

CORPORATE POLICY

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

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| Revision Date | Version Control | Summary of changes |
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| 02/12/08 | 2 | Draft incorporate Staffordshire Safeguarding Children Board changes |
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| | | <p>Implementation of Working Together 2015 guidance</p> <p>Implementation of Care Act 2014 guidance</p> <p>Inclusion of Information on:</p> <p>Child Sexual Exploitation</p> <p>Female Genital Mutilation</p> <p>Modern Slavery</p> <p>Violent Extremism</p> <p>Procedural flowchart updated</p> |
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Approvals V10

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Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and accessed by authorised users.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.

Section 1

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

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Section 1

1.1 Introduction

All children¹ and adults at risk of abuse and neglect² 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.

Tamworth 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/or provided by the Council.

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 Tamworth 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. The policy covers Safeguarding Children and Adults at risk of abuse and neglect.

Tamworth Borough Council has a legal responsibility to safeguard, promote wellbeing and protect children and adults.

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 (See Appendix C).
- 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 of our services, to protect all parties and reduce the risk of abuse or allegations of abuse from occurring.

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.

- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and adults at risk, from abuse and to also minimise any risks to themselves (See Appendix E).
- 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 Procedures for Safeguarding Children and Promoting their Welfare and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency 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 Procedures, codes of conduct and associated procedures.
- Reviewing and evaluating this policy and procedure on an annual basis or in line with best practice, changing legislation, organisational requirements and service delivery.
- Ensuring representatives of Tamworth Borough Council who have contact with children, young people or adults at risk are subject to safe recruitment procedures. This is also applicable when the council is working in partnership with other private, voluntary or contracted organisations and their employees (See Appendix F).

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 report any concerns about abuse in order that prompt action be taken if required.
- 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 A.

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 Safeguarding Children 2013

Working Together to Safeguard Children 2015

Mental Capacity Act 2005

Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)

Staffordshire Safeguarding Children Board Inter-Agency Procedures

Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures

Section 2

Procedure Guide

2.1 Introduction

This set of procedures and guidelines sets out how Tamworth 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.
- An adult at risk for the purpose of this procedure is 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, borough councillors, volunteers and anyone working on behalf of, delivering a 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 seek advice from the designated safeguarding officer 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 or by failing to act to prevent harm. Children and adults may be abused in a family or in an organisational 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, emotional (or psychological), sexual and neglect.

Adults:

Financial, discriminatory, organisational, 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 identify the types and signs of abuse and to help them decide 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 |

| | |
|--|---|
| | <ul style="list-style-type: none"> • 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 vulnerable 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 | <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 |

| | |
|---|--|
| <ul style="list-style-type: none"> • Any sexual relationship that develops where one is in a position of trust, power or authority | <ul style="list-style-type: none"> • 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 and 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 • Not paying bills, repeatedly borrows money, gives money or property away • Little contact with family or friends, no social support |

| FINANCIAL ABUSE (Adults) | |
|--|---|
| 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

- 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

Signs

- 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

ORGANISATIONAL ABUSE

Examples

- 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

Signs

- 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 the welfare and safety of a child that meet the **threshold for significant harm** - for further information please refer Section 1E threshold framework 'Accessing the right help at the right time'.

www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Where it is thought that a victim of domestic violence and abuse meets the definition of an adult at risk, then an Adult Safeguarding 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 Staffordshire Safeguarding Children Board website.

www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

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

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

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 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

<http://www.staffsscb.org.uk/Professionals/Procedures/Section-One/Section-One-Docs/Section-1C-Contents-Page.doc>

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 at risk, 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.

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..

Female Genital Mutilation (FGM)

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 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 Officer or make a referral direct to the appropriate team. Staff 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, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the council and the Community Safety Partnership.

Hate Crime

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

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

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

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

Hate crime can take many forms including:

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

If the victim of a Hate Crime meets the definition of an adult at risk, an Adult Protection referral should be made to the Contact Centre (See Appendix D).

Safeguarding people who are vulnerable to being drawn into violent extremism and/or terrorism

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

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

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

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

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

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

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

For further guidance see procedure 6L

<http://www.staffscsb.org.uk/Professionals/Procedures/Section-Six/Section-6-Further-Guidance-for-Practitioners.aspx>

2.4 Risks that increase the likelihood of abuse happening to Adults at Risk

There are certain situations and factors that put adults 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 abusing drugs or alcohol
- Parent has already abused a child
- Parent has previously had children removed
- Unwanted pregnancy/termination
- Parent has a background of abuse when growing up
- Young, unsupported mother often with low education
- 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 violence 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 E).

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 member's/ 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 B1 & B2).

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 | |
|--|---|
| Dos | Don'ts |
| <ul style="list-style-type: none"> • React calmly so as not to frighten the child or 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 Social Care Services 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 | <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 or any witnesses to sign your written information as this may be |

| | |
|---|---|
| <p>information.</p> <ul style="list-style-type: none"> • Reassure the child or adult 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 | <p>significantly detrimental to any subsequent police investigation</p> <ul style="list-style-type: none"> • Do not take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral. |
|---|---|

Responding to Child/Adult Safeguarding Concerns

It is the responsibility of the individual employee, elected member or volunteer to take a lead on reporting any concerns. If any employee, elected member or volunteer has concerns regarding a child or adult at risk who they think is being abused or suffering significant harm it is important for them to act **immediately**. All child/adult safeguarding concerns must be recorded on the reporting concerns form* and the information shared with the appropriate Staffordshire County Council team and the Tamworth Borough Council's Designated Safeguarding Officer notified.

The record should include:

- The date and time
- The child or adult'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 Officer.

* The initial concerns reporting form is available via the Intranet by clicking on the word **Safeguarding** displayed at the top of the webpage, a hard copy will be made available for staff that do not have access to a computer.

Where there is evidence of immediate harm then the employee should phone 999 and report the incident to the Police. 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.

- Where there are concerns that a child or young person is at risk of, or suffering significant harm then a referral should be made to Staffordshire Children Social Care First Response Team based at the MASH on **0800 1313126 (between 8.00 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail to firstr@staffordshire.gov.uk with your contact details (**DO NOT INCLUDE ANY CONFIDENTIAL INFORMATION ABOUT A CHILD OR YOUNG PERSON IF EMAILING**) and explain the need for an urgent response due to a child protection concern.
- Where concerns relate to an adult at risk an adult safeguarding referral must be made to the Contact Centre **0845 604 2719 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)**.
- **Outside of normal working hours** any concerns relating to a child or adult at risk should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101**

All concerns must be shared with the Tamworth Borough Council Designated Safeguarding Officer(s). The Designated Officer/ Deputy should also ensure that the employee reporting the incident is reassured that they have access to staff support if needed.

Please see procedural flowchart located at Appendix B1 & B2.

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 met the threshold for significant harm; however you, as the referring professional, would need to inform parents or carers that you are making a referral as stated above, unless by alerting them you could be putting that child or others at risk.

Consent is not required for adult safeguarding 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.

NB: if the child lives outside Staffordshire but accesses services within Staffordshire, the referral must be made to the area in which the child resides.

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
- SSCB Inter-Agency Procedures: Section 4A

It is essential that any concerns for the welfare of a child or adult arising from abuse or harassment by a member of staff or a volunteer should be reported **IMMEDIATELY** to the Lead Designated Safeguarding Officer **Jane Hackett** / or a Deputy Safeguarding Officer Rob Barnes or Andrew Barratt and the Head of Organisational Development **Christie Timms (See Appendix D)**.

If a child or children have suffered or are at risk of suffering significant harm the Designated Officer/ Deputy will contact First Response and speak to the Local Authority Designated Officer (LADO).

If the matter does not meet the threshold for significant harm the Designated Child Protection Officer/ Deputy will contact First Response and speak to the LADO within 24 hours

The LADO is a statutory role in relation to allegations against 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 organisations/bodies; supporting the adult and possible media interest. The LADO will also monitor the progress of an investigation and assist an employer in the taking of any difficult judgments about a person's suitability to remain in the children's workforce.

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

If the allegation is in respect of abuse or harassment of an adult at risk, the Designated Safeguarding Officer will make a referral to the 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, moving the person reporting the abuse / potential abuse to another workplace temporarily whilst the incident is reported. 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, elected member or volunteer 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 protection investigation or adult safeguarding enquiry 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/>

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

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 named 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, 2013, 2010, 2006, 1999 - This statutory guidance 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; www.education.gov.uk
- Inter-agency procedures for safeguarding children and promoting their welfare in Staffordshire are available on line at www.staffsccb.org.uk.
- The Care Act 2014– the Act builds on recent reviews and reforms, replacing numerous previous laws, 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
 - People in control of their care

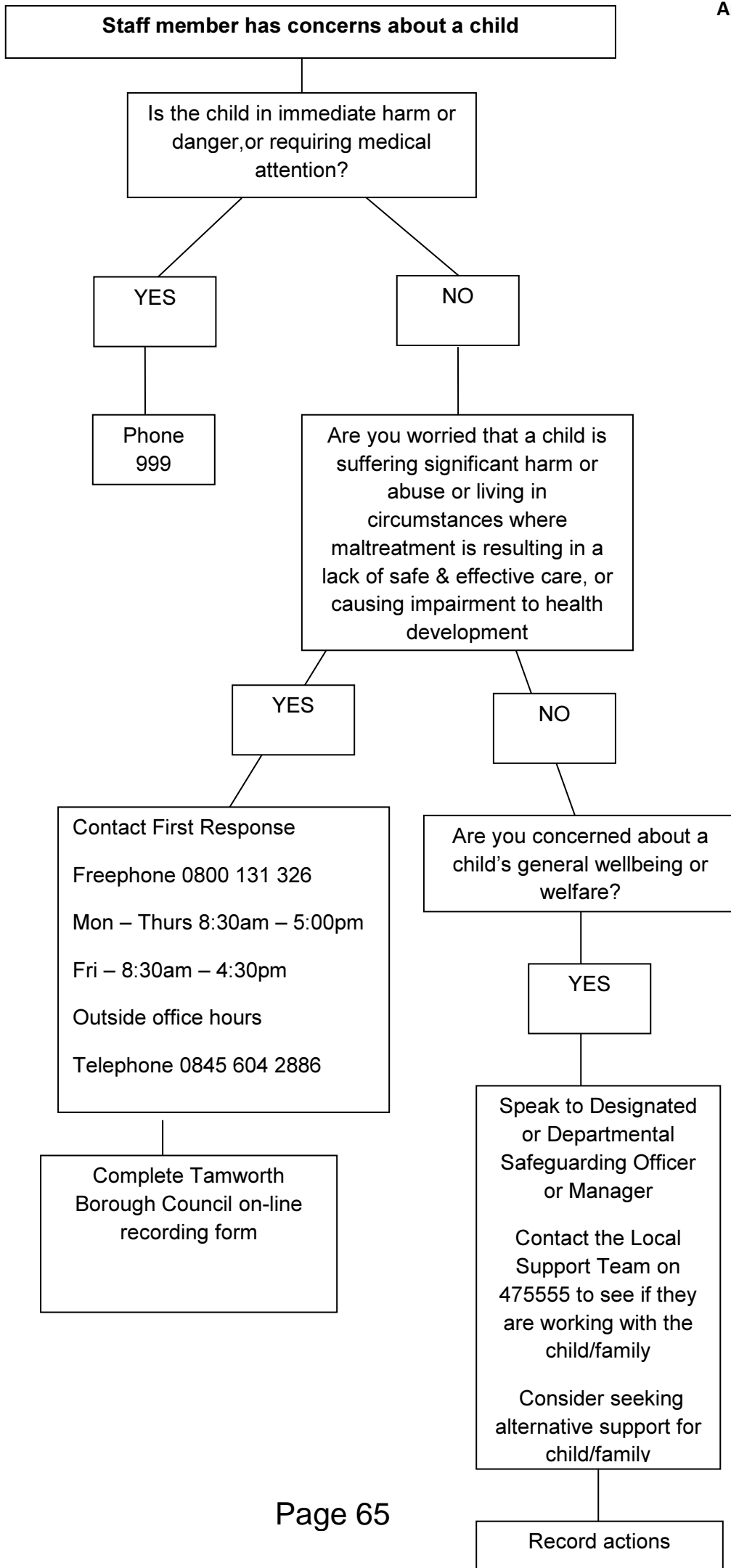
For further information please go to

<https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

- The 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)



Staff member has a concern about an adult at risk of abuse or neglect

Is the adult at risk in immediate harm or danger, or requiring medical attention?

YES

NO

Phone 999

Is the adult experiencing abuse or neglect, including self – neglect?

YES

NO

Make an Adult Safeguarding Referral immediately on
0845 604 2719
Mon – Thurs 8:30am – 5:00pm
Fri – 8:30am – 4:30pm
Outside office hours
Telephone 0845 604 2886

Are you concerned about the general wellbeing or welfare of the adult at risk?

YES

Speak to Designated or Departmental Safeguarding Officer or Manager and seek alternative support as necessary

Complete Tamworth Borough Council on-line recording form or paper copy and pass to designated officer

Record actions

*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

Roles and responsibilities within the Council

Designated Safeguarding Officer

For the Council the Designated Safeguarding Officer is the Solicitor to the Council & Monitoring Officer -**Jane Hackett**.

It is their responsibility to:

- Receive information from staff, volunteers and children who have concerns, and record them
- Be the delegated liaison on behalf of the Council for any formal investigations into allegations of abuse undertaken by the police and / or Staffordshire's Children's Social Care Service (CSC)
- Receive the appropriate child protection and adults at risk of abuse and neglect safeguarding training
- Ensuring policy documents and procedures are up to date and in line with best practice, changing legislation and statutory guidance
- Ensuring that all employees (including volunteers, contractors, agents and other partner representatives) 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

Deputy Safeguarding Officers

In the absence of the Designated Safeguarding Officer queries should be directed to one of the Deputy Safeguarding Officers:

**Andrew Barratt Director for Assets & Environment or
Rob Barnes Director for Housing & Health**

Advice can also be sought from one of the departmental safeguarding officers:

Directorate Legal & Democratic Services - **Stephanie Ivey**

Directorate Assets & Environment - **Joanne Sands**

Directorate Housing & Health - **Lee Birch/ Lisa Hall**

Queries can also be raised directly with Staffordshire's CSC First Response Team or the Adult Safeguarding Team (see appendix E for contact details).

Head of Organisational Development

The Head of Organisational Development is responsible for ensuring:

- Appropriate procedures are in place to carry out pre-employment checks for all employees and volunteers working with the Council who have contact with children and / or adults in carrying out their duties, including robust reference and Disclosure and Barring Service (DBS) checks.
- Will ensure that DBS checks are renewed every three years in accordance with DBS policy.
- Will ensure that DBS checks and employee references are kept secure and confidential in compliance with the DBS Code of Practice.
- Will maintain a record of all employees and volunteers that have completed a DBS check and are considered to be suitable for working with children, young people and adults.
- Training is in place for all staff who fall into the definition of level 1 (basic) or level 2 (intermediate) or level 3 (specialist) 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.

Departmental Children and Adult Safeguarding Officers

- Staff can seek advice or raise concerns with their Departmental Safeguarding Officer.
- The Departmental Safeguarding Officer must ensure that the concern is recorded and if considered a safeguarding issue referred to Staffordshire Children Social Care First Response Service or in the case of an adult at risk of abuse or neglect to Staffordshire Adult Protection Team, and recorded on the on-line safeguarding concern form.

All Employees and Members

- Should not begin any regulated activity involving direct access to children, young people or adults prior to the Council receiving a satisfactory DBS check in accordance with 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 attend mandatory child protection 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 / young people / adults at risk).
- Should be aware of appropriate and inappropriate behaviour for employees who are working with children, young people and adults.
- Need to know who their Designated Safeguarding Officer is.

- Have an expected responsibility to take action when they have concerns, witness or hold information that relates to the abuse of a child, young person or adult.

Contact Information

Tamworth Borough Council's Designated Safeguarding Officer is the Council's Monitoring Officer

Jane Hackett **01827 709258**

Deputy Safeguarding Officers

Director of Assets & Environment

Andrew Barratt **01827 709453**

Director of Housing & Health

Rob Barnes **01827 709447**

Departmental Designated Safeguarding Officers:

Housing Services

Lee Birch **01827 709474**

Lisa Hall **01827 709507**

Legal and Democratic Services

Stephanie Ivey **01827 709381**

Assets and Environment

Jo Sands **01827 709585**

Head of Organisational Development

Christie Timms **01827 709215**

Staffordshire County Council Children's Social Care Services

First Response Team: For all child protection issues contact:

- First Response Team based at the MASH on **0800 1313126 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail firstr@staffordshire.gov.uk with your contact details (**please note the e-mail 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.
- Where concerns relate to an adult at risk an Adult Protection referral must be made to the Contact Centre **0845 604 2719 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)**.
- **Outside of office hours** any concerns relating to a child or adult at risk should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

Promoting Good Practice with Children and Adults

Code of Conduct for the Protection of Children and Adults

It is possible to limit the situations where the abuse of children and adults 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. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure.

Tamworth Borough Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults.

When working with children and adults all parties should:

- Adhere to the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure, at all times
- Treat all children and adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults
- 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 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

Guidance on the personal use of social networking sites for adults involved in services for children, young people and adults at risk

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.

In practice, anything posted on the internet will be there forever and is no longer in your control. Remember when something is on the internet even if you remove it, it may have already been “snapshotted” by a “web crawler” and so will always be there. Current and future employers and service users may see this. Keep all professional work completely separate from your private life.

The following guidance, in addition to the above, will safeguard adults from allegations and protect an individual’s privacy as well as safeguard vulnerable groups.

Failure to comply with the following may result in disciplinary action.

- Social networking sites such as facebook have a range of privacy settings which are often set up to ‘expose’ your details to anyone. When ‘open’ anyone can find you from a search of the social networking site or even from a Google search. Therefore, it is important to change your setting to ‘just friends’ so that your details, comments, photographs can only be seen by your invited friends. Check settings regularly to ensure they have not changed during updates to sites such as facebook
- Have a neutral picture of yourself as your profile image
- Do not post embarrassing material or comments that may call into question your employment status
- Do not accept friendship requests unless you know the person or want to accept them - be prepared for being bombarded with friendship requests from people you do not know
- Do not make friendship requests with service users
- Choose your social networking friends carefully and ask about their privacy controls
- Do not accept friendship requests on social networking or messaging sites from students, pupils, young people (or their parents) or service users that you work with. For those working with young people remember that ex pupils may still have friends that you may have contact with through your work
- Exercise caution. For example, if you write on a friend’s ‘wall’ on facebook all of their friends can see your comment even if they are not your friend
- There is a separate privacy setting for facebook groups and networks. You may have your own profile set to private, however, when joining a group or a network please be aware that everyone in that group or network is able to see your profile
- If you have younger friends or family members on your social networking groups who are friends with students, pupils, young people (or their

parents) or service users that you work with, be aware that posts you write will be visible to them

- Do not use your personal or professional details (email or telephone) as part of your profile
- If you or a friend are tagged in an online photo album (facebook, flickr) the whole photo album may be visible to their friends, your friends and anyone else tagged in the photo album
- You do not have to be friends with anyone to be tagged in their photo album, if you are tagged in a photo you can remove the tag but not the photo
- You should be aware of the privacy settings on photo sharing websites
- Your friends may take and post photos that you may not be happy about. You need to speak to them first to request that it is removed rather than contacting the web provider. If you are over the age of 18, the website will only look into issues that contravene their terms and conditions
- Do not use your personal profile in any way for official business. If you are going to be a friend of your organisations official social networking group ensure you have a separate professional profile

If you have difficulty in implementing any of this guidance contact the Designated Safeguarding Officer.

First Aid and Treatment of Injuries

If a child or adult 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, 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'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's interests and on professional advice not to do so
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer.
- Familiarise yourself with the bruising in non-mobile babies policy and procedure. This can be found on the SSCB website <http://www.staffsscb.org.uk/Professionals/Procedures/Section-Three/Section-3-Managing-Individual-Cases.aspx>

For Transporting Children and Adults Away From Home

If it is necessary to provide transport to take children or adults 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
- Always tell another member of staff that a child or adult is being transported, giving details of the route and the anticipated length of the journey

- Never transport a child or adult unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or adult
- 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. These adults should be familiar with and agree to abide by the Council's Children and Adults at Risk of Abuse and Neglect Safeguarding Policy and Procedures
- 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
- 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, young people or adults at risk of abuse and neglect. **Tamworth 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 risk⁷ and take part in

⁷ 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

‘regulated activity’⁸ (as defined within the new definition with effect from September 2012) must have an appropriate DBS checks in place. Additionally they must have their own equivalent Children and Adult 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 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.

⁸ 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 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. In some cases, however, displaying certain information about children and adults 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. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or adult, written consent must be obtained from the child or adult'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 (Please see example consent on page 41).
- The content of photographs or videos must not depict a child or adult in provocative pose or in a state of partial undress. Children and adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or adult is to be restricted to first names only.
- All published events involving children or adults must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/adult 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 who are considered particularly vulnerable e.g. the subject of a child or adult safeguarding issue or a custody dispute.

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

Example Consent Form

All information will be treated in strict confidence

Please use block capitals and print clearly

| | |
|--|-----------------------------|
| Event/Activity: | Date: |
| Name of child: | Date of birth: |
| Home address: | |
| Home telephone No: | Mobile telephone No: |
| Medical conditions (if any) e.g. asthma, diabetes, allergies: | |

I confirm that my son/daughter is in good health and I give consent / do not consent for my son/daughter to participate in the above event/activity.

I consent / do not consent to any emergency treatment required by my son/daughter during the course of the event/activity

I give / do not give consent for my son/daughter to be photographed during the course of the above event/activity and I consent to the photographs being used by Tamworth Borough Council for bona fide promotional purposes. This also includes the use on the World Wide Web (internet).

The information you provide will be used in accordance with the Data Protection Act 1998, to ensure the safety of all participants and may be shared with other people/organisations involved in the delivery of the above event/activity, if appropriate. By signing this form you are consenting to the Council using the information, which you have supplied in the manner stated above.

Name of Parent/Guardian:

.....

Signature:..... Date:

Guidelines on Use of Photography, Videoing and Filming of Children and Adults - (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 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 safeguarding.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and / or filming of a child or adult 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 or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or adult's home.
- It is recommended that the names of children or adults should not be used in photographs or video footage, unless with the express permission of the child or adult's parent or guardian.
- 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 Councils Children and Adults at Risk of Abuse and Neglect Safeguarding 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 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 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 reporting a concern form and pass on to the 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 Tamworth Borough Council's Children and Adults at Risk of Abuse and Neglect Safeguarding 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"

(Please see example form to use at events for taking photographs and video material on page 45).

Example Consent Form for the use of Cameras and other Image Recorders

| | |
|--|--|
| Event you would like to take photographs at | |
| Reason for taking photographs: | |
| Name of company (if taking photographs in a professional capacity) | |
| Full name and address of person taking photographs: | |
| Tel No: Mobile Tel No. E-mail Address Date of Birth/...../..... | |
| Relationship of the photographer and subject(s) | |
| Reason for taking photographs and/or uses the images are being, or are intended to be put to (i.e. family record/advertising etc) | |

I declare that the information provided is true and correct and that images will only be used for the purposes stated.

Signed.....

Date

Authorised by:.....

Date:.....

Position held:.....

Under the Data Protection Act 1998 the information that you have provided will be used only for the purposes contained within our Registration Document which is publicly available from Tamworth Borough Council or the Information Commissioners Office, www.ico.gov.uk.

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 safeguarding.
- 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, 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 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 of abuse and neglect 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. References should include the applicant's suitability

to work with children or adults where it is a requirement of the job (Please see Safeguarding Reference Check form on page 46). 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 adults at risk of abuse and neglect will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

If a DBS check highlights an unspent conviction a risk assessment will be carried out to assess the suitability of the applicant to work with children or adults. This will be carried out by the line manager and Human Resources Officer.

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 safeguarding 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 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 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 from Abuse and Neglect Policy and Procedure
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.
- As a minimum the Council expects all staff who have contact with children, young people or adults to have undergone formal safeguarding children and/or adults at risk training related to their job within 3 months of commencement of employment with the Council. Refresher training will be required every 3

years. This is the responsibility of line managers in services where children and/or adults at risk are clients/customers.

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 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

Tamworth 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.

Safeguarding Reference Check Form

Applicants Name: _____

Post Applied for: _____

Referees Name _____ Position _____

Please complete the following questions in relation to the above persons suitability to work with *children / adults at risk.

The above named person worked with *children / adults at risk in the following context:

#

Please provide details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or adults at risk, including any in which the disciplinary sanction has expired, and the outcome of those:

#

Please provide details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or adults at risk or behaviour towards children or adults at risk, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved:

#

I am satisfied that the above named person is suitable to work with *children/ adults at risk
***yes/no**

If no, please give specific details of your concerns and the reasons you believe the above named person might be unsuitable

#

I understand that I have a responsibility to ensure that the above information is accurate and does not contain any material misstatement or omission; and relevant factual content of the reference may be discussed with the applicant.

Signature.....Date.....

* delete as appropriate

please attach a separate sheet if necessary

Declaration

Tamworth Borough Council is fully committed to safeguarding the wellbeing of children and adults at risk by protecting them, from neglect, physical, sexual, emotional and financial harm.

Working as an employee or volunteer of Tamworth Borough Council or as an elected member it is important that you have taken time to thoroughly read this Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures.

By being made aware of the policy it is our intention to ensure that all staff are proactive in providing a safe and secure environment for children and adults in our care.

Declaration:

I have read and understood Tamworth Borough Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures and I accept the principles therein.

Signed:

Date:

Name (Please print):

.....

Position in organisation:

.....

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