Agenda Item No:	5	Fenland
Committee:	Staff Committee	
Date:	3 November 2014	CAMBRIDGESHIRE
Report Title:	Revised Safeguarding Policy	

## **Cover sheet:**

## 1 Purpose / Summary

The purpose of this report is to inform the Staff Committee of the Council's revised Safeguarding Policy in light of changes to safeguarding practices and the criminal records bureau (CRB) checks.

## 2 Key issues

- CRB checks have been replaced with Disclosure and Barring Service (DBS) Checks
- DBS checks are only carried out once for staff in specific roles much more focussed than previous practice
- Responsibilities for staff, managers and Members are made clearer
- Flow charts of actions required made easier to follow
- Revised reporting sheet for children's services included in the policy
- The policy has been developed with the support of the Local Safeguarding Children's Board (LSCB)

## 3 Recommendations

It is recommended that Staff Committee approves the adoption of the revised Safeguarding Policy.

Wards Affected	All		
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# Safeguarding Children Policy

## 1 Safeguarding Children Policy

#### 1.1 Introduction

Everyone has a responsibility for safeguarding children.

Fenland District Council (FDC) is committed to delivering services that safeguard those who engage with them. FDC assures all professional and voluntary organisations that it will fully support and protect anyone, who in good faith (without malicious intent), reports his or her concern about a colleague's practice or the possibility that abuse or bullying is taking place. Please refer to FDC's whistle blowing policy for further information.

This policy outlines good practice to promote the safety of those using our services and to protect Employees, Volunteers and Councillors from false allegations.

#### 1.2 References

It should be noted that this policy is not a stand-alone policy and should be used in conjunction with the Local Safeguarding Children's Board (LSCB) interagency procedures (see <a href="www.cambslscb.org.uk">www.cambslscb.org.uk</a>) and the Department for Children, Schools and Families document 'What to do if you are worried a child is being abused' (<a href="www.dcsf.gov.uk">www.dcsf.gov.uk</a>).

Please note that all employees, volunteers and Councillors, including those who have not yet reached their 18th birthday, are covered by this Safeguarding Policy which should also be read in conjunction with the following FDC policies:

- Recruitment and Selection Policy
- Employee Code of Conduct
- Whistle blowing Policy
- Dignity at Work Policy
- Health and Safety Policy
- Disciplinary Policy

## 1.3 Background

The Children Act 2004 (section 11), the Childcare Act 2006, Safeguarding Vulnerable Groups Act 2006 and HM Governments 'Working Together to Safeguard Children 2013' (chapter 2, paragraph 4) place a duty on key statutory agencies to safeguard and promote the welfare of children, young people and vulnerable adults. In practical terms this means that FDC and any services that they contact out to has a responsibility to provide a safe environment for children in which their welfare is of paramount importance and in which they can achieve their potential.

#### 1.4 Aims

- 1.4.1 This policy aims to set out procedures for the safeguarding of children to protect them from abuse.
- 1.4.2 FDC will achieve this by:
  - a) Respecting and promoting the rights, wishes and feelings of children;
  - b) Ensuring that there is an operational lead for safeguarding and a clear line of accountability and a senior board level lead to take leadership around safeguarding matters.
  - c) Promoting good practice that encourages a safe environment; protects all parties and avoids mistaken allegations of abuse;
  - d) Providing all employees, volunteers and councillors who fall within FDC's regulated activities, with instruction, training and information that will ensure that they:
    - are properly equipped and trained to recognise abuse and neglect;
    - are clear about how to report and record concerns about children
    - understand the need to take advice about concerns from relevant specialists when necessary;
    - work in a way which will protect them, as far as possible, from accusations of abuse.
    - know how and when to share information appropriately
  - e) Ensuring that all suspicions or allegations involving employees, volunteers and councillors are dealt with effectively and efficiently to an agreed process and that appropriate criminal, disciplinary and appeals procedures are implemented, including reporting to the LADO
  - f) Ensure that employees, volunteers and councillors, who carry out a regulated activity, or those who regularly care for, train, supervise or are solely in charge of children, young people and vulnerable adults, are subject to enhanced Disclosure & Barring Service (DBS) checks and / or a satisfactory disclosure prior to taking up the post.
  - g) Appropriate DBS checks are to be carried out on appointment only, subject to unbroken continuous employment and undertaken in line with current best practice (see Appendix 2).
  - h) Require all contractors and their employees to ensure that they have a suitable Safeguarding Policy in place or have adopted the FDC policy.
- 1.4.3 Reviewing this policy every 3 years or when major change in relevant legislation occurs.

#### 1.5 Definitions

1.5.1 Children and Young People:

Anyone who has not yet reached their 18th birthday.

1.5.2 Employees, Volunteers and Councillors:

Anyone working for, or on behalf of, FDC whether paid or voluntary.

1.5.3 FDC Regulated Activity:

Regulated activity is defined to focus on work which involves close and unsupervised contact with vulnerable groups including children. The definition of regulated activity is given in Appendix 5. Regulated activity excludes family arrangements, and personal, non-commercial arrangements.

1.5.4 Close and Regular Access:

The term used to describe working or volunteering with children:

- Where an individual is regularly caring for, training or supervising a child.
- Where an individual has sole charge of children.

## 1.6 Guiding Principles

- 1.6.1 This policy applies to all FDC Employees, Volunteers, Councillors and sub-contractors. Additionally, and where appropriate, this policy applies to contractors where a completed self declaration is held (Appendix 8).
- 1.6.2 The guiding principles for safeguarding are:
  - a) The welfare of the child is paramount;
  - b) Everyone has the right to protection from abuse;
  - c) Employees, Volunteers and Councillors should work in an open and transparent manner;
  - d) Employees, Volunteers and Councillors should avoid any conduct which would lead any reasonable person to question their motives or intentions (Appendix 6).
  - e) The same professional standards should always be applied regardless of culture, gender, language, racial origin, religious belief and/or sexual orientation reflecting the protected areas as outlined in The Equality Act 2010 of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual Orientation.
- 1.6.3 Confidentiality shall be upheld in line with data protection and human rights legislation. The information sharing protocol of Cambridgeshire Local Safeguarding Children's Board will be followed in circumstances where information is shared with other agencies in the interest of a child.

#### 1.7 Areas of Specific Responsibility

- 1.7.1 Each of the following roles within FDC has specific responsibilities (Appendix 7).
  - · Lead Safeguarding Officer
  - Human Resources Team
  - Democratic Services
  - Heads of Service
  - Managers
  - Managers of Employees with Zero Hour Contracts
  - Designated Safeguarding Officers
  - All Employees, Volunteers and Councillors

#### 1.8 Advice and Support

- 1.8.1 All reasonable steps will be taken to ensure unsuitable people are prevented from working with children.
- 1.8.2 Support following allegations of abuse; Consideration will be given to the appropriate support to individuals, both those subject to, and those making, allegations of abuse.
- 1.8.3 The use of FDC's Employee Assistance Programme will be encouraged to maintain as open a culture as possible and aid any healing process.

## 1.9 Training

- 1.9.1 Appropriate training will be provided to FDC employees, volunteers and Councillors who work within the parameters of regulated activities. Additional activity specific guidance can be found in Appendix 6.
- 1.9.2 The level of required training is as follows in line with guidance and will be facilitated through the HR team.
  - a) **Group 1** For Employees, Volunteers or Councillors who will work with children. Online or small group training will cover general safeguarding and incorporate the promotion of well-being issues together with this policy. Refresher training will take place every two years or in the event of any significant legislation or policy change.
  - b) **Group 2** Additional training for Designated Safeguarding Officers will cover responsibilities of their roles and detailed consideration of the Safeguarding Policy. Refresher training will take place every three years or in the event of any significant legislation or policy change.

## 1.10 Monitoring and Appraisal

- 1.10.1 Employees whose roles include regulated activities will discuss the Safeguarding Policy on an annual basis during their springboard meeting.
- 1.10.2 Managers whose roles include the use of volunteers in regulated activities will discuss adherence to the Safeguarding Policy during their annual springboard meeting.
- 1.10.3 This policy will be reviewed every three years.

#### 1.11 Referral Form

1.11.1 If an Employee, Volunteer or Councillor has a concern of poor practice or abuse or needs to report an incident concerning a child, the form in Appendix 10 should be completed and passed to the Designated Safeguarding Officer or in their absence to another Designated Safeguarding Officer or the Council's Lead Safeguarding Officer.

This procedure is summarised in Appendix 1, Flowchart 1

#### 1.12 Responding to a disclosure

- 1.12.1 Within 24 hours of being informed of an incident, the Designated Safeguarding Officer will report the incident or seek appropriate advice. The Designated Safeguarding Officer will advise the referrer of the action they will take and provide feedback as appropriate. Guidance on how to respond to a disclosure is given in Appendix 4.
- 1.12.2 Designated Safeguarding Officers will ensure that all necessary information and completed forms are supplied to the Lead Safeguarding Officer.

This procedure is summarised in Appendix 1, Flowchart 1

## 1.13 Responding to an accusation of poor practice or abuse

#### 1.13.1 What if I am accused of poor practice or abuse?

- a) You have a responsibility to contact your Line Manager as soon as possible and should provide a detailed written account of the circumstances.
- b) Within 24 hours of receipt of a written account, a Designated Safeguarding Officer will report the incident or seek appropriate advice from the Lead Safeguarding Officer.

- c) The Designated Safeguarding Officer will maintain communication with, and, advise the referrer of the action they will take and provide further feedback as appropriate.
- d) An investigation of the circumstances leading to the accusation should be coordinated by the HR team and as appropriate further action be taken and a report submitted to the LSO.

## This procedure is summarised in Appendix 1, Flowchart 2

## 1.14 What if a member of my team is accused of poor practice?

- a) Consideration should be made, in consultation with the Lead Safeguarding Officer and HR team, of withdrawing the employee from duty at the earliest opportunity.
- b) Working with the individual employee, a detailed written record of the event should be made.
- c) Within 24 hours of receipt of a written account, the Designated Safeguarding Officer will report the incident or seek appropriate advice. The Designated Safeguarding Officer will advise the referrer of the action they will take and provide feedback as appropriate.
- d) An investigation of the circumstances leading to the accusation should be coordinated by the HR team and further action be taken as appropriate and a report submitted to the LSO.
- e) If such an investigation establishes poor practice, rather than abuse, then together with the HR team the following should be considered:
  - Appropriate training and supervision;
  - Review of general practice in relation to safeguarding;
  - Implementation of standard disciplinary procedures.

## This procedure is summarised in Appendix 1, Flowchart 3

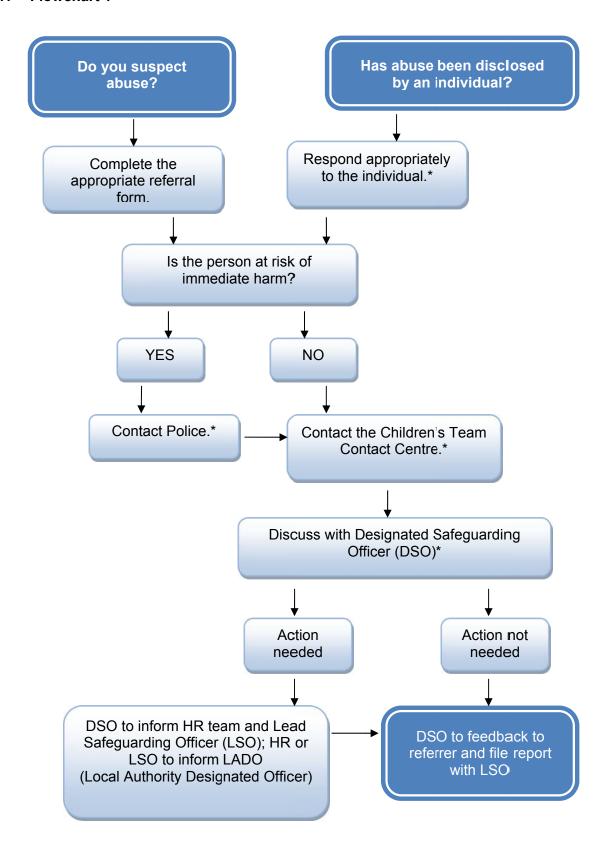
#### 1.15 What if an allegation of abuse is made against a member of my team?

- a) Consideration should be made, in consultation with the Lead Safeguarding Officer and HR team, of withdrawing the employee from duty at the earliest opportunity.
- b) Working with the individual employee, a detailed written account of the event should be made.
- c) Within 24 hours of receipt of a written account the Designated Safeguarding Officer will report the incident or seek the appropriate advice from the HR team. The Designated Safeguarding Officer will advise the referrer of the action they will take and provide further feedback as appropriate.
- d) An investigation, coordinated by the HR team, of the circumstances leading to the accusation should be undertaken within a reasonable timeframe as appropriate to the particular circumstances of the case and as appropriate further action be taken.
- e) If abuse cannot be ruled out, then, in consultation with the Local Authority Designated Officer (LADO), the Police should be contacted.
- f) If abuse is confirmed:
  - The standard Disciplinary Procedure should be implemented;
  - A review of general practice in relation to safeguarding should be undertaken.

## This procedure is summarised in Appendix 1, Flowchart 4

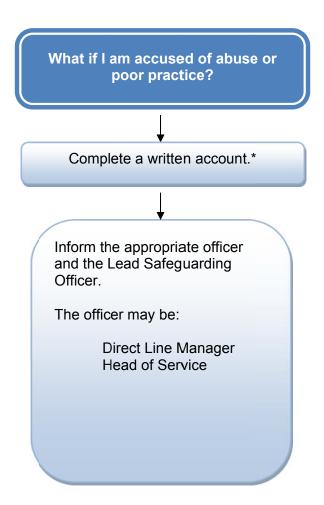
## 2 Appendix 1; Actions following a disclosure flowcharts

## 2.1 Flowchart 1



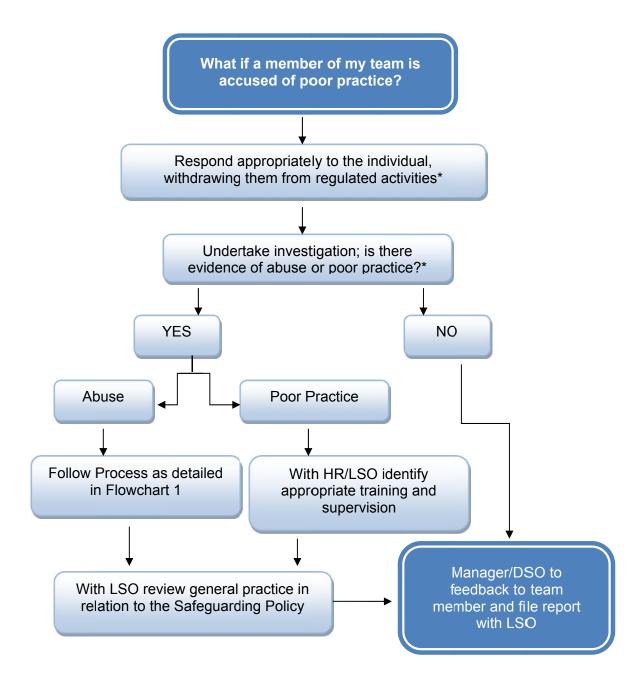
<sup>\*</sup> Additional guidance within policy and procedure

## 2.2 Flowchart 2



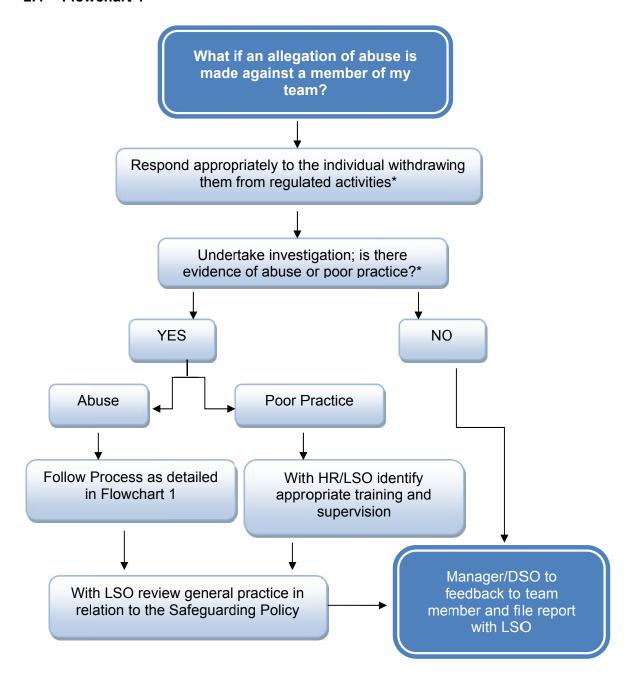
<sup>\*</sup> Additional guidance within policy and procedure

## 2.3 Flowchart 3



<sup>\*</sup> Additional guidance within policy and procedure

## 2.4 Flowchart 4



Additional guidance within policy and procedure

## 3 Appendix 2; DBS Procedure Guidance

## 3.1 FDC Employees Only – additional guidance

- Criminal Record Bureau, now known as DBS checks, are obtained on appointment to a role where it has been identified as required.
- Subject to unbroken continuous service, renewal of DBS Disclosures for FDC employees is not required.
- If service is broken for a period longer than one month but less than twelve months, the employee will be required to complete a DBS 'self-declaration' form (see Appendix 9) for each period of time exceeding one month.
- Employees who work intermittently throughout the year e.g. variable hour's staff (particularly students) and exceed a period of twelve months of no employment will be required to renew their DBS Disclosure before recommencing employment.
- The FDC Code of Conduct states that all employees are required to inform their Head of Service if they are convicted of any criminal offence while employed by the Council.
- Where a role has been identified as requiring a DBS Disclosure, the employee must complete pre-determined questions on an annual basis during their springboard meeting.
   The questions will relate to any criminal offences and other issues affecting the outcome of a DBS disclosure occurring since their most recent DBS disclosure.
- A DBS Disclosure will search an individual's details against criminal records and other sources, including the Police National Computer. The check may reveal convictions, cautions, reprimands and warnings.
- If any such details would be disclosed through an authorised DBS check, these same details must be disclosed during annual DBS question update process.
- Posts that require a DBS prior to commencement of employment will be determined by the Lead Safeguarding Officer.

## 3.2 Portability of DBS Checks

- The DBS check is not portable.
- All staff appointed to a role where it has been identified a DBS check is required, will be subject to a suitable DBS Enhanced Disclosure prior to taking up post.

#### 3.3 Leisure Service DBS Guidance

- A leisure centre is not a listed establishment in the Safeguarding Vulnerable Groups Act 2006 and therefore all roles must be assessed on the nature of the duties the individual will carry out, i.e. training, teaching, instructing and supervising children, young people or vulnerable adults.
- Activities in a leisure centre which are open to the general public are not covered by any
  exceptions in legislation and, therefore, unless a class or event has been organised wholly or
  mainly for children, with no additional supervision, the instructor / facilitator would not meet
  the criteria for a DBS check.

#### 4 Appendix 3: Recognition of Abuse

4.1 Whilst it is not the responsibility of Employees, Volunteers and Councillors to decide that abuse is occurring, **it is our responsibility to act on any concerns** by reporting suspicions that they have.

There are different types of abuse, and a person may suffer more than one type. The following definitions are based on those from the Department of Health Guidance 'Working Together to Safeguard Children' 2013 – see the glossary

#### 4.2 Neglect

A persistent failure to meet an individual's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, an individual's basic emotional needs.

## 4.3 Physical Abuse

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

#### 4.4 Sexual Abuse

Involves forcing or enticing an individual to take part in sexual activities, not necessarily involving a high level of violence, whether or not the individual is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving individuals in looking at, or in the production of, sexual images, watching sexual activities, encouraging individuals to behave in sexually inappropriate ways, or grooming an individual in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males, women can also commit acts of sexual abuse, as can children.

#### 4.5 Emotional Abuse

The persistent emotional maltreatment of an individual such as to cause severe and persistent adverse effects on the individuals emotional development. It may involve conveying to an individual they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the individual opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may involve age or developmentally inappropriate expectations being imposed on an individual. These may include interactions that are beyond the individual's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the individual participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing individuals frequently to feel frightened or in danger, or the exploration or corruption of individuals. Some level of emotional abuse is involved in all types of abuse although it may occur alone.

## 5 Appendix 4; Responding to a Disclosure

If you receive information concerning a disclosure you should:

- React calmly;
- Tell the individual they are not to blame and they were right to tell you;
- Take what the individual says seriously, recognising the difficulties inherent, in interpreting what is said by an individual who has a speech disability and/or differences in language;
- Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said;
- Reassure the child or young person, but do not make promises of confidentiality that may not be feasible to maintain in the light of subsequent developments;
- The alleged abuser should not be approached;
- Make a full written record of what is said, heard and/or seen as soon as possible, ensuring that it is in the words of the speaker;
- Immediately refer to your Line Manager who will contact the Designated Safeguarding Officer or Lead Safeguarding Officer.
- Pass the referral to the Designated Safeguarding Officer in your Service immediately;
   reporting the matter should not be delayed by attempts to obtain further information;
- In circumstances where you believe the individual is in immediate danger of harm you should make contact with the Police ensuring that the Designated Safeguarding Officer in your Service is made aware. Where contact with the Police is made a record of the name and title of the Police Officer to whom the concerns were passed should be made together with the time and date of the call in case follow up is required;
- If immediate danger relates to suspected abuse by a parent/carer, do not allow the individual to go home with them without calling the Police to the scene.
- Refer to Flowcharts.

It may be that the individual making disclosure is unable to express him or herself verbally. Communication difficulties may mean that it is hard for them to make themselves understood. Sometimes it can be difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions. However, where there are concerns regarding the safety of an individual record what has been observed in detail and follow the procedures to report these concerns.

If you receive information concerning disclosure you should **not**:

- Panic:
- Allow any shock or distaste show;
- Probe for more information than is offered or ask leading questions;
- Speculate or make assumptions;
- Make negative comments about the alleged abuser;
- Approach the alleged abuser;
- Make promises or agree to keep secrets.

## 6 Appendix 5; Best Practice within regulated activities

The criminal records and barring systems are controlled by the following legislation:

- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012

FDC will still have a duty to make referrals to the Independent Safeguarding Authority, and it still must not knowingly engage a barred person in regulated activity.

### 6.1 Regulated Activities - Definition

This is work which a barred person must not do or work for which the organisation may obtain a Disclosure & Barring Service (DBS) check.

Everybody within the pre-September definition of regulated activity will remain eligible for enhanced DBS checks, whether or not they fall within the post-September definition of regulated activity.

From 10 September 2012, if an organisation considers that a role is within the new definition of regulated activity, then an individual is asked to apply for an enhanced DBS check, the organisation should request the appropriate barred list check (for children, adults or both). Enhanced DBS checks for work within regulated activity will state (where requested) if the person is on one of the ISA's barred lists.

#### 6.2 Summary of the new definition of regulated activity (10 September 2012)

#### Regulated activity relating to children

The new definition of regulated activity relating to children comprises only:

- (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice / guidance on well-being, or drive a vehicle only for children;
- (ii) Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers.

Work under (i) or (ii) is regulated activity only if done regularly. There is statutory guidance about supervision of activity which would be regulated activity if unsupervised.

- (iii) Relevant personal care, for example washing or dressing; or health care by or supervised by a professional;
- (iv) Registered child minding; and foster-carers.

The new definition of regulated activity relating to children **no longer includes**:

 Any supervised teaching, training or instruction of children or the provision of any care or supervision of children by a person who is being supervised by another. The exceptions are where certain types of personal care or health care are provided to children or where any of the activities take place in a specified place such as a childcare setting.

## 6.3 Creating the right context for Safeguarding

The Safeguarding Policy and procedures should be applied to all regulated activities undertaken within, or on behalf of, the Council.

Never leave children, young people or vulnerable adults with Employees, Volunteers or Councillors who do not have a satisfactory DBS check.

Allegations should always be investigated by the appropriate Designated Safeguarding Officer or the Lead Safeguarding Officer; they should never go unchallenged, unrecorded and unreported.

## 6.4 Achieving good preparation for Regulated Activities

Activities should be planned to involve more than one person being present, in sight or hearing of others.

Where the nature of the activity does not facilitate the above, then a record of circumstances should be maintained and others informed of location and proposed activities.

When organising and undertaking mixed gender activities, where possible, leadership should also be mixed gender.

Appropriate dress should be worn by all leaders and by those participating in proposed activities at all times.

Registers should be completed and attendees should be signed in and out (where under 8's are attending an activity they must be signed in and out by a parent/carer).

Where the use of photographic equipment is involved in the activity, the written permission of parents/carers must be obtained prior to the activity using a permission form.

## 6.5 Ensuring the right environment for Regulated Activities

In promoting the right environment for Regulated Activities, set an example you would anticipate others following:

- Treat everyone with respect;
- Everyone should have the opportunity to participate equally;
- Favouritism should not be shown;
- Things of a personal nature, that individuals are able to do for themselves, should not be undertaken by anyone else;
- Where it is necessary to support the undertaking of things of a personal nature, for example toilet trips, this should be undertaken as a pair/group, or, first aid, where you can be seen.
- Inappropriate language should not be used;
- Attention seeking behaviour should be dealt with in a firm and fair manner;
- Sexually suggestive comments should not be made;
- Remember, even if your intentions are well intentioned they may be misinterpreted by someone else.

#### 6.6 Avoiding allegations during Regulated Activities

A child should never be restrained physically. The only exceptions to this are in order to:

- a) Prevent physical injury to either the individual or another person;
- b) Prevent damage to any property;
- c) Prevent an individual from committing a criminal offence.

Where transportation of a child is unavoidable:

- a) Appropriate written consent from a parent or carer should be obtained;
- b) And use of your own car is unavoidable, appropriate insurance covering business use must be held:
- c) A valid DBS must be held;
- d) You should be accompanied by either an employee or councillor.

Where overnight accommodation is unavoidable a child, young person or vulnerable adult should never share accommodation with you and you should not allow them to stay at your home unsupervised.

Physical contact during activities should not be engaged in unless a clear explanation of the reasons is given.

Where an activity involves use of changing rooms, parents or carers should be encouraged to provide supervision.

In circumstances where children, young people or vulnerable adults need medication regularly a health care plan should be drawn up to ensure their safety and protection. With the permission of parents or carers children, young people or vulnerable adults should be encouraged to self administer medication or treatment including, for example any ointment, sun cream or use of inhalers.

If an employee is concerned or uncertain about the amount of medication being administered this should be discussed with their Line Manager at the earliest opportunity. When administering first aid, wherever possible, employees should ensure another member of staff is present, or aware of the action being taken. Parents and/or carers should always be informed when first aid has been administered and asked to sign the completed accident report form.

## 6.7 Summary of recommended best practice

#### Do not: Do: Permit abusive initiation • Treat everyone with respect. ceremonies or bullying etc. • Provide an example you wish others to Play physical contact games. follow. • Plan activities with more than one other Have any inappropriate person present, or at least within sight or physical or verbal contact with hearing of others. others. • Respect a young person or vulnerable • Jump to conclusions about adult's right to privacy. others without checking facts first. • Encourage young people and vulnerable adults to feel comfortable to point out Show favouritism to any attitudes or behaviour they do not like. individual. • Avoid situations that compromise your Rely on just your good name to protect you. relationship of trust. • Remember that someone else might • Believe 'it could never happen misinterpret your actions, no matter how to me'. well intentioned. Befriend a young person on • Remember that caution is required in Facebook or other social sensitive moments of counselling, such as networking websites. when dealing with bullying, bereavement or abuse. • Ensure that all suspicions or allegations of abuse are reported and recorded. • Complete relevant accident/incident forms accurately and with as much detail as possible.

#### 7 Appendix 6: Additional Activity-Specific Safequarding Policies and Procedures

#### 7.1 Good practice for activities where parental supervision is not required

Where parents or carers are not required to remain with children, young people or vulnerable adults the following guidelines are, in addition to compliance with all other areas of this policy, to be followed:

- a) Ratios comply with appropriate legal requirements / recommendations e.g. Ofsted, NGB etc.
- b) **Signing in and out -** the strict signing in and out procedure as laid out in this policy should be followed additionally if you are leading an activity you should be aware of the number, and names, of those you are expecting and how those taking part in the activity are getting home (i.e. on their own or being collected and if so by whom).
- c) **Photographs -** must not be taken by any individual (including the press) without obtaining the express and prior consent of parents using the FDC permission form (Appendix 7).
- d) Introductions if you are leading an activity you must ensure that you introduce both yourself and your helpers ensuring you are instantly recognisable (in uniform) and that participants should come to you, as the leader, during the day if they have need of first aid or if they are not happy with part of the activity, or with the behaviour of someone else.
- e) **Set the scene -** you should make clear what is going to be happening, how, why and when. You should have a detailed plan of activities, supervise activities and ensure all activities are suitable, potentially dangerous equipment may require increased supervision by a competent person.
- f) **Explain -** to all participants that in order for everyone to have a good time unacceptable behaviour will not be tolerated (i.e. bullying, shouting, bad language, dangerous behaviour etc)
- g) **Excessive time -** must not be spent alone by staff and volunteers with children, young people and vulnerable adults, away from others. Doors should be left open if separating a group; where first aid is necessary, maintain a degree of privacy if necessary but have someone else with you. Where a participant requires escorting or asks for the toilet, do not go alone, and take more than one child. Participants should not be taken alone in a car, unless previous agreements have been made with the carer.
- h) Physical contact should be avoided unless to treat an injury, prevent an injury or absolutely essential to the activity (e.g. holding the hand of a very young child on uneven ground). If a child is upset, reassurance may be appropriate; however this should be done in the open and in front of others.
- i) **Remember -** organisers are responsible for the participants once they are signed in and until they are collected by their parents/carers.
- j) **Collection -** where a participant is not collected within half an hour of the event end time relevant procedures should be followed.

#### Remember:

- a) Someone might misinterpret your actions, no matter how well intentioned.
- b) Adopt a common sense approach.
- c) Don't rely on your good name to protect you.
- d) Good practice will prevent false allegations against you.

#### 7.2 Communications with children

- a) In order to make best use of the many educational and social benefits of new technologies, children and vulnerable adults need opportunities to use and explore the digital world, using multiple devices from multiple locations. It is now recognised that that e-safety risks are posed more by behaviours and values than the technology itself.
- b) Electronic communication between children and employees, by whatever method, should only take place under specific circumstances, authorised by a Head of Service, with written permission granted by the children's parents or carer. Such communication may be monitored or inspected by a member of the HR team or a senior officer on a random basis to ensure that it is appropriate, follows the Safeguarding Policy guidance and does not compromise the employee or Council in any way.
  - Communication methods may include: the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs.
- c) Employees must not share any personal information with a child. They must not request, or respond to, any personal information from the child / young person or vulnerable adult, other than that which might be appropriate as part of their job role.
- d) Employees should ensure that all communications are transparent and open to scrutiny.
- e) Employees should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to any children including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with their Manager and parents / carers.
- f) E-mail or text communications, including communications through internet based web sites, between an employee and a child outside agreed protocols may lead to disciplinary and/or criminal investigations.
- g) Employees should not establish or seek to establish social contact with children for the purpose of securing a friendship or to pursue or strengthen a relationship. If a child or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her / his professional judgement in making a response.
  - There will be occasions when there are social contacts between children and staff, where for example, the parent and employee are part of the same social circle. These contacts however, will be easily recognised and openly acknowledged.
  - Nevertheless, there must be awareness on the part of those working with children that some social contacts, especially where these are not common knowledge can be misconstrued as being part a grooming process. This can also apply to social contacts made through outside interests or through the staff member's own family.
- h) It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. This situation should be discussed with their Manager and where necessary referrals made to the appropriate support agency.

#### This means that employees should:

 ensure that personal social networking sites are set at private and no individual from any vulnerable groups including children are listed as approved contacts.

- never use or access social networking sites of any individual from any vulnerable groups including children.
- not give their personal contact details to any individual from any vulnerable groups including children, including their mobile telephone number.
- only use equipment e.g. mobile phones, provided by FDC to communicate with any individual from any vulnerable groups including children, making sure that parents have given permission for this form of communication to be used.
- only make contact with any individual from any vulnerable groups including children for professional reasons and in accordance with any FDC policy.
- recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible.
- not use internet or web-based communication channels to send personal messages (including private Facebook messages) to any individual from any vulnerable groups including children.
- have no secret social contact with any individual from any vulnerable groups including children or their parents.
- any Facebook pages should have 'personal messaging' switched off. Communication can take place in an open and transparent manner using comments on posts.
- consider the appropriateness of the social contact according to their role and nature of their work.
- always approve any planned social contact with any individual from any vulnerable groups including children or parents with an FDC Manager.
- advise an FDC Manager of any social contact they have with any individual from any vulnerable groups including or a parent with who whom they work, which may give rise to concern.
- report and record any situation, which may place an individual from any vulnerable groups including children at risk or which may compromise FDC or their own professional standing.
- be aware that the sending of personal communications such as birthday or faith cards should always be recorded and / or discussed with an FDC Manager.
- understand that some communications may be called into question and need to be justified.

#### 7.3 Photography and videos

Working with any vulnerable groups including children may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of individuals from vulnerable groups including children. Informed written consent from parents or carers and agreement, where possible, from an individual from any vulnerable groups including children, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Employees need to remain sensitive to any individual from any vulnerable groups including children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for employees to take photographs of any individual from any vulnerable groups including children for their personal use.

It is recommended that when using a photograph the following guidance should be followed:

- If the photograph is used, avoid naming the child, young person or vulnerable adult.
- If the child, young person or vulnerable adult is named, avoid using their photograph.
- The FDC Manager should establish whether the image will be retained for further use.

Images should be securely stored and used only by those authorised to do so.

## This means that employees should:

- be clear about the purpose of the activity and about what will happen to the images when the activity is concluded;
- be able to justify images of children in their possession;
- avoid making images in one to one situations or which show a single child with no surrounding context;
- ensure the child understands why the images are being taken and has agreed to the activity and that they are appropriately dressed;
- only use equipment provided or authorised by FDC;
- report any concerns about any inappropriate or intrusive photographs found;
- always ensure they have parental permission to take and / or display photographs.

## This means that employees should not:

- display or distribute images of children unless they have consent to do so from parents / carers:
- use images which may cause distress;
- use mobile phones or any other similar devices to take images of children;
- take images 'in secret', or taking images in situations that may be construed as being secretive.

#### 7.4 Access to Inappropriate Images and Internet Usage

There are no circumstances that will justify employees possessing indecent images of children. Employees who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children is illegal. This will lead to criminal investigation.

Employees should not use equipment belonging to FDC to access pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the employee to continue to work with children.

Employees should ensure that children are not exposed to any inappropriate images or web links.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Employees should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

This means that employees should:

- follow FDC's guidance on the use of IT equipment;
- ensure that children are not exposed to unsuitable material on the internet;
- ensure that any films or material shown to children are age appropriate.

#### 7.5 Personal Care

- a) Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and / or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young person concerned and sensitive to the potential for embarrassment.
- b) Employees need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children with whom they work.

- c) All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity, should be encouraged to act as independently as possible.
- d) The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements.

## 7.6 Advice and Support

#### 7.6.1 Recruiting to Posts

Line Managers will review the role profile before recruiting to identify whether the post involves regulated activities. Where this is the case:

- a) Applicants will be sent a copy of the Safeguarding Policy as part of the application pack and the following additional information will be sought as part of the application process:
- b) The applicants consent to a DBS check being undertaken will be obtained;
- c) At least two references that comment on the applicant's previous experience of, and suitability for working with children, young people and vulnerable adults.

#### 7.6.2 Working with Contractors and Partner Organisations

Any contractor or sub-contractor, engaged by the Council in regulated activities should:

- a) Have a Safeguarding Children, Young People and Vulnerable Adults Policy of their own:
- b) Agree, in the absence of a policy of their own, to comply with the terms of this policy;

This applies to all contracts, even those not requiring a formal tender.

#### 7.6.3 Hiring of FDC Facilities

Where FDC facilities are hired to external groups the hirer will need to:

- a) Have a suitable safeguarding children, young people and vulnerable adults policy or agree to work to FDC's policy;
- b) Comply with the NGB Coach/Pupil Ratios or in absence of this with Social Services Coach/Pupil Ratios:
- c) Undertake risk assessments for individual activities.

And where specified by the FDC facility management:

- d) Have membership of a National Governing Body (NGB) or similarly recognised body;
- e) Have public liability insurance (£5million minimum);
- f) Maintain a register of participants including any medical conditions.

#### 7.6.4 Using Volunteers

- a) Activities can be led by volunteers, however, if the activity falls within the parameters of a regulated activity then the requirements of the Recruitment and Selection Policy must be met as detailed above.
- b) The recruiting Manager is responsible for ensuring all volunteers are subject to the necessary checks.

## 8 Appendix 7; Details of Areas of Specific Responsibility

#### 8.1 Lead Safeguarding Officer:

- a) Will have overall responsibility for safeguarding children and young people on behalf of FDC and be FDC's representative with the LSCB.
- b) Will be a first point of contact for FDC on issues relating to safeguarding children for members of the public and other external contacts.
- c) Will ensure all relevant information is communicated to DSO's.
- d) Will initiate a review of the Safeguarding Policy at least once every 3 years or when major change in the organisation or in relevant legislation occurs.

#### 8.2 HR Team:

- a) Will, through the recruitment and selection processes, ensure DBS checks and references for all Employees, Volunteers and Councillors involved in FDC regulated activities are completed prior to taking up the post.
- b) Will maintain an up to date list of Designated Safeguarding Officers (DSO's) within FDC, and of local contacts who can provide specialist advice on safeguarding and contacts for Social Care and the Police.
- c) Managers must inform HR of any safeguarding training needs of employees at commencement of employment and on an ongoing basis.
- d) Will maintain a record of all employees that have completed a DBS check and are considered suitable for work involving substantial access to children in consultation with the Lead Safeguarding Officer.
- e) Will ensure that DBS checks and references are kept secure and confidential.
- f) When a trace is disclosed on a DBS disclosure during the recruitment process, HR will take responsibility with the Head of Service to undertake a risk assessment if the recruiting manager wishes to continue with the employment of the candidate.
- g) When a conviction is disclosed on a DBS check during the recruitment process, HR will take responsibility with the Head of Service to undertake the appropriate objective assessment if the recruiting manager wishes to continue with the employment of the candidate.

#### 8.3 Heads of Service:

- a) Will determine posts that require a DBS prior to commencement of employment.
- b) Are responsible for the distribution of the Safequarding Policy to Service Managers.
- c) Will ensure that all appropriate procedures and related guidance are implemented.
- d) When a trace is disclosed on a DBS disclosure, the Head of Service will be responsible for undertaking a risk assessment, advised by HR.
- e) When a conviction is disclosed on a DBS check, the Head of Service will undertake the appropriate objective assessment, advised by HR.

#### 8.4 Managers:

- a) Are responsible for making sure that all employees are aware of, understand and act in accordance with the Safeguarding Policy and related guidance.
- b) Must inform HR of any safeguarding training needs of employees at commencement of employment and on an ongoing basis.
- c) Must make sure that any contractors, agents or other representatives, whom they engage to undertake regulated activities are aware of, understand and act in accordance with the Safeguarding Policy and related guidance.
- d) Are responsible for ensuring that all employees that require a DBS disclosure to undertake their employment complete the DBS Self Declaration (Appendix 9) on or around 1 April annually during their Springboard review.

#### 8.5 Managers of Employees with Zero Hour Contracts:

a) Will, through recruitment and selection processes, ensure DBS checks and references for all zero hour variable contracted employees and volunteers involved in regulated activities are completed prior to commencement of Employment.

- b) Are responsible for making sure that all employees are aware of, understand and act in accordance with the Safeguarding Policy and related guidance.
- c) Will ensure that safeguarding training is part of the induction programme for all new employees having close and regular access or working within FDC regulated activities.

## 8.6 Designated Safeguarding Officers:

- a) Will provide a point of contact for Employees, Volunteers and Councillors who want advice regarding concerns about safeguarding children or take forward a disclosure.
- b) Will deal with incident referral forms, deciding whether further action is necessary and advising the referrer of the action taken.

## 8.7 All Employees, Volunteers and Councillors:

- a) Have a responsibility to protect children, young people and vulnerable adults, and report abuse without delay to the appropriate person.
- b) Should be aware of and act in accordance with this Safeguarding Policy and related guidance.
- c) Should not begin any regulated activity prior to satisfactory completion of the FDC recruitment and selection process and DBS checks.
- d) Should complete e-learning safeguarding children training if their FDC Role Profile requires DBS check.
- e) Should be aware of appropriate and inappropriate behaviour for employees, volunteers and councillors in charge of children.
- f) Should know who their Designated Safeguarding Officer is.
- g) Have a responsibility to inform their manager (or the FDC LSO) of any allegation of abuse.
- h) That require a DBS disclosure to undertake their employment must complete the DBS Self Declaration (Appendix 10) on or around 1 April annually as part of their Springboard review.

## Appendix 8; Self Declaration for Contractors Engaged in Work on Behalf of FDC Name of Contractor: ..... I have read and understand the Council's Safeguarding Policy and agree to abide by the procedures as set out in the document. I confirm that I/we have in place a Safeguarding Policy that is available to view on request. I confirm that all workers engaged by the above named contractor and who are likely to come in to contact with children, young people or vulnerable adults have been subject to the appropriate level of Disclosure & Barring Service check as defined by the Disclosure & Barring Service guidance. Signature: Name: ..... Position: Date: .....

**NB:** Fenland District Council reserves the right to investigate the validity of the above declaration.

## Appendix 9; DBS Self Declaration Form

All FDC employees working with / or in contact with vulnerable people including children, must complete this form if one of the following reasons apply:

- If the service of an FDC employee is broken for a period longer than one month but less than twelve months, the employee will be required to complete this form for each period of time exceeding one month.
- All FDC employees that require a DBS disclosure to undertake their employment, will be required to complete this form annually on or around 1 April as part of their Springboard Review.

## PLEASE RETURN THE FORM TO YOUR LINE MANAGER UPON COMPLETION

#### **CONFIDENTIAL**

1	Have you ever Over Order?	been conv	icted of a criminal of	fence or been t	ne subject of a Cautio	n or Bound
ΥE	:S		NO		(please tick)	
lf "	YES' please stat	e the natu	re and date(s) of the	offence(s):		
	Have you ever	heen suhie	ect to any disciplinar	v action or sand	tions relating to child o	or
_	vulnerable adu		or to any alcorplination	,	aono relating to entre	
ΥE	:S		NO		(please tick)	
lf "	YES' please give	e details:				

- **3** You are required to self-certify that:
  - i. You have never been disqualified or prohibited from working with vulnerable people including children;
  - ii. You are not known to ANY social services department as being an actual or potential risk to vulnerable people including children;
  - iii. You have not been disqualified or prohibited from fostering vulnerable people including children;
  - iv. You have not had any rights or powers in respect of any vulnerable people including children vested in you assumed by a local authority;
  - v. You have not had a child or vulnerable adult ordered to be removed from your care.

Please complete the following in BLOCK CAPITALS:

Signed:			Date:	
Full Name:				
Any surname	previously known by:			
Address:				
		Po	stcode:	
Date of Birth:		Place of Birth:		

You are advised that under the provisions of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended by the Rehabilitation of Offenders Act 1974 (Amendments) 1986, you should declare all convictions (including spent convictions).

FDC reserves the right to carry out checks to verify the information given on this form that may include the local authority social services department or police records. You may be subject to disciplinary action if any information is found to be false.

## Managers only:

If a disclosure is made by an employee, it is the responsibility of the employee's Manager to alert Human Resources and the Head of Service immediately. A risk assessment will then be carried out to determine whether there are any implications for continued employment.

10 Appendix 10; Logging a concern about a child or young person's safety & welfare



**Details of Person making referral:** 

# Referral form to Cambridgeshire Children's Social Care

To be used by all agencies that wish to report concerns about a risk to a child or young person

IF YOU THINK THAT A CHILD OR YOUNG PERSON IS AT RISK OF SERIOUS HARM CALL THE CONTACT CENTRE IMMEDIATELY ON 0345 045 5203 – (8am to 6pm Mon – Fri)
Out of hours emergencies 01733 234724. ALL TELEPHONE REFERRALS SHOULD BE FOLLOWED UP IN WRITING WITHIN 48 HOURS USING THIS FORM.
IF YOU HAVE A CONCERN REGARDING A CHILD OR YOUNG PERSON AND WOULD LIKE TO DISCUSS IT FURTHER YOU CAN ALSO CONTACT THESE NUMBERS.

## PLEASE USE BLACK INK ONLY WHEN COMPLETING THIS FORM

Agency						
Contact details: (in full)						
Date of referra	Date of referral					
Child or Y	oung Pers	son's Details:				
Name of baby, o	hild or young per	son/Any other names know	wn by:			
Forename(s):			Date of birth / EDD:			
Surname:						
Names of Parent(s) or Carer(s):			Home Tel & Mobile Tel			
Home Address:		Other household members and siblings: (date of birth where known)				
Child's first			Immigration state	10:		
Child's first language:			Immigration status:			
Parent's first language:			Translator/signer required?		YES / NO	

White British [	Caribbe	an	Indian		White & Black Caribbean		Chinese
White Irish	African		Pakistani		White & Black African		Any other ethnic group
Any other [ White background	Any oth Black backgro		Bangladesh	i 🗌	White & Asian		Not given
Gypsy/Roma [	Travelle	er of	Any other A background		Any other mixed background		
Religion:				Asylum See	eker: YES / NO		
Reference No.: (ple No., UPN etc):	ease explain,	e.g. NHS					
Name of School/Ea Contact person:	rly Years Se	etting &					
Name and contact	details of GF	<b>P</b> :					
Does the child/you parent(s) carer(s) h please detail:			YES / NO				
Does the child/you other relevant med please detail:			YES / NO				
What are yo	ur conc	erns ab	out the c	hild or	young pers	son?	
What are the risk	Why are you making a referral to Children's social care? What are you concerned about? What are the risks to the child? (Please refer to Cambridgeshire Model of Staged Intervention to support your description)						
Where on the MO		Level 2 Level 3					
would you place		Level 3					
child or young pe	erson						
Is this referral for information only?							
Is there evidence of any other children in the family who are being subjected to abuse (physical, emotional or sexual) or neglect? If 'YES' please specify:							
, , ,	,						
What key actions	have been	taken by re	eferring agen	cy/involve	ment with the fa	amily:	

Please outline your involvement with the child/family and any ongoing support that is being provided. Detail any past concerns or known involvement of statutory agencies. If a CAF or other assessment document has been completed please attach a copy to this referral.

What outcomes for the child do you anticipate in making this referral to Children's Social Care?

Does the person with parental responsibility know that a referral to Children's Social Care has been made? If 'No' please explain why: If yes, does the person with parental responsibility consent for members of the family's network to be contacted to obtain further information?

Does the child or young person know about this referral? If so what do they think about it? If not, what do you think they might feel about it?

Any other information that would be helpful in deciding the priority of the referral and/or understanding?

## **SENDING THIS FORM**

This form should be emailed to the Contact Centre. Any referral where the child is at risk of serious harm should be made by telephone first:

## **Cambridgeshire**

Tel: 0345 045 5203 Fax: 01480 376748

Email: referralcentre.childrens@cambridgeshire.GCSX.gov.uk

You should also copy this referral to the designated lead for safeguarding in your agency; Phil Hughes 07702 128939 / phughes@fenland.gov.uk

Any concern about the referral process and response should be address via the LSCBs Escalation policywww.cambslscb.org.uk

## 11 Appendix 11; Fenland District Council - Useful Contacts Summary

Lead Safeguarding Officer (LSO)	Phil Hughes	01354 622520 / 07702 128939
Designated Safeguarding Officers (DSO's)	Jon Gipson Sylvia Wilson Laura Clarke James Amps	Contact Leisure Services on: 01354 622399  If they are not on shift, contact the LSO, or ask the Duty Manager in the leisure team for their personal mobile number

## **Useful Contacts:**

NSPCC Child Person Protection Helpline	Western House 42 Curtain Road London, EC2A 3NH	020 7825 2500 Helpline: 0808 800 5000 www.nspc.org
Child, Young Person or Vulnerable Adult UK	Freepost 1111 London, N1 0BR	0200 1111  www.childyoungpersonorvulnerab leadultline.org
Sports Coach UK	114 Cardigan Road Headingly, Leeds, LS6 3BJ	
UK Council for child internet safety (UKCCIS)		0870 000 2288
Cambridgeshire Area LSCB	LSCB Administrator 7 The Meadows Meadow Lane St Ives Cambs, PE27 4LG	01480 376699 www.cambslscb.org.uk
Cambridgeshire Constabulary		Emergency - 999 24 non-emergency - 0845 4564564
Cambridgeshire Children's Team Contact Centre	Buttsgrove Centre 38 Buttsgrove Way Oxmoor Huntingdon, PE29 1LY	0345 045 5203 Out of hours emergency number: 01733 234724
Vulnerable Persons (Adult Safeguarding concerns)	Cambridgeshire Health & Social Care Services @ Cambridgeshire Direct Adult Safeguarding Manager	0345 045 5202 (choose - Adult Social Services) 01223 715576