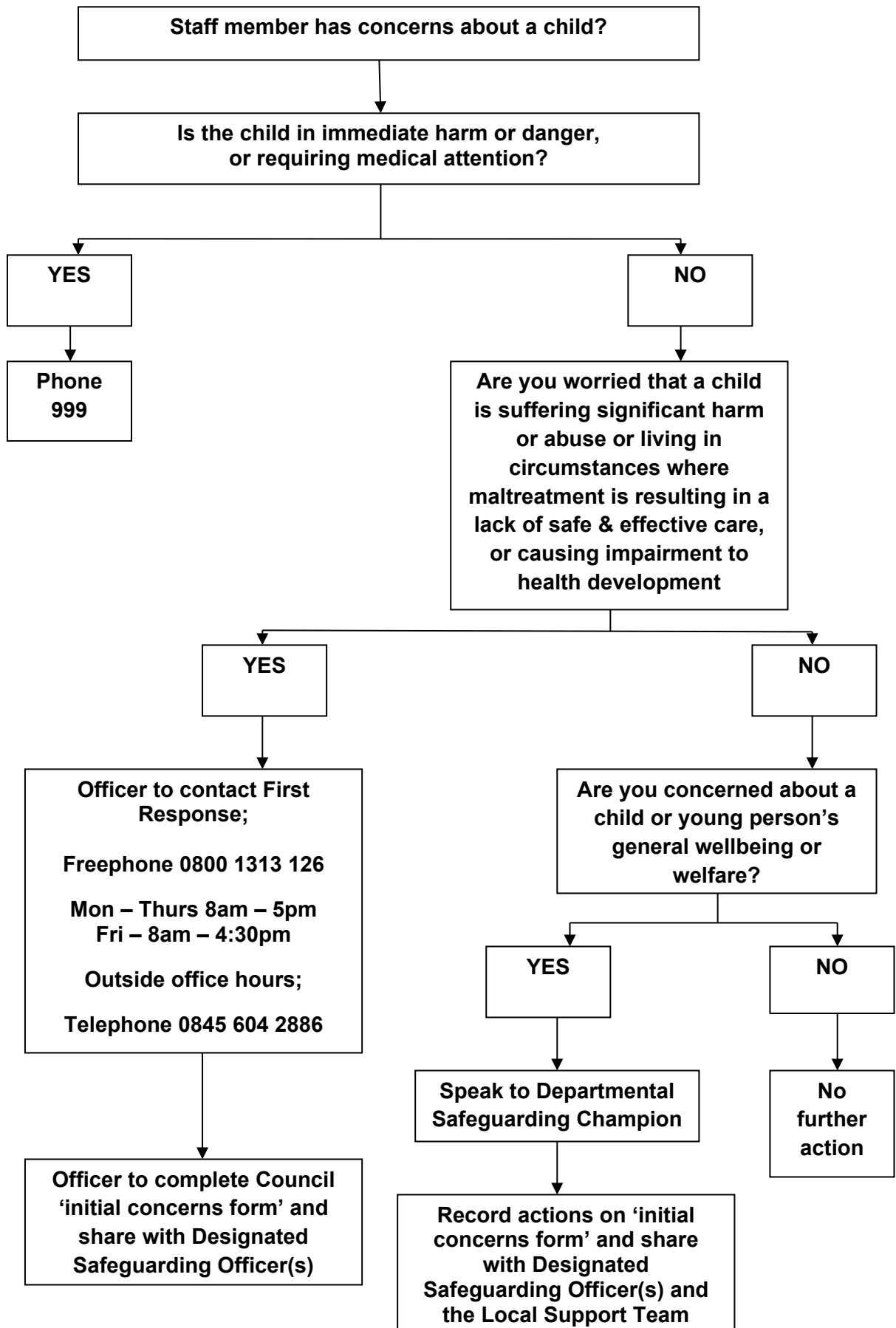
Any staff member, volunteer or governor who becomes the subject of a police investigation in relation to physical or sexual offences against adults or children, or are charged with such a criminal offence, must inform the Head of Human Resources. Staff must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before, or during their employment at the organisation. The Head of Human Resources will discuss any potential safeguarding matters with the LADO and any required action will be agreed.

Types of Investigation

There may be a number of strands to a child or adult protection investigation e.g. professionals strategy meetings, child protection conferences and core groups, criminal investigations, joint evaluation meetings 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/> or <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

APPENDIX A (i)

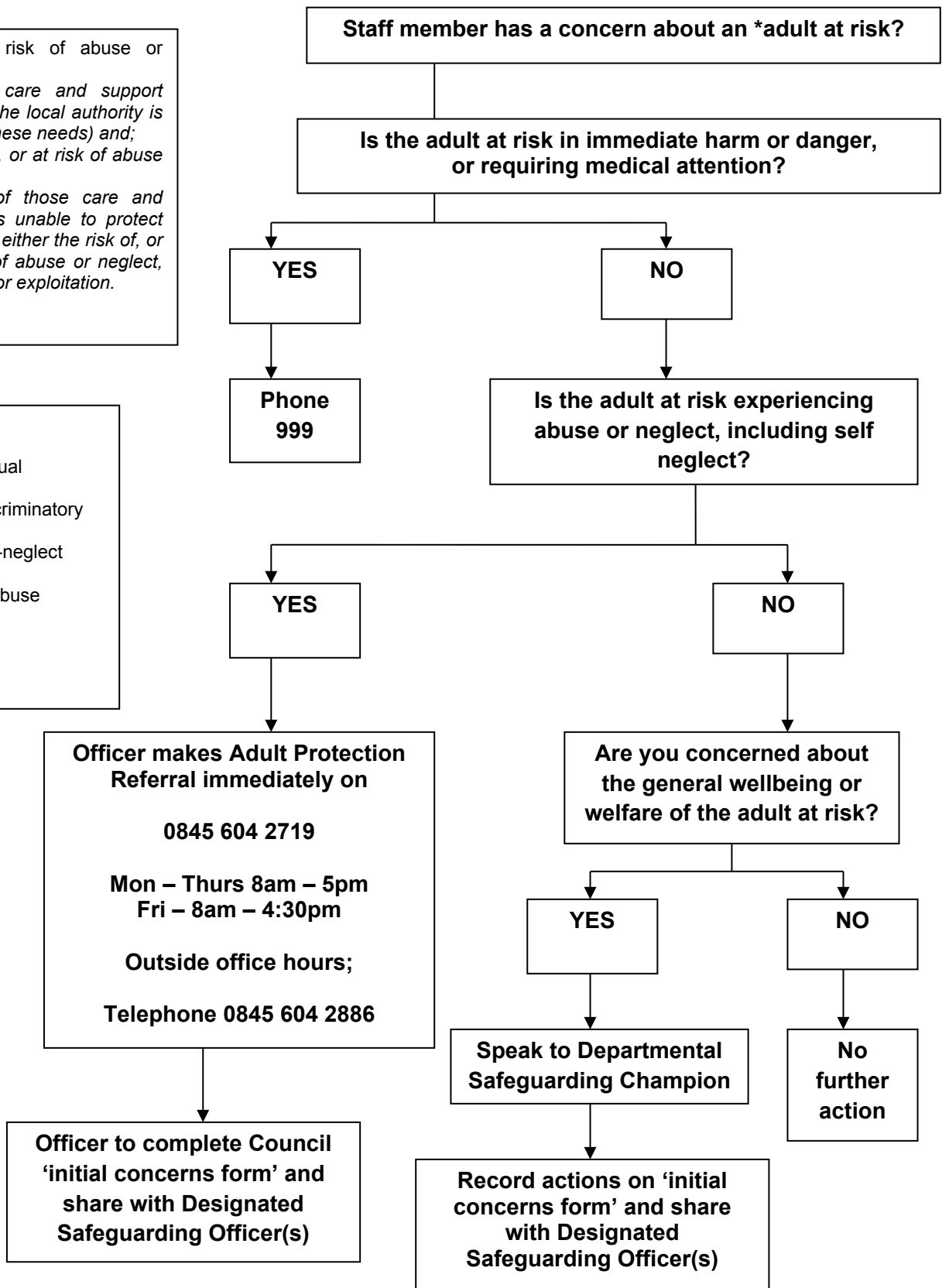


APPENDIX A (ii)

* 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 to record your concerns and then shared with the Designated Safeguarding Officers in the Partnerships Team – sarah.moore@newcastle-staffs.gov.uk and catherine.fox@newcastle-staffs.gov.uk and submitted to First Response or the Adult Protection Contact Centre as appropriate.

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

<p>(please include as much detail as possible)</p>
--

ACTION YOU HAVE TAKEN

What you have done with the concern? e.g. reported to Police, referred to Local Support Team, referred to First Response, referred to Adult Protection Team etc.	
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	
Reference Number if applicable	
Has the Multi Agency Referral Form (MARF) been completed 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 (Community Safety Officer – DV Lead).

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 directly with Staffordshire County Council's First Response Team or the Adult Protection Team (see **Appendix E** for contact details).

Head of Business Improvement, Central Services and Partnerships

The Head of Business Improvement, Central Services and Partnerships 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.

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.

- **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
 - Emma Reardon – Administrative Assistant – 01782 742544 – emma.reardon@newcastle-staffs.gov.uk
 - Gareth Harvey – Acting Head of Environmental Health – 01782 742732 – gareth.harvey@newcastle-staffs.gov.uk
 - Rebecca Cooper – Solicitor – 01782 742218 – rebecca.cooper@newcastle-staffs.gov.uk
 - Gillian Taylor – Housing Team Leader – 01782 742563 – Gillian.taylor@newcastle-staffs.gov.uk
 - Joanne Halliday – Head of 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
 - Jessica Woolgar - Sports Centre Manager (Kidsgrove) – 01782 742580 – jessica.woolgar@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 Business Improvement, Central Services and Partnerships** is Mark Bailey – 01782 742751 – mark.bailey@newcastle-staffs.gov.uk
- **Head of Human Resources** is Sarah Taylor – 01782 742260 – 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 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. 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 **0845 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 0845 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.staffsscb.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.staffscb.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 our 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 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.