

 <p><b>Cherwell</b> DISTRICT COUNCIL NORTH OXFORDSHIRE</p>	<p><b>Safeguarding Children and Young People Policy and Procedures</b></p>
---	--

## Introduction

1. Cherwell District Council (CDC) aims to work in a way that helps, as far as possible, to safeguard children from harm, and support their development as members of the community.
2. CDC will ensure that:
  - all employees involved in working with children implement good working practices to ensure a safe and healthy environment;
  - all employees are aware of child protection issues both in the context of organised activities and within the home and community;
  - standard procedures are in place to protect the child when suspected abuse or actual abuse is reported and that all employees providing services for children understand these procedures;
  - when child abuse is reported it is recognised that the child is potentially at risk and the safety of the child is paramount.
3. CDC recognises that in providing services for children there is a need to provide and maintain a high degree of physical and emotional wellbeing for children. Therefore the following procedures will be implemented through employees:
  - ensuring employees are aware of the safeguarding children and young people policy and procedures;
  - ensuring employees and members of the public can effectively report concerns about children at risk;
  - operate sound recruitment and selection procedures for employees to ensure suitability for working with children;
  - identify and enable appropriate child protection training to take place for employees who work with children;
  - demonstrate best practice in ensuring the safety of young people.

## Recruitment and Selection of Employees

4. CDC has a legal obligation to ensure that job applicants do not have a history that would make them unsuitable for posts involving contact with children.

In addition to the normal conditions of satisfactory references, medical reports/examinations and asylum and immigration checks, offers of appointment to positions where this work is likely to involve regular

contact, or occasional unsupervised contact, with children and young people is subject to receipt of a satisfactory Disclosure from the CRB.

**The CRB Policy must be adhered to and sets out clear guidelines for recruitment. The CRB Policy must be read in conjunction with the Safeguarding Children and Young People Policy**

### Current Protocol

5. The Corporate Health and Safety Manager will carry out a risk assessment for all identified posts. In the event that restrictions cannot be applied/managed, the individual is not permitted to commence employment until satisfactory clearance has been received by the Council. If restrictions can be applied to the role to negate any risks prior to the receipt of CRB clearance the employee can commence working however continued employment under these circumstances will still be conditional upon receipt of a satisfactory Disclosure being received. Failure to obtain CRB clearance will result in non engagement/instant dismissal. This policy and procedure includes paid employees, elected Members and contractors.

### Forthcoming Changes

6. As at 12 October 2009 the ISA (Independent Safeguarding Authority) scheme will enhance the current CRB scheme. Enhanced CRB applications from this date will reveal the new barred list information where a request is made for the equivalent of the existing POCA or POVA check.
  - *POVA Check - The Protection of Vulnerable Adult list is managed by the Department for Children, Schools & Families (DCSF) on behalf of the Department of Health (DH), of people banned from working with vulnerable adults. A POVA check is done as part of the Protection of Vulnerable Adults to confirm your applicant is not barred.*
  - *POCA Check - The Protection of Children Act list is managed by the Department for Children, Schools & Families (DCSF) on behalf of the Department of Health (DH), of people banned from working with children. A POCA check is done as part of the Protection of Children Act to confirm your applicant is not barred from working with children.*
7. From July 2010 those who are new to the workforce, those who are changing roles to take on regulated activity and those changing jobs whilst working in regulated activity may apply for ISA registration. From July 2010, individuals can apply for ISA-registration and a CRB check (including an ISA check) on one new application form.
8. From this date employers, social services and professional regulators have a duty to refer to the ISA any information about individuals who may pose a risk ensuring potential threats to vulnerable groups can be identified and dealt with.

9. So as not to disrupt normal recruitment over the traditionally busy summer period, the legal requirement for employees to register with the ISA and employers to check their status will come into force in November 2010. From November 2010 it will be mandatory for new entrants or job movers in the regulated activity to be ISA registered before they start in their new post.
10. From January 2011 until July 2015, our existing employees who work in a regulated activity will be subject to ISA registration. The ISA check will reveal if the person is registered and able to work with children and/or vulnerable adults. The CRB check will reveal if the person has a criminal record or if there is any relevant non conviction information.
11. CDC will subscribe to an individual's registration status and receive regular updates if that status changes. The aim of these forthcoming changes is that in five years time it will be illegal to employ someone who is not registered with the ISA.

## **Training**

12. Training is a crucial element in supporting employees to meet their responsibilities toward safeguarding children. The L&D team will provide an in-house, dedicated training programme. There are three levels of training which respond to the specific types of contact employees have with children, young people and vulnerable adults, (CYP & VA).

### **13. Level 1 (Introductory)**

A short 'E' learning package that provides employees with a basic understanding of the principles of and their responsibilities toward safeguarding children. This is mandatory for all existing employees and will form part of the induction process for new staff.

### **14. Level 2 (Generalist)**

This ½ day training course covers issues such as definitions, indicators and managing concerns and is designed for employees who work with or have contact with children, young persons or vulnerable adults for more than 3 days in any period of 30 days, or have an obvious role in enabling CDC to meet its responsibilities. This includes all employees and who:

- Are subject to a CRB check
- Have direct contact with CYP or VA (i.e. community & sports development, leisure centre or museum staff)
- Have contact through working with families (i.e. benefits, housing, environmental health)
- Have contact through working in public places (i.e. street wardens)
- Have contact through property visits (i.e. planning officers, refuse collectors, investigation officers)

- Manage employees working with apprentices or work experience students
- Have contact as part of customer services (i.e. customer service centre staff)
- Have indirect contact through policy or enforcement (i.e. employees responsible for CRB checks, licensing officers)
- Are contracted employees falling into any of the above categories
- Are responsible for recruiting staff
- Have contact as part of running or planning community events
- Are members who have access to CYP &VA or their families either on an informal or formal basis.

### 15. Level 3 (Specialist)

This course is designed for any employees who work with children young persons, vulnerable adults, families or carers and who are lead/designated/named members for CDC with a specific responsibility for safeguarding children within their job role. It is delivered by specialist trainers within Oxfordshire Safeguarding Children Board (OSCB)

The implementation of a 'refresher' programme will ensure the maintenance of levels of awareness and provide details of any change.

### Definitions of Abuse

16. Abuse of a child may arise through neglect or through infliction of harm, or by failure to act to prevent harm. Children may be abused in a wide variety of settings, by people known to them, or by strangers.
17. There is a difference between significant harm (which may warrant legal action if a parent inflicted it on a child) and what might be relatively minor but quite unacceptable if done by an employee.
18. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child for whom they are caring.
19. Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe adverse effects on the child's emotional development. For example, it may involve conveying to children that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

20. Sexual abuse involves forcing or enticing a child or young person to become involved in any way in sexual activities, whether or not the child is aware of what is happening.
21. Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, and is likely to result in the serious impairment of a child's health or development.

### **The Signs of Abuse**

The following factors should act as indicators in situations of potential or actual child abuse:

- unexplained or suspicious marks, bruises, fractures; burns/scalds and injuries to the mouth and eyes;
  - the child is in a poor physical condition or has delayed speech and language development;
  - a change in the child's behaviour or appearance;
  - inappropriate sexual awareness;
  - a statement by a child that he or she has been victimised;
  - distrust of adults, particularly those with whom a close relationship would normally be expected;
  - difficulty making friends;
  - prevention from socialising with other children.
22. It should be recognised that this list is not exhaustive and the presence of one or more of these indicators is not proof that abuse is actually taking place. It is not the responsibility of CDC employees to decide if child abuse is occurring but it is their responsibility to act on concerns, and notify the appropriate person or organisation.

### **Responding to Disclosure, Suspicions and Allegations of Abuse**

23. It is not the responsibility of CDC employees to decide whether or not child abuse is taking place. False allegations of abuse do occur, although they are extremely rare. If a child says or indicates that they are being abused or information is obtained which gives concern that a child maybe being abused immediate action should be taken.

### **Confidentiality**

24. Confidentiality is a key issue in safeguarding children. Whilst information generally should not be shared, it must be shared with appropriate agencies to ensure that a child is not left unprotected.

### **Data Protection**

25. Occasionally there will be a need or requirement to collect and use certain types of information on children. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material - and there are

safeguards to ensure this in the Data Protection Act 1998. (Personal information is data that relates to a living individual who can be identified from the data).

26. The lawful and correct treatment of personal information is very important and wherever such information is kept there is a need to comply and adhere to the principles of data protection, as enumerated in the Data Protection Act 1998. CDC's Data Protection Policy is available on the intranet.

### **Reporting Concerns**

27. If you have any concerns you should write down what you have seen or heard that gives you concern, keep that document safe and confidential, and contact your line manager or one of CDC's Nominated Officers as soon as possible.

### **Nominated Officers**

28. The lead officers for safeguarding children and young people at CDC are:

**Head of Recreation and Health**      Tel: 01295 227095

**Head of Human Resources**      Tel: 01295 221731

29. These people are available to advise employees and elected members and are required to:
- be familiar with child protection procedures;
  - ensure there are effective internal procedures to handle concerns;
  - be the link person with relevant agencies;
  - attend appropriate training.

### **Suspected Abuse or Bullying by Council Employees**

30. Should an allegation of child abuse be made against a Council employee, the Council's Complaints and/or Disciplinary Procedures will be followed and appropriate action taken.
31. All allegations of abuse against an employee must be reported to the Nominated Officers. In cases involving employees in an allegation of sexual abuse, including the observing, handling or distributing of materials in any media that involve the sexual abuse of children, the matter will be immediately referred to the police by the Nominated Officers.
32. CDC recognises that it may be difficult to inform on colleagues but assures all employees that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concerns about a colleague's practice or the possibility that a child may be being abused or bullied.

**Acceptable and Unacceptable Behaviour**

33. CDC has published Safeguarding Children Guidance to support employees and elected members in understanding what is acceptable and unacceptable behaviour when working with children (Annex A).
34. CDC has a duty to have a designated officer to be involved in the management and oversight of individual cases. This person has responsibility for:
- Ensuring that CDC operates procedures for dealing with allegations in accordance to Oxfordshire Safeguarding Children Board Guidance;
  - Resolving inter-agency issues;
  - Liaison with the Oxfordshire Safeguarding Board on any issues.

**The contact for CDC is the Head of Human Resources.**

**Child Death Review Process**

35. All members of the Oxfordshire Safeguarding Board are required to provide a senior officer contact to the Board. This person will act as a first point of contact for any deaths of children / young people that the organisation may be the first to be aware of and to ensure that there is an effective response.
36. If you become aware of a child death in the course of your professional duties you should immediately contact one of the Nominated Officers.

**Annex A**

**Promoting Good Practice when working with children**

37. It is possible to reduce situations in which abuse can occur and help protect employees by promoting good practice. The following guidelines should be used to ensure this can be achieved:
- Always ensure that you follow safer recruitment practices and undertake CRB checks;
  - always work in an open environment, avoiding private or unobserved situations;
  - always put the welfare of each child first;
  - maintain a safe and appropriate distance with children and young people;
  - build balanced relationships based on mutual trust which empowers children to share in the decision making process;
  - make activities fun, enjoyable and promote fair play;
  - ensure that if any form of manual / physical support is required, it should be provided openly and with due care;
  - keep up to date with the appropriate technical skills and qualifications;
  - ensure that if children are supervised that they are accompanied by at least two employees;
  - be an excellent role model - this includes not smoking or drinking alcohol in the company of children;
  - give enthusiastic and constructive feedback rather than negative criticism;
  - recognise the developmental needs and capacity of children;
  - ensure that equipment and facilities are safe and appropriate to the age and ability of the child;
  - ensure that use of photographic and filming equipment is appropriate and permission of parents has been sought;
  - ensure that high standards are maintained at all times.

**Practice to be avoided**

38. The following should be avoided except in emergencies. If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of a senior officer or the child's parent or guardian, for example:
- spending excessive amounts of time alone with children away from others;
  - taking children alone on car journeys, however short;
  - taking children to your home.
39. Employees should never:
- engage in rough, physical or sexually provocative games, including horseplay;
  - allow or engage in any form of inappropriate touching;
  - allow children to use inappropriate language unchallenged;
  - make sexually suggestive comments to a child, even in fun;



## **APPENDIX A**

- allow allegations made by a child to go unrecorded or not acted upon;
- do things of a personal nature for children that they can do for themselves;
- invite or allow children to stay at their home;
- constantly shout at and/or taunt a child to 'keep control'.