



**CORPORATE POLICY**

# Children and Vulnerable Adults Protection Policy

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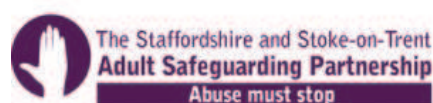
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## Document Location

This document is held by Tamworth Borough Council, and the document owner is Robert Mitchell Director Communities, Planning and Partnerships.

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## Revision History

Revision Date	Version Control	Summary of changes
August 08	1	Re draft pre existing policy
02/12/08	2	Draft incorporate Staffordshire Safeguarding Children Board changes
09/02/09	3	Draft procedural
16/3/09	4	Final Draft minor edit
31/3/09	5	Data protection content updated
12/6/09	6	Role of Members
01/04/11	7	Review of policy implementation of Working Together 2010 guidance
04/04/13	8	Disclosure and Barring Service information updated Revision of Domestic Violence and Abuse definition Contact information updated Procedural flowchart updated
15/05/13	9	Review of policy implementation of Working Together 2013 guidance

## Approvals V9

Name	Title	Approved
Robert Mitchell	Director Communities, Planning and Partnerships	
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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 access 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

### Children and Vulnerable Adults

#### Protection Policy

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## **Section 1**

### **1.1 Introduction**

All children <sup>1</sup>and vulnerable adults<sup>2</sup> 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 vulnerable adults across its services. We are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council.

The purpose of this policy and its associated procedures is to help protect all children and vulnerable 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 vulnerable adults. The policy covers Safeguarding Children and Adult Protection.

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

We will aim to comply with our duties by:

- Respecting and promoting the rights, wishes and feelings of children and vulnerable adults.
- Raising the awareness of the duty of care responsibilities relating to children and vulnerable adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and vulnerable 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.

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<sup>1</sup> 'Children' for the purposes of these guidelines are defined as those aged under 18 years

<sup>2</sup> A vulnerable adult can be anyone who is 18 years old or over, who has a physical or sensory impairment, a learning disability, or a mental health problem and may be unable to protect themselves from harm or abuse. Many frail or confused older people are especially vulnerable. As defined by the [Staffordshire and Stoke on Trent Adult Safeguarding Partnership](#)

- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and vulnerable adults from abuse, and to also minimise any risks to themselves.
- Responding promptly to any suspicions or allegations of misconduct or abuse of children or vulnerable adults in line with the Staffordshire Safeguarding Children Board (SSCB) and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership (SSAP) policies and procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Safeguarding Children and Vulnerable Adults 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 vulnerable adults are subject to safe recruitment procedures. This is also applicable for when the council is working in partnership with other private, voluntary or contracted organisations and their employees.

### 1.3 Principles

This policy and supporting procedures are based on the following principles

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable 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:

**The Children Act 1989 and 2004**

**Safeguarding Vulnerable Groups Act 2006**

**Public Interest Disclosure Act 1998**

**Data Protection Act 1998**

**European Convention of Human Rights**

**No Secrets 2000**

**Working Together to Safeguarding Children 2013**

**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 Vulnerable Adults Protection 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 vulnerable adults as well as children.



- Vulnerable Adults for the purposes of this procedure are those 18 and above who receive or are in need of community care services and are unable to take care of themselves as defined on Page 6 of this policy.
- 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 vulnerable 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 in order for appropriate action to be taken to ensure the welfare and safety of children and vulnerable 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 vulnerable adult. Somebody may abuse a child or vulnerable adult by inflicting harm or by failing to act to prevent harm. Children and vulnerable 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 Vulnerable Adults:**

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

##### **Vulnerable Adults:**

Financial, discriminatory and institutional.

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 practitioners within their assessment process and their work with children, adults and their families.

<b>PHYSICAL ABUSE</b>	
<b>Examples include</b>	<b>Signs include</b>
<ul style="list-style-type: none"> <li>• Shaking</li> <li>• Pinching</li> <li>• Slapping</li> <li>• Force-feeding</li> <li>• Biting</li> <li>• Burning or Scalding.</li> <li>• Causing needless physical discomfort</li> <li>• Inappropriate restraint</li> <li>• Locking someone in a room</li> </ul>	<ul style="list-style-type: none"> <li>• Unexplained bruising, marks or injuries on any part of the body</li> <li>• Frequent visits to the GP or A&amp;E</li> <li>• An injury inconsistent with the explanation offered</li> <li>• Fear of parents or carers being approached for an explanation</li> <li>• Aggressive behaviour or severe temper outbursts</li> <li>• Flinching when approached</li> <li>• Reluctance to get changed or wearing long sleeves in hot weather</li> <li>• Depression</li> <li>• Withdrawn behaviour or other behaviour change</li> <li>• Running away from home/ residential care</li> <li>• Distrust of adults, particularly those with whom a close relationship would normally be expected</li> </ul>

<b>EMOTIONAL/PSYCHOLOGICAL ABUSE</b>	
<b>Examples include</b>	<b>Signs include</b>
<ul style="list-style-type: none"> <li>• Intimidation and/or threats</li> <li>• Bullying</li> <li>• Rejection</li> <li>• Shouting</li> <li>• Indifference and the withdrawal of approval</li> <li>• Denial of choice</li> <li>• Deprivation of dignity or privacy</li> <li>• The denial of human and civil rights</li> <li>• Harassment</li> <li>• Being made to fear for one's well being</li> </ul>	<ul style="list-style-type: none"> <li>• A failure to thrive or grow</li> <li>• Sudden speech disorders</li> <li>• Developmental delay, either in terms of physical or emotional progress</li> <li>• Behaviour change</li> <li>• Being unable to play or socialise with others</li> <li>• Fear of making mistakes</li> <li>• Self harm</li> <li>• Fear of parent or carer being approached regarding their behaviour</li> <li>• Confusion</li> </ul>

## SEXUAL ABUSE

Examples include	Signs include
<ul style="list-style-type: none"> <li>• Rape and other sexual offences</li> <li>• 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</li> <li>• For vulnerable adults, being denied access to a sexual life</li> <li>• Being encouraged or enticed to touch the abuser</li> <li>• Coercing the victim into watching or participating in pornographic videos, photographs, or internet images</li> <li>• Any sexual relationship that develops where one is in a position of trust, power or authority</li> </ul>	<ul style="list-style-type: none"> <li>• Pain or itching in the genital/anal areas</li> <li>• Bruising or bleeding near genital/anal areas</li> <li>• Sexually transmitted disease</li> <li>• Vaginal discharge or infection</li> <li>• Stomach pains</li> <li>• Discomfort when walking or sitting down</li> <li>• Pregnancy</li> <li>• Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn</li> <li>• Fear of being left with a specific person or group of people</li> <li>• Nightmares</li> <li>• Leaving home</li> <li>• Sexual knowledge which is beyond their age or development age</li> <li>• Sexual drawings or language</li> <li>• Bedwetting</li> <li>• Saying they have secrets they cannot tell anyone about</li> <li>• Self harm or mutilation, sometimes leading to suicide attempts</li> <li>• Eating problems such as overeating or anorexia</li> </ul>

## NEGLECT

Examples include	Signs include
<ul style="list-style-type: none"> <li>• Withholding help or support necessary to carry out daily living tasks</li> <li>• Ignoring medical and physical care needs</li> <li>• Failing to provide access to health, social or educational support</li> <li>• The withholding of medication, nutrition and heating</li> <li>• Keeping someone in isolation</li> </ul>	<ul style="list-style-type: none"> <li>• Constant hunger, sometimes stealing food from others</li> <li>• Dirty or 'smelly'</li> <li>• Loss of weight, or being constantly underweight</li> <li>• Inappropriate dress for the weather</li> <li>• Complaining of being tired all the time</li> <li>• Not requesting medical assistance and/or failing to attend appointments</li> <li>• Having few friends</li> <li>• Worsening of health conditions</li> <li>• Pressure sores</li> </ul>

<ul style="list-style-type: none"> <li>• Failure to intervene in situations that are dangerous to the vulnerable person</li> <li>• 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</li> </ul>	<ul style="list-style-type: none"> <li>• Mentioning their being left alone or unsupervised</li> <li>• Sore or extreme nappy rash</li> <li>• Skin infections</li> <li>• Lack of response to stimuli or contact</li> <li>• Poor skin condition(s)</li> <li>• Frozen watchfulness</li> <li>• Anxiety</li> <li>• Distressed</li> <li>• Child moves away from parent under stress</li> <li>• Little or no distress when separated from primary carer</li> <li>• Inappropriate emotional responses</li> <li>• Language delay</li> </ul>
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<b>FINANCIAL ABUSE (Vulnerable Adults)</b>	
<b>Examples include</b>	<b>Signs include</b>
<ul style="list-style-type: none"> <li>• Being over charged for services</li> <li>• Being tricked into receiving goods or services that they do not want or need</li> <li>• Inappropriate use, exploitation, or misappropriation of property and/or utilities</li> <li>• Theft</li> <li>• Deception</li> <li>• Fraud</li> <li>• Exploitation or pressure in connection with wills</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of basic requirements e.g. food, clothes, shelter</li> <li>• Inability to pay bills</li> <li>• Unexplained withdrawals from accounts</li> <li>• Inconsistency between standard of living and income</li> <li>• Reluctance to take up assistance which is needed</li> <li>• Unusual interest by family and other people in the person's assets</li> <li>• Recent changes in deeds</li> <li>• Power of Attorney obtained when person lacks capacity to make the decision</li> </ul>

## DISCRIMINATORY

Examples	Signs
<ul style="list-style-type: none"><li>• Use of inappropriate “nick names”</li><li>• Use of derogatory language or terminology</li><li>• Enforcing rules or procedures which undermine the individual’s well being</li><li>• Denial to follow one’s religion</li><li>• Lack of appropriate food</li><li>• Denial of opportunity to develop relationships</li><li>• Denial of health care</li></ul>	<ul style="list-style-type: none"><li>• Being treated unequally from other users in terms of the provision of care, treatment or services</li><li>• Being isolated</li><li>• Derogatory language and attitude by carers</li><li>• Dismissive language by staff</li><li>• Hate campaigns by neighbours or others</li><li>• Deteriorating health</li><li>• Indicators of other forms of abuse</li></ul>

## INSTITUTIONAL ABUSE

Examples	Signs
<ul style="list-style-type: none"><li>• Service users required to ‘fit in’ excessively to the routine of the service</li><li>• More than one individual is being neglected</li><li>• Everyone is treated in the same way</li><li>• Other forms of abuse on an institutional scale</li></ul>	<ul style="list-style-type: none"><li>• Inflexible daily routines, for example: set bedtimes and/or deliberate waking</li><li>• Dirty clothing and bed linen</li><li>• Lack of personal clothing and possessions</li><li>• Inappropriate use of nursing and medical procedures</li><li>• Lack of individualised care plans and failure to comply with care plans</li><li>• Inappropriate use of power, control, restriction or confinement</li><li>• Failure to access health care, dentistry services etc</li><li>• Inappropriate use of medication.</li><li>• Misuse of residents’ finances or communal finances</li><li>• Dangerous moving and handling practices</li><li>• Failure to record incidents or concerns</li></ul>

## Other types of abuse

### Domestic Violence and Abuse

As of 1<sup>st</sup> March 2013, the Home Office definition of Domestic violence and abuse is:

***Any incident or pattern of incidents of controlling<sup>3</sup>, coercive<sup>4</sup> 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](http://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 (See Appendix E).

Where it is thought that a victim of domestic violence and abuse meets the definition of a vulnerable adult, then an Adult Protection referral should be made.

### Forced Marriage

Forced marriage<sup>5</sup> 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 vulnerable adults, cannot) consent to the marriage and some element of duress is involved. Duress can include physical, psychological, sexual, financial and emotional pressure.

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<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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..

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.

## **Human Trafficking**

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. Practitioners should not do anything which would heighten the risk of harm or abduction to the child or vulnerable 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 a vulnerable adult, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the Council and the District 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 a vulnerable adult, an Adult Protection referral should be made to the Contact Centre (See Appendix E).

## **2.4 Risks that increase the likelihood of abuse happening to Vulnerable Adults**

There are certain situations and factors that put vulnerable 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
- Pregnancy was not wanted
- 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

#### **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 developmental disability
- Child is the product of an abusive relationship
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol

It is possible to limit the situations where the abuse of children and vulnerable 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 vulnerable 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 vulnerable 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 vulnerable 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 vulnerable 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"> <li>• React calmly so as not to frighten the child or vulnerable adult</li> <li>• 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</li> <li>• 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 information.</li> <li>• Reassure the child or vulnerable adult that they are right to tell</li> </ul>	<ul style="list-style-type: none"> <li>• Dismiss the concern</li> <li>• Panic</li> <li>• Allow your shock or distaste to show</li> <li>• Probe for more information than is offered</li> <li>• Speculate or make assumptions</li> <li>• Make negative comments about the alleged abuser</li> <li>• Make promises or agree to keep secrets</li> <li>• Ask the child, young person, vulnerable adult or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation</li> <li>• Do not take photographs of any alleged injuries. Any such recording must only be done by an approved</li> </ul>

<ul style="list-style-type: none"> <li>• Explain to them that concerns may have to be shared with someone who is in a position to act</li> <li>• Make a written record of what has been disclosed at the earliest opportunity</li> </ul>	<p>medical or other practitioner, following referral.</p>
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## Responding to Child/Adult Protection and 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 any concerns regarding a child or vulnerable adult who they think is being abused it is important for them to act **immediately**. All child/adult protection and safeguarding concerns must be recorded on the initial concerns reporting form\* and the information shared with the appropriate Staffordshire County Council team and the Tamworth Borough Council's Designated Officer notified.

**Please see procedural flowchart located at Appendix B1 & B2.**

\*The initial concerns reporting form is available via the Intranet by clicking on word **Safeguarding** displayed at the top of the webpage, a hard copy is also available for staff that do not have access to a computer (See Appendix C).

**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 concerns relate to a child or young person advice must be sought from Staffordshire Children's Social Care's 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 [first@staffordshire.gov.uk](mailto:first@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 Contact Centre **0845 604 2719.**
- **Outside of 8.00 am and 5.30 pm** any concerns relating to a child or vulnerable adult should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886.**
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101**

## 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 child protection referrals; 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 protection referrals; however it is good practice to gain consent if possible. If the vulnerable 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.

The Tamworth Borough Council Designated Officer/ 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.

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.

The record should include:

- The date and time
- The child or vulnerable 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 vulnerable adult's behaviour and physical and emotional state
- What the child or vulnerable 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 Child and Vulnerable Adults Protection Officer.

## 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 (2013) Chapter 2
- SSCB Inter-Agency Procedures: Section 4A

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 Child Protection Officer **Jane Hackett** / or Deputy **Rob Mitchell** and the Head of Organisational Development **Christie Timms (See Appendix E)**.

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 children<sup>6</sup>, 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 help ensure that, where appropriate, specific activities are initiated (e.g. Child Protection/Police processes) and consideration is given to 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.

If the allegation is in respect of abuse or harassment of a vulnerable adult, the Designated Child and Vulnerable Adult Protection 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 vulnerable adult and report his or her concern about a colleague's practice.

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<sup>6</sup> As defined in Working Together 2013, Chapter 2, page 48

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 vulnerable 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.

### **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/>

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

## Guidance and Legislation

- [The 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.
- [The 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

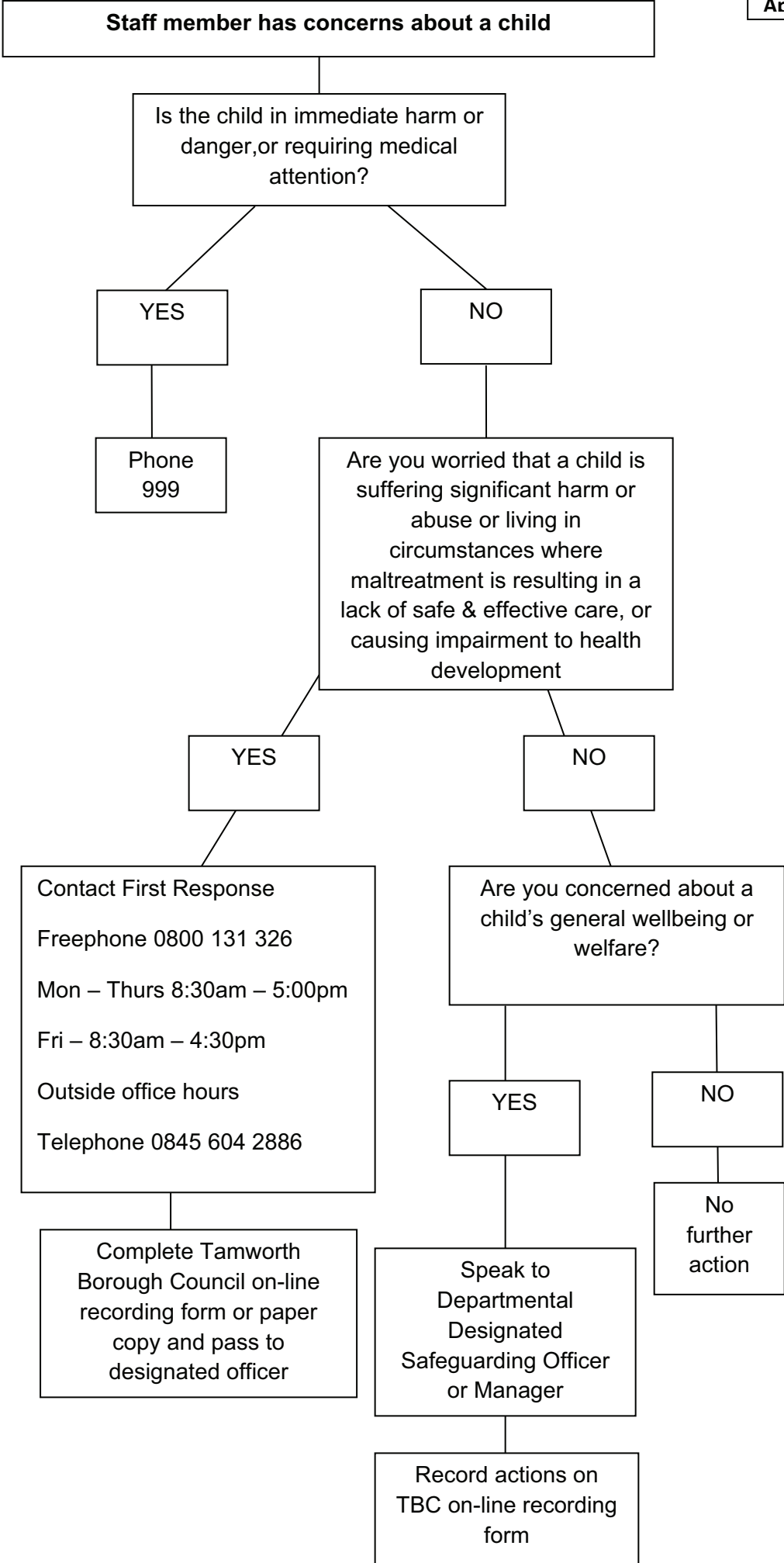
- Working Together to Safeguard Children 2013, 2010, 2006, 1999 - This statutory guidance revised by the government in 2013 details the roles and responsibilities of all agencies with the aim of promoting effective working together to promote the welfare and safety of children. To view the 2013 Working Together to Safeguard Children statutory guidance please go to; [www.education.gov.uk](http://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](http://www.staffsccb.org.uk).
- The “No Secrets” guidance is available at: [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4008486](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 child minders 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.
- The Mental Capacity Act 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](http://www.opsi.gov.uk))





Staff member has a concern about a vulnerable adult?

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

YES

NO

Phone 999

Has the vulnerable adult been abused or come to harm as a result of an intentional or unintentional act or a failure to act?

YES

NO

Make an Adult Protection 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 a vulnerable adult's general wellbeing or welfare?

YES

NO

No further action

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

Speak to Departmental Designated Officer or Manager

Record actions on TBC on-line recording form

Confidential

**Child and Vulnerable Adult Safeguarding – Initial Concerns Form**

To be given to designated child and vulnerable adult protection officer

**ABOUT YOU**

Your Name	
Job Title	
Contact Tel No.	
E-mail Address	
Date concern raised	
Time concern raised	

**ABOUT THE CHILD/VULNERABLE ADULT**

Name of child / vulnerable adult you have concerns about	
Address of child/vulnerable adult you have concerns about	
Date of Birth of child/vulnerable adult (if known)	
Name of parent or carer responsible for child /vulnerable adult (if known)	

**NATURE OF YOUR CONCERN**

(please include as much detail as possible)

**ACTION YOU HAVE TAKEN**

<b><u>Details of what you have done with the concern</u></b>  e.g. passed concerns on to Police, passed to First Response, passed to Designated Officer ...	
<b>Reference Number if applicable</b>	

**To be completed by Tamworth Borough Council's Designated Child & Vulnerable Adult Protection Officer**

<b>Designated Child Protection Officer's name</b>	
<b>Date concern received</b>	
<b>Time concern received</b>	
<b><u>Action you have taken</u></b>	
<b>Reference Number if applicable</b>	
<b>Has the Multi Agency Referral Form been completed</b>  <a href="http://www.staffsscb.org.uk/professionals/procedures/">http://www.staffsscb.org.uk/professionals/procedures/</a> .	

## Roles and responsibilities within the Council

### Designated Child and Vulnerable Adult Protection Officer

For the Council the Designated Child and Vulnerable Adult Protection 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 vulnerable adults protection training.

In the absence of the Designated Child and Vulnerable Adult Protection Officer queries should be forwarded to the Deputy Child and Vulnerable Adult Protection Officer the Director for Communities, Planning and Partnerships - **Rob Mitchell** or one of the departmental safeguarding officers:

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

Communities, Planning & Partnerships - **Stephanie Ivey**

Assets & Environment - **Jo Sands**

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

### The Director, Communities, Planning & Partnerships

The Director (or a delegated Deputy) is responsible for:

- Ensuring Policy documents and procedures are up to date and in line with best practice as defined under the "No secrets" documentation and other legislative and statutory guidance.
- Ensuring that all of their 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 vulnerable adults in all areas of the community.

### 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 vulnerable 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 vulnerable adults.
- 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.

#### **Departmental Children and Vulnerable Adult Protection Officers**

- Staff can seek advice or raise concerns with their Departmental Children & Vulnerable Adult (C&VA) Protection Officer.
- The Departmental C&VA Officer must ensure that the concern is recorded on the system and if considered a safeguarding issue referred to Staffordshire's Children's Social Care Services First Response Service or in the case of a vulnerable adult Staffordshire's Social Care and Health Service / Team.

#### **All Employees and Members**

- Should not begin any regulated activity involving direct access to children, young people or vulnerable 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 vulnerable adults 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 / vulnerable adults).
- Should be aware of appropriate and inappropriate behaviour for employees who are working with children, young people and vulnerable adults.
- Need to know who their Designated Child Protection 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 vulnerable adult.

## Contact Information

### Tamworth Borough Council's Designated Child and Vulnerable Adult Protection Officer is the Council's Monitoring Officer

Jane Hackett **01827 709258**

### Deputy Child Protection Officer

Director (Communities, Planning and Partnerships)

Rob Mitchell **01827 709616**

### Departmental Designated Child and Vulnerable Adult Protection Officers: Housing Services

Lee Birch **01827 709474**

Lisa Hall **01827 709507**

### Communities, Planning & Partnerships

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](mailto: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 Contact Centre **0845 604 2719**.
- **Outside of office hours** any concerns relating to a child or vulnerable adult 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 Vulnerable Adults

### Code of Conduct for the Protection of Children and Vulnerable Adults

It is possible to limit the situations where the abuse of children and vulnerable 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 vulnerable 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 vulnerable adults.

When working with children and vulnerable adults all parties should:

- Adhere to the children, young people and vulnerable adult's policy at all times
- Treat all children and vulnerable adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and vulnerable 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 vulnerable adults to share in the decision making process

Employees shall work to the organisation's policies and procedures, including for example:

- Safeguarding Children and Vulnerable Adults Protection policy
- Code of Conduct
- Whistle blowing



## 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, young people and vulnerable adults is available at appendix J.

## First Aid and Treatment of Injuries

If a child or vulnerable 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/vulnerable 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 vulnerable 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 vulnerable 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.

## For Transporting Children and Vulnerable Adults Away From Home

If it is necessary to provide transport to take children or vulnerable 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 vulnerable adults
- Always tell another member of staff that a child or vulnerable adult is being transported, giving details of the route and the anticipated length of the journey
- Never transport a child or vulnerable adult unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or vulnerable 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 vulnerable adults. These adults should be familiar with and agree to abide by the Council's Child and Vulnerable Adult Protection 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
- The Department for Education 'Revised guidance on safeguarding children and safer recruitment in education (2010)
- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011)

**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 vulnerable adults<sup>7</sup> and take part in 'regulated activity'<sup>8</sup> (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 Vulnerable Adult Protection 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](http://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.

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<sup>7</sup> 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](http://www.gov.uk/disclosure-barring-service)

<sup>8</sup> 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf)

Where there is potential for contact with children or vulnerable 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.

## **Guidelines on Children and Vulnerable 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 vulnerable adults. In some cases, however, displaying certain information about children and vulnerable 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 vulnerable adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or vulnerable adult. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable 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 (See Appendix I(i)).
- The content of photographs or videos must not depict a child or vulnerable adult in provocative pose or in a state of partial undress. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or vulnerable adult are to be restricted to first names only.
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable 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 vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult 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 and Public Relations Team.

## **Guidelines on Use of Photography, Videoing and Filming of Children and Vulnerable 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 vulnerable 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 vulnerable adult protection.
- 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 vulnerable 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 vulnerable adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or vulnerable adult's home.
- It is recommended that the names of children or vulnerable adults should not be used in photographs or video footage, unless with the express permission of the child or vulnerable 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 Safeguarding Children and Vulnerable Adult 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 Child and Vulnerable Adult Protection 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, vulnerable 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 initial reporting a concern form and pass on to the Child and Vulnerable Adult Protection 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 Safeguarding Children and Vulnerable Adults Protection 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"***

An example form for use at Events and taking photographs, video material is given at Appendix I(ii).

## 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 vulnerable adult 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.
- 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 vulnerable 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 vulnerable adults 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 vulnerable adults. References should include the applicant's suitability to work with children or vulnerable adults where it is a requirement of the job (See Appendix H). 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.

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 vulnerable 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 vulnerable adult 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 vulnerable 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 vulnerable 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 Vulnerable Adult Policy and Procedure (See Appendix J).
- 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 vulnerable adults to have undergone formal children and or vulnerable adult training related to their job within 6 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 vulnerable adults 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 vulnerable 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**

Applicants Name: \_\_\_\_\_

Post Applied for: \_\_\_\_\_

Referees Name \_\_\_\_\_ Position \_\_\_\_\_

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

The above named person worked with \*children / vulnerable adults 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 vulnerable adults, 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 vulnerable adults or behaviour towards children or vulnerable adults, 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/ vulnerable adults

**\*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

**Example Consent Form**

**All information will be treated in strict confidence**

Please use block capitals and print clearly

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

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: .....

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

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

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](http://www.ico.gov.uk).

## Safeguarding yourself

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

Due to the increasing personal use of social networking sites, staff 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 organisations taking 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 organisation's 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.

For further information contact:

**Staffordshire Safeguarding Children Board - <http://www.staffscsb.org.uk//>**

**Staffordshire Safeguarding Vulnerable Adults Board -**

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

**Tamworth Borough Council would like to thank Dudley Safeguarding Children board for sharing their guidance document.**

**Declaration**

Tamworth Borough Council is fully committed to safeguarding the wellbeing of children and vulnerable adults 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 Children and Vulnerable Adult Protection Policy and Procedures.

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

Declaration:

I have read and understood Tamworth Borough Council’s Children and Vulnerable Adults Protection Policy and Procedures and I accept the principles therein.

Signed: .....

Date: .....

Name (Please print):

.....

Position in organisation:

.....