

# CHILD PROTECTION POLICY

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## SHAPINSAY DEVELOPMENT TRUST

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# CHILD PROTECTION POLICY AND PROCEDURE

## Introduction

This document does not form part of a contract of employment and may be changed from time to time in line with current best practice and statutory requirements. You will be consulted and advised of any changes as far in advance as possible of the change being made, unless the change is required by statute.

Members of staff have an important role to play in creating a positive and safe environment where children are concerned. The organisation further recognises its responsibility to protect children; to recognise the possible signs of abuse or neglect; and if there is cause for disquiet, to report any issues to the committee member who has agreed to act as monitor for child protection issues.

This policy applies to all employees, volunteers and members of the Board.

## Aims

The main aims of this policy are to:

- Set out the responsibilities of staff, volunteers and members of the Board in relation to Child Protection issues.
- Define Child Abuse – to include bullying.
- Ensure that children have the right to be protected from abuse and harm at all times and in all situations.
- Ensure that all Staff are aware that Child Protection is the responsibility of every adult who has involvement with children.
- Provide information on the ways in which abuse or neglect may present in the child.
- Provide advice on Disclosure Scotland vetting procedures.

## Responsibilities

Responsibility for developing and maintaining a child-safe environment rests with everyone at some level.

### ***Directorate responsibilities***

- Ensure that this policy is communicated to all staff, volunteers and members of the Board.
- Ensure that the policy and procedures are adhered to by all staff, volunteers and members of the Board.

### ***The Board has a duty to***

- Provide appropriate guidance and support to members of staff who report child care concerns.

- To maintain confidential records in relation to any allegations and the effectiveness of the response in relation to these allegations and in keeping with the terms of this policy.
- To maintain communication links with the local Child Protection Committee /Agency at all times.

***Line Managers have a duty to:***

- Understand, explain and promote the policy to their Staff.
- Encourage Staff to raise any concerns they have regarding bullying and/or other forms of child abuse.
- Be responsive and supportive to any employee who so raises a concern.

***Employees have a duty to:***

- Familiarise themselves with this policy and procedures.
- Raise any concerns they have relating to bullying or child abuse at the earliest opportunity.
- Advise their line manager immediately if they are under suspicion or accused of any conduct which may affect their suitability to work with children.

**Definitions**

***Child protection***

The Children (Scotland) Act 1995 states that each child has the right to protection from all forms of abuse, neglect or exploitation.

It also states that children should have the right to express their views on any issues or decisions affecting them.

***Bullying***

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

- Bullying is an unacceptable form of behaviour through which a child/ young person or groups feel threatened, abused or undermined by another individual or group.
- Bullying is behaviour that can be defined as a repeated attack of a physical, psychological, social or verbal nature by those who are able to exert influence over others.
- Bullying can take many forms. It may include physical aggression, intimidation, threatening, extorting, pressurising, name-calling or teasing.
- Less obvious examples such as ignoring or excluding someone are also regarded as bullying and their possible effects should not be minimised.
- Bullying can cause stress and can affect a child's health.

## **Child abuse**

The formal definition of Child Abuse is:

**'Children may be in need of protection where their basic needs are not being met, in a manner appropriate to their age and stage of development, and they will be at risk through avoidable acts of commission or \*omission on the part of their parent(s), sibling(s) or other relative(s), or a carer (i.e. the person(s) while not a parent who has actual custody of the child).'**

[Reference: 'Scottish office (1998) 'Protecting Children: A Shared Responsibility']

**\*NB.** *This means children at risk through either something a person has done to them OR something a person is failing to do for them.*

This is a very open definition which encourages us to be open minded and to think about what child abuse is. For those working in the field of Child Protection the definition gets broken down further into Categories of Abuse, namely:

- Physical Injury
- Sexual Abuse
- Emotional Abuse
- Physical Neglect
- Non-organic Failure to Thrive

### **Physical Injury**

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

### **Sexual Abuse**

Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds, whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.

### **Non Organic Failure to Thrive**

Children who significantly fail to reach normal growth and development milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

### **Emotional Abuse**

Failure to provide for the child's basic emotional needs, which can have a severe effect on the behaviour and development of the child.

## ***Physical Neglect***

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.

[Reference: 'Scottish Office (1998) Protecting Children: A Shared Responsibility']

## ***Recognition of Abuse***

Possible indicators of physical injury are bruises, particularly bruises of a regular shape which may indicate the use of an implement such as a strap, or the marks of a hand, lacerations, bite marks or burns.

Possible indicators of physical neglect are inadequate clothing, poor growth, poor hunger, poor hygiene.

Possible indicators of emotional abuse are excessive dependence, attention seeking, and self-harming

Possible indicators of sexual abuse are physical signs such as bruises, scratches or bite marks to thighs or genital areas; or behaviours such as precocity, withdrawal or inappropriate sexual behaviour.

### **Note:**

**Such symptoms may be due to a variety of other causes such as bereavement, domestic violence or changes in family circumstances. However, they may be due to child abuse.**

**No list of symptoms can be exhaustive. Also, alternative medical, psychological or social explanations may exist for the signs and symptoms described. In particular bruises to the legs are often accidental.**

Further guidance from the Scottish Executive explains how children rarely tell if they are being abused. However, there may be signs which make you concerned and may be an indication of a child being abused or neglected.

## **Child Protection Procedures**

Child protection should not be treated in isolation – it will be necessary to take on board guidance given by the local Child Protection Committee/Agency and to address the recruitment and selection of volunteers and paid employees by doing the following:

### ***Administrative procedures***

1. We accept that it is our responsibility as an organisation/group to check that all adults with substantial access to children have been appropriately vetted (Appendix 2).
2. We will ensure that every new volunteer or member of staff will complete a Personal Profile Form (Appendix 7).
3. We will make a request for previous addresses on volunteer/job application forms.

4. We will ask for the names of two referees who will be prepared to provide a written reference.
5. We will follow up each reference with a telephone call or personal contact during which we will discuss the applicant's suitability to work with children. A record of this discussion will be kept in the applicant's file.
6. We will interview all prospective volunteers and staff.
7. We will note at interview all previous experience of volunteers and staff in working with children.
8. We will carry out a probationary period for all volunteers and staff of at least 3 months.
9. We will hold a register of every child involved with the organisation/group including relevant medical details and have a contact name and number close to hand in case of emergencies.

### ***Behavioural Procedures***

Every child, regardless of age, has at all times and in all situations a right to feel safe and protected from any situation or practice that results in a child being physically or psychologically damaged. In our organisation if we have suspicions about a child's physical, sexual or emotional well-being, we will take action.

Volunteers and staff must, at all times:

1. Acknowledge the age group they work with.
2. Where possible consider activities which involve more than one adult being present or at least within sight and hearing of others.
3. Be aware that someone else might misinterpret actions even if they are well-intentioned.
4. Provide time for children to talk to us.
5. Encourage children to respect and care for others.
6. Take action to stop any inappropriate verbal or physical behavior.
7. Have an organisational/group policy for the collection of children after meetings have finished.
8. Respect a child's right to personal privacy.
9. Never trivialise or exaggerate child abuse issues.
10. Refrain from interrogating or questioning a child other than to clarify understanding. (If the matter is to be investigated further it will be so done by trained professionals).
11. Be honest - in that you may have to talk to someone else who can help.
12. Remain calm, no matter how difficult it is to listen to the child.
13. Listen to the child - **REALLY LISTEN** - taking what they say seriously.
14. Share concerns with the committee member who has agreed to monitor child protection issues.

15. Remember to REFER not INVESTIGATE any suspicions or allegations about abuse.
16. Only share concerns and seek support from those identified in the organisation's child protection policy.
17. Complete the vetting checklist (Appendix 2).

*If the situation is clearly an urgent case, the child is too frightened to go home or we have very serious doubts about the child's safety, we will contact Social Services or the Police immediately. If our concerns are more general about a child's welfare, then we will discuss these with our organisation's child protection monitor, who would then make a referral to Community Social Services who in turn will make the necessary arrangements. It is important that all volunteers and staff communicate concerns accurately as described below:*

- a. Upon suspicions being raised, or on the receipt of any information from a child, it is necessary to record what has been seen, heard or known of at the time the event occurs.
- b. Share these concerns with the monitor for the organisation/group and agree action to be taken.
- c. Always **REFER never INVESTIGATE** any suspicions or allegations about abuse.

**If we have concerns we must act** - it may be the final piece of the jigsaw that is needed to protect that child or we may prevent other children from being hurt.

Both the Community Social Services and Police Station telephone numbers are to be found in your local telephone directory. Please note them below:

**Community Social Services:** .....

**Police Station:** .....

**End of procedures**

***Appendices follow for:***

1. Disclosure Scotland 1
2. Disclosure Scotland 2 (vetting procedures)
3. Protecting Vulnerable People
4. Recruitment of Ex-Offenders
5. Secure handling, use, storage and retention of Disclosure information
6. Referral Reminder Form
7. Personal Profile Form
8. Vetting Checklist
9. Anti-Bullying Checklist

## APPENDIX 1

### DISCLOSURE SCOTLAND 1

This pack has been designed to help your organisation put in place the policies required to protect the children and young people you work with. These policies will be required if you wish to apply for Disclosure Scotland checks.

Before applying for Disclosure Checks from the registered body, Central Registered Body for Scotland (CRBS), you will need to have the following policies in place, in addition to your Child Protection Policy:

- Vulnerable Adult Policy
- Policy on the Recruitment of Ex-Offenders
- Policy on the Secure Handling, Use, Storage and Retention of Disclosure Information.

Examples of these policies can be found on of this document. Your organisation should feel free to adapt or amend these as required. Note also that sample policies on these topics, and Guidance notes, are to be found as part of this Policies file. Throughout the policies please fill in your organisation's name as appropriate.

The policy on protecting vulnerable people does not cover types of abuse or how your organisation should handle suspected abuse or allegations of abuse. The information found in the Child Protection Policy will help with these issues.

The implementation of such policies will require support and training for your staff and volunteers. There are a number of places you may be able to access such training. Useful contact numbers are included in the Guidance Notes for Child Protection Policy and Procedures.

Once you have these policies in place and are registered with CRBS you will be supplied with all the forms necessary to access Disclosure checks.

Your organisation will not be able to obtain the background checks necessary if you do not have these policies in place.

## APPENDIX 2

### DISCLOSURE SCOTLAND 2 (VETTING PROCEDURES)

Disclosure Scotland checks are compulsory for all volunteers who work with/ who have 'substantial access' to children/young people. When considering the question of **substantial access** consider the following questions:

- Will the person have one-to-one contact with children? If 'yes' the access must be considered substantial.
- Will the person be supervised? If the person is under close supervision at all times, the access may not be considered substantial, however it will allow close relationships to be formed and this could be exploited.
- Will the person be in an isolated situation with a child? The risks are greater where a child is with an adult in an isolated situation away from peers and family.
- Will there be regularity of contact? The more regular the contact, the stronger the relationship that may be formed which could be exploited.
- Is overnight care involved? If 'yes' then the adult must be fully vetted.

Appropriate **vetting** may mean different things for different groups:

**For all new volunteers and staff** it is your committee's responsibility to discuss and decide upon the checks required. These will include taking up two written references and follow up telephone calls and may include a Disclosure Scotland check.

You will need to discuss whether your volunteers and staff have substantial access to children as defined above. If you decide they do then your committee will require a Disclosure check in addition to the references already requested.

**Note:**

**The safety of children in your organisation is paramount. However, it is important to retain the purpose of your organisation. Therefore, you need to keep a realistic perspective on child protection issues, e.g., a dance group leader cannot avoid one-to-one contact with children. However, all dancers attending the group would not be expected to be Disclosure Scotland checked even though they may dance with young people as part of the group purpose.**

## APPENDIX 3

### **POLICY AND PROCEDURE ON PROTECTING VULNERABLE PEOPLE**

We aim to ensure that any vulnerable people, whether children, young people or vulnerable adults, are protected and kept safe from harm while they are with staff or volunteers in this organisation. In order to achieve this we will ensure our staff and volunteers are carefully selected, screened, trained and supervised.

#### **SELECTION**

- All applicants, for paid and unpaid positions, will complete an application form.
- Short listed applicants will be asked to attend interview.
- Short listed applicants will be asked to provide references and these will always be taken up prior to confirmation of appointment.
- We will follow up each reference with a telephone call or personal contact during which we will discuss the applicant's suitability to work with vulnerable adults.

#### **SCREENING**

- Where relevant to the post, the successful applicant will be asked to agree to an appropriate disclosure. Disclosures will be requested prior to the applicant taking up post.

#### **TRAINING**

- The successful applicant will receive induction training, which will give an overview of the organisation and ensure they know its purpose, values, services and structure.
- Relevant training and support will be provided on an ongoing basis, and will cover information about their role, and opportunities for practicing skills needed for the work.
- Training on specific areas such as health & safety procedures, identifying and reporting abuse, and confidentiality will be given as a priority to new staff and volunteers, and will be regularly reviewed.

#### **SUPERVISION**

- All staff and volunteers will have a designated supervisor who will provide regular feedback and support.
- Every member of staff and volunteers will attend an annual review, where their performance, skills, motivation and expectations will be discussed.

Annual reviews will be minuted and copies made available to the member of staff/volunteer.

We will ensure that all staff and volunteers involved in recruitment, training and supervision, are aware of this policy/procedures and have received appropriate training and support to ensure its full implementation.

## APPENDIX 4

### **POLICY AND PROCEDURE ON THE RECRUITMENT OF EX OFFENDERS**

We will treat any applicant for any position (paid or voluntary) within our organisation fairly and not discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed.

- We will request a Standard or Enhanced disclosure only where it is necessary and relevant to the position sought.
- Where a position requires a disclosure we will make this clear on the application form, job advert and any other information provided about the post.
- At interview we will ensure that open and measured discussions can take place on the subject of offences.
- Failure to reveal information at interview, that is directly relevant to the position sought, could lead to withdrawal of an offer of employment.
- At interview or when receiving a disclosure which shows a conviction, we will take into consideration –
  - Whether the conviction is relevant to the position being offered.
  - The seriousness of the offence revealed.
  - The length of time since the offence took place.
  - Whether the applicant has a pattern of offending behaviour.
  - Whether the applicant's circumstances have changed since offending took place.
- We will ensure that all our members (staff or volunteers) involved in the recruitment process are aware of this policy and procedure and have received relevant training and support.
- Any applicant for any post that requires a disclosure may receive a copy of this document and the Code of Practice.

## APPENDIX 5

### **POLICY AND PROCEDURES ON THE SECURE HANDLING, USE, STORAGE AND RETENTION OF DISCLOSURE INFORMATION**

In accordance with the Scottish Executive Code of Practice for registered persons and other recipients of Disclosure Information, we will ensure that all staff with access to disclosure information are aware of this policy/procedure and have received relevant training and support.

We will make a copy of this policy/procedure available to any applicant for a post (paid or voluntary) that requires a disclosure and we will ensure the following practices:

- Disclosures will only be requested when necessary and relevant to a particular post and the information provided on a disclosure certificate will only be used for recruitment purposes.
- We will ensure that an individual's consent is given before seeking a disclosure, and will seek their consent before using disclosure information for any purpose other than recruitment.
- Disclosure information will only be shared with those authorised to see it in the course of their duties.
- Where additional disclosure information is provided to our designated signatory and not to the disclosure applicant, our designated signatory will not disclose this information to the applicant, but will inform them of the fact that additional information has been provided, should this information affect the recruitment decision.
- Disclosure information will be stored in a locked non-portable container, for a maximum of 6 months. Only those authorised to see this information in the course of their duties will have access to this container.
- Disclosure information will be destroyed by shredding.
- No image or photocopy of the disclosure information will be made, however the following details may be retained:-
  - Date of issue of disclosure;
  - Name of subject;
  - Disclosure type;
  - Position for which disclosure was requested;
  - Unique reference number of disclosure;
  - Recruitment decision taken.

APPENDIX 6

	<b>Everyone’s Job</b>	<b>Matters for Concern</b>	<b>What to Do</b>
<p><b>Protecting Children</b></p> <p><b>“It’s everyone’s job to make sure I’m alright”</b></p>	<p>Every volunteer and member of public has a role to play in protecting children. It’s <b>NOT</b> just doctors, nurses, social workers, teachers and the Police.</p> <p>The child’s welfare is the paramount concern. If in doubt, seek guidance from a group leader, Child Protection advisor, Social Worker or the Police.</p> <p>Anyone can make a referral directly to the Children’s Reporter or to Social Services.</p>	<p>Children can be at risk through:</p> <ul style="list-style-type: none"> <li>• Physical abuse</li> <li>• Emotional Abuse</li> <li>• Sexual Abuse</li> <li>• Neglect</li> <li>• Failure to thrive</li> </ul> <p>You may see or hear things which make you worry about a child’s care, welfare or safety.</p> <p>If you have any such concerns, <b>YOU SHOULD DO SOMETHING ABOUT THEM.</b></p>	<p>Every voluntary group that works with children/ young people should have to hand a copy of these policies and procedures and be familiar with it.</p> <p>If you have concerns about a child, at the very least you should:</p> <ul style="list-style-type: none"> <li>• Listen to what is said.</li> <li>• Observe what is happening.</li> <li>• Write down exactly what you see and hear.</li> <li>• Report exactly what you see and hear to your group leader.</li> </ul> <p>Further advice and support can be obtained from the Child Safety Coordinator/designated contacts.</p>

**PERSONAL PROFILE FORM**

**To be completed by all new volunteers/employees.**

1. **Organisation's Name:** \_\_\_\_\_

**2. Personal Details**

Title: \_\_\_\_\_ Forename: \_\_\_\_\_ Surname: \_\_\_\_\_

\_\_\_\_\_ Date of Birth: \_\_\_\_\_ Telephone No (incl STD code): \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Occupation: \_\_\_\_\_ Currently Employed: YES / NO

3. **Qualifications/Training** - Please enter details of any qualifications or training courses you have attended which are relevant to caring for young children.

Dates	Title of Qualification/Training	Subject Studied	Length of Course	Name of Organisation

4. **Experience** - Please give details of experience of working with under 16s.

Where previously have you worked with young people under the age of 16?	In what capacity?	Between which dates?

Other comments:

5. **Referees** - Please provide the names and addresses of TWO responsible persons for reference purposes. Referees should not be related to you and, where possible, should have knowledge of your ability to care for or be in the proximity of children. All references will be taken up. You should secure prior agreement of referees before providing their names.

<p><b>Referee 1</b></p> <p>Name: _____</p> <hr/> <p>Address _____</p> <hr/> <p>_____ Postcode:</p>	<p><b>Referee 2</b></p> <p>Name: _____</p> <hr/> <p>Address _____</p> <hr/> <p>_____ Postcode:</p>
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**6. Declaration** - I have read and understood the organisation's Child Protection Policy and agree to CONFIDENTIAL vetting procedures. I agree to inform the organisation of any change in circumstances.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

APPENDIX 8

**VETTING CHECKLIST**

**Name of Organisation:** \_\_\_\_\_

**Name of Volunteer/Employee:** \_\_\_\_\_

**This Checklist and a Child Protection Personal Profile Form must be completed for all new volunteers/employees in your organisation who have substantial access to children.**

	YES	NO
1. Have you explained the need for vetting to the potential volunteer/ employee?	<input type="checkbox"/>	<input type="checkbox"/>
2. Have you given the volunteer/employee an opportunity to read your Child Protection Policy and discussed any issues arising out of this with him/her?	<input type="checkbox"/>	<input type="checkbox"/>
3. Have you set up a personnel file for the potential volunteer/employee?	<input type="checkbox"/>	<input type="checkbox"/>
4. Has the volunteer/employee completed a Child Protection Personal Profile Form? (Please attach the completed form to this check list.)	<input type="checkbox"/>	<input type="checkbox"/>
5. Have you carried out appropriate vetting?	<input type="checkbox"/>	<input type="checkbox"/>
6. Were the results satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>
7. Have you taken up two written references? (Please attach the references to this check list.)	<input type="checkbox"/>	<input type="checkbox"/>
8. Have you followed up these references with either a telephone call or conversation? (Please attach a written record with full details including the date of the call or conversation to this checklist.)	<input type="checkbox"/>	<input type="checkbox"/>
9. Has the above individual been approved as a volunteer/ employee with your organisation? (You must be able to answer YES to questions 1-8 above before you sign this form.)	<input type="checkbox"/>	<input type="checkbox"/>

• **Signed:** \_\_\_\_\_

• **Date:** \_\_\_\_\_

• **Name (in block capitals):** \_\_\_\_\_

• **Position held in Organisation:** \_\_\_\_\_

**Checklist for dealing with incidents of bullying**

<p><b><i>Advice on dealing with incidents</i></b></p> <p><b><i>DO:</i></b></p> <ul style="list-style-type: none"> <li>• establish a group approach to deal with bullying</li> <li>• acknowledge bullying takes place</li> <li>• take complaints and concerns seriously</li> <li>• investigate immediately when the complaint is received from a member of your group</li> <li>• show fairness, consistency and impartiality to all parties concerned</li> <li>• respect confidentiality and limit knowledge of the incident to those directly involved with it</li> <li>• hold information separately in an anti-bullying file with the outcome clearly noted</li> <li>• ensure that all understand that bullying is not to be tolerated</li> </ul> <p><b><i>DON'T:</i></b></p> <ul style="list-style-type: none"> <li>• say there is no bullying in your group</li> <li>• say 'Go away, I'm too busy just now'</li> <li>• make assumptions based on previous incidents or misbehaviour</li> </ul>	<p><b><i>Organisation checklist</i></b></p> <p><b><i>(please tick)</i></b></p> <ul style="list-style-type: none"> <li>• Bullying Incident Reported</li> <li>• Logged telephone call to parent to inform them</li> <li>• Letter sent out to parent to inform them</li> <li>• Incident Form completed</li> <li>• Reference Number allocated</li> <li>• Child who has been bullied is satisfied with the way the incident has been dealt with and is reassured</li> <li>• Bully has been dealt with positively</li> </ul>
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