

POLICY AND PROCEDURE

Safeguarding Children

Category: Members, Staff and volunteers



SoLO
Life
Opportunities

38 Walnut Close
Chelmsley Wood
Birmingham
B37 7PU

Charity No. 1102297
England Company No.
5025939

Introduction

The definition of a child is anyone who has not yet reached their 18th birthday.

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best life chances

Safeguarding relates to all members of our services, either learning disabled members or young volunteers. Its purpose is to ensure that children are protected from harm whilst involved in activities organised by SoLO Life Opportunities, and supported to achieve the best outcomes. Additionally, it seeks to ensure that any concerns relating to their well-being outside of the activities of SoLO Life Opportunities are registered and dealt with in an appropriate manner to ensure their overall safety and well-being. SoLO seeks to adopt a person centred approach and to adhere to the Mental Capacity Act in all its actions.

Policy Statement

SoLO Life Opportunities recognises that voluntary organisations and private sector providers play an important role in delivering services to children, and should have arrangements in place to safeguard children as described in the latest version of the UK Government's document entitled 'Working Together to Safeguard Children'. Paid and volunteer staff need to be aware of their responsibilities for safeguarding and promoting the welfare of children, how they should respond to child protection concerns and how to make a referral to local authority children's social care or the police if necessary.

SoLO's Trustees are responsible for ensuring that those benefiting from, or working with, their charity, are not harmed in any way through contact with it. They have a legal duty to act prudently and this means that they must take all reasonable steps within their power to ensure that this does not happen. It is particularly important where beneficiaries are vulnerable persons or children in

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the community. Trustees are expected to find out what the relevant law is, how it applies to their organisation, and to comply with it where appropriate. They should also adopt best practice as far as possible - advice on this is available from a number of knowledgeable sources.

SoLO Life Opportunities Trustees recognise that:

- All children have a right to be safeguarded at all times.
- All children, regardless of ability, have a right to be listened to and their views respected.
- A child-centred approach is essential, based on a clear understanding of the needs and views of children.
- Where there is a conflict of interest between parent and child, the interest of the child should always be put first.
- Child abuse occurs in all religions, all culture and all social classes.
- Categories of abuse include physical, emotional, sexual and neglect, and financial. The Care Act 2015 also introduced Self-neglect, Modern Slavery, Domestic Abuse and Organisational abuse, more common with adults.
- Safeguarding and promoting the welfare of children is the responsibility of every worker and volunteer working for by SoLO Life Opportunities.

In view of the above, the Trustees aim to ensure that:

- All users and referrers to SoLO's services are made aware that we have a Safeguarding Children Policy that can be seen on request and, wherever possible the policy will be openly displayed (e.g. within building-based projects and on the SoLO website.)
- **SoLO** is committed to working together with the Solihull Local Safeguarding Children Board (LSCB) and partner agencies and to comply with LSCB procedures.
- All **SoLO's** staff, volunteers and contracted services will be made aware of this policy and the requirement to follow its guidelines.
- **SoLO** undertakes to provide appropriate training for staff and volunteers within 13 weeks of commencing any unsupervised work.
- **SoLO** undertakes to reduce the risk of engaging staff, volunteers and contracted personnel who may be unsuitable to work with children by applying the safeguards contained in SoLO's policies on DBS checking for Staff and Volunteers, Recruitment generally and Recruitment of Ex-Offenders .
- **SoLO** will review this policy annually or in response to new guidance.
- **SoLO** has a Designated Member of Staff (DMS) who will take lead responsibility for Safeguarding Children. This role has been given to the Operations Manager, Childrens Services.
- Annually or on request, a report will be presented to Trustees outlining the number and nature of any safeguarding issues or referrals that have occurred in the previous year and the safeguarding training that has been delivered to staff and volunteers.

Role of the Designated Member of Staff (DMS)

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Within SoLO, the Operations Manager (Children's Services) acts as DMS. This person will use their status and authority within SoLO to carry out relevant safeguarding duties including committing resources and, where appropriate, supporting and directing other staff. The broad areas of responsibility for the DMS are:

- To be alert to the specific needs of children in need;
- To refer all cases of suspected abuse to the relevant local authority manager for child protection concerns; and to:
- The Disclosure and Barring Service (in cases where a person is dismissed or left due to risk/harm to a child); and to:
- The Police (in cases where a crime may have been committed); and to:
- The Chief Executive of SoLO.
- To act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies;
- To ensure that all staff receive appropriate safeguarding training and understand SoLO's Safeguarding Children policy and the procedures within;
- To personally receive appropriate training carried out every two years in order to:
- Understand the assessment process for providing early help and intervention;
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so;
- Be able to keep detailed, accurate, secure written records of concerns and referrals;
- Obtain access to resources and attend any relevant or refresher training courses.
- To ensure SoLO's Safeguarding Children policy is reviewed and updated as scheduled or when necessary for other reasons;
- To update the lead trustee with responsibility for safeguarding as well as the Chair person of any significant safeguarding issues or referrals that have occurred within 24 hours.
- To prepare, annually or on request, a report to SoLO's Trustees outlining the number and nature of any safeguarding issues or referrals that have occurred in the previous year and the safeguarding training that has been delivered to staff and volunteers.

Recognising potential abuse

Disabled children may be more susceptible to abuse because of factors such as:

- They have fewer outside contacts than other children;
- They receive intimate personal care, possibly from a number of carers, which may both increase the risk of exposure to abusive behaviour, and make it more difficult to set and maintain physical boundaries;
- They may have an impaired capacity to resist or avoid abuse;
- They may have communication difficulties which may make it difficult to tell others what is happening;
- They may be inhibited about complaining because of a fear of losing services;
- They may be especially vulnerable to bullying and intimidation; and/or they may be more vulnerable than other children to abuse by their peers.

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Abuse

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused by an adult or adults or another child or children.

Listed below are the 4 main categories of abuse affecting children identified in 'Working Together 2010/2015':

Physical abuse

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 fabricates the symptoms of, or deliberately induces illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child, which may cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless, unloved, or inadequate, and/or feature age or developmentally inappropriate expectations being imposed on children. It may involve seeing or hearing the ill-treatment of another, such as domestic abuse. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts.

They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. Child Sexual exploitation involves the grooming of a child or children by one or more adults with the purpose of sexual activity taking place. It affects both boys and girls and usually starts by the offender befriending a vulnerable individual, perhaps buying gifts or drugs or alcohol, before introducing sexual activity.

Neglect

Neglect is the persistent failure to meet a child'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, and once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Supplementary - The Prevent Duty

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From July 2015, Section 26 of the Counter Terrorism & Security Act 2015 states that registered childcare services, schools, the police, local authorities and others are required to protect children and young people from being drawn into terrorism. Such organisations, including SoLO, have to ensure they are part of their local authorities' safeguarding arrangements and that staff are aware of and know how to contribute to Prevent-related activity in their area where appropriate. Any staff requiring more information regarding this duty can take advice and guidance from the Designated Member of Staff for Safeguarding Children and can access the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance_England_Wales_V2-Interactive.pdf

Any concerns arising under the Prevent duty should be dealt with initially under the Safeguarding Children procedures that are explained in this policy.

Responding to Safeguarding Children concerns

If a staff member or volunteer has any concerns regarding a child's welfare, they should share them immediately with their line manager at the earliest opportunity (the full guidelines to sharing concerns can be found in Government guidance "What to do if..." and LSCB procedures).

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

Concerns may also arise for staff or volunteers from something a child says, or something said by others about a child.

The response of staff and volunteers to a disclosure of such information should be to:

- Listen carefully and hear the conversation through.
- Avoid questioning as much as possible.
- Avoid leading questions.
- Never make promises to keep secrets.
- Discuss with a Line Manager at the earliest possible time (not to be left until the next session).
- Record it if possible on a SoLO incident form

Instructions to Staff on Reporting & recording concerns

If in the absence of your line manager you feel that delay would be harmful to the child's welfare, seek advice from any one of the following, bearing in mind that any information given is based on the 'need to know' principle:

- Designated Member of Staff (DMS) or CEO
- Project Manager
- Chief Executive Officer
- Member of Board of Trustees with responsibility for safeguarding

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- Duty Assessment and Referral Team (DART) who form part of the Multi Agency Safeguarding Hub (MASH) on 0121-788 4333

The current Designated Member of Staff for SoLO is the Operations Manager, Children’s Services. In case of unavailability, the Chief Executive Officer will take this role.

If the welfare of the child dictates **immediate** action, YOU should make an immediate referral to Solihull Children’s Social Services DART team (0121 788 4333) or out of hours contact the Emergency Duty Team (EDT) on (0121-605-6060).

If the situation is an **emergency** you may need to **telephone 999**.

You should use this number if:

- A crime is happening right now
- Someone is in immediate danger, or there is a risk of serious damage to property.
- A suspect for a serious crime is nearby.
- There is a traffic collision involving injury or danger to other road users.

Unless there is reason to believe the child is at risk of significant harm or the parent is the alleged perpetrator, parental consent must be obtained in order to make a referral. All verbal referrals to the **DART** team must be confirmed within 48 hours using the interagency referral form. If consent has not been sought, or has been declined, you must state the reasons for this on the form. In **ALL** cases, whether or not a referral is made to Social Services, a clear, factual, detailed written account, on a SoLO incident form, must be made as soon as possible after the event and no later than by the end of the day in question. Information contained should clearly differentiate between facts and opinions. This form must be forwarded immediately to the DMS, and retained in a locked cabinet. This written account may be used as evidence in any legal action that is taken. The DMS should immediately give a verbal report to the Chief Executive Officer, Chair of Trustees or another Trustee who has been designated to receive such reports.

NB. All information in this area is strictly confidential and must be shared only on a “need to know” basis.

All reported incidents, including Safeguarding Children concerns, are reviewed by the Senior Management Team on a weekly basis and further action considered. This information will be used to determine any changes required to training, this policy, or practice. It will also identify trends which could be missed if a child attends several different projects.

Procedure when the allegation is about a member of staff

In any case where an allegation of abuse is directed at a member of staff¹ and there is a suggestion that a member of staff has:

¹ Staff – either paid member of staff or volunteer acting on behalf of SoLO either working in direct contact with child or working in support role.

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or,
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children; then:

The matter would be referred to the local authority in line with the principles of this Safeguarding Children policy but additionally, senior managers would consider whether action under SoLO's Disciplinary Policy was required.

Therefore, in the event that an allegation of abuse is made against a member of staff or volunteer, the Designated Member of Staff (Operations Manager, Children's Services) or deputy may seek advice from the relevant Manager at the Local Authority and after discussion, agree the procedure to be followed.

Any staff disclosing information regarding inappropriate behaviour by colleagues will be listened to and supported in line with SoLO's Challenging Bad Practice Policy.

Parents of a child allegedly abused by a member of staff or other adult will be kept informed of the progress and outcome of any investigation. Any member of staff facing investigation into an allegation of abuse will be subject to the procedures laid down by LSCB and other relevant investigative agencies, will be offered appropriate access to professional and personal support networks, and will be kept informed of the progress and outcome of any investigation.

Where an allegation has been made, and initial considerations suggest that the incident is likely to have occurred but the behaviour complained of does not reach the threshold for referral to social care and police, SoLO will investigate the matter internally and determine whether there is need to undertake disciplinary action in line with the Disciplinary Policy. At this stage a decision will be made about the future status of this employee or volunteer.

Where a criminal investigation has been undertaken but a decision has been taken not to charge the individual with an offence, or not to administer a caution, or if the person is acquitted by a Court, SoLO will investigate the matter internally and determine whether there is a need to undertake disciplinary action in line with the Disciplinary Policy.

Disciplinary proceedings are not subject to the same burden of proof as legal proceedings. The absence of a criminal conviction or charge within itself is not an adequate defence against an allegation within the work setting, nor does it preclude an employer from pursuing an internal disciplinary investigation. There may be elements of an allegation which clearly suggest a breach of expected or appropriate standards of behaviour or propriety, or which pose a risk to the welfare of children and young people, even where no criminal activity is identified.

SoLO will also consider its duty of care to its employees and will ensure that the employee is treated fairly and reasonably and informed about the process to be followed.

Consideration should be given to:

- the context in which the allegation occurred and whether this provides further insight which may mitigate risk.

- the type of activity the individual is expected to undertake,
- the level of access to children this provides,
- the indicative risks presented by the nature of the allegation and
- what if any mechanisms exist to reduce or manage the risk.

The internal investigation may determine that disciplinary action is not necessary and may exonerate the individual concerned. It is important that a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, is kept on a person's confidential personnel file, and a copy provided to the person concerned.

Occasionally, allegations will be made that are false. SoLO will endeavour to carry out any investigations in such a way to ensure that the rights of the individual who is the subject of the allegation are supported whilst ensuring that this does not impinge on the rights of the subject of the allegation. All investigations that are carried out will be:

- timely
- thorough
- fair.

Use of Physical Intervention

There may be instances where, to ensure the safety of a specific child or others, physical restraint is necessary. This should only be carried out by appropriately trained staff (unless the child's life is in danger). All instances of physical intervention must be recorded on an incident form and will be considered weekly by the senior management team and delivered in strict accordance with the procedures laid down in SoLO's MAPA policy (Management of Actual and Potential Aggression)

E Safety

Photographs provide wonderful evidence of the work done by SoLO and should only be used with the parent/carers consent. Staff must not use their own mobile phones or cameras to take photographs and the specified project camera can only be downloaded in the office. Staff should be mindful of their position of trust as a professional and should not communicate with members through private emails or networking sites. The use of official email and networking sites that have been sanctioned by SoLO are permitted as long as exchanges are visible and appropriate.

Recruitment and Training

SoLO recognises that to provide a safe, high quality service, there needs to be investment into the recruitment process and then training to enhance the skills of staff or volunteers who are appointed. Listed below is the approach SoLO will take to the recruitment and training of staff to ensure that any child or vulnerable adult remains safe within the service delivered by them.

- Two written references will be taken up on all new employees and volunteers, including one from their previous workplace or equivalent. Only those with satisfactory references will be appointed and references will ask a specific question about an individual's suitability to work with vulnerable people.
- Two proofs of identity will be required including recent photographic evidence and proof of address.
- All staff and volunteers will be required to complete a six-month probationary period.
- Staff and volunteers working directly with children will be required to undergo a satisfactory enhanced check via the Disclosure and Barring Service and complete a declaration form indicating whether they have been subject to any abuse investigations or enquiries
- Safeguarding training will be a mandatory part of the induction process for all staff and volunteers where contact with children is an integral part of their duties, otherwise Working with Vulnerable Adults Training would be provided. Existing staff and volunteers will receive refresher training every three years in line with national guidance.
- The Designated Member of Staff (DMS) will undertake level 2 Safeguarding training every two years.
- Incidents and lessons learned will inform training.

Training

To ensure that all staff and volunteers are equipped to support our members appropriately and safely, the following table charts out the basic training that is required which includes safeguarding for all staff either in relation to children or adults.

	Mandatory	Specific To be agreed by Management
Volunteer	Project induction SoLO Induction and Disability Awareness Training Health and safety E Learning Safeguarding E Learning	Epilepsy Makaton Moving and Handling The Care Certificate
Support Worker	Project induction SoLO Induction and Disability Awareness Training Health and safety E Learning Safeguarding E Learning	Epilepsy First Aid Food Hygiene Makaton MANAGEMENT OF ACTUAL AND POTENTIAL AGRESSION (MAPA) Moving and Handling The Care Certificate
Project Leader and Assistant Project Leader	Project induction SoLO Induction and Disability Awareness Training Health and safety E Learning Safeguarding E Learning	Epilepsy First Aid Food Hygiene Makaton MANAGEMENT OF ACTUAL AND POTENTIAL AGRESSION (MAPA) Medication Moving and Handling The Care Certificate
Personal Assistant	Project induction (If Applicable) SoLO Induction and Disability Awareness Training Health and safety E Learning	Autism Epilepsy First Aid Food Hygiene

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	Safeguarding E Learning Additional E Learning courses deemed necessary by senior managers. The Care Certificate	Lone Working Makaton MANAGEMENT OF ACTUAL AND POTENTIAL AGGRESSION (MAPA) Medication Moving and Handling Record Keeping
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Additional Information

This policy was written using information from the HM Government Document “Working Together to Safeguard Children”, a guide to inter-agency working to safeguard and promote the welfare of children, 2006, 2010, 2015.

Relevant legislation includes:

Children’s Act 1989
Data Protection Act 1998
Sexual offences Act 2003
Children’s Act 2004
Protection of Freedom Act 2012
Counter Terrorism and Security Act 2015

The Safeguarding Children policy has links with the following SoLO policies:

Disciplinary
Data Protection
MAPA (management of actual and potential aggression)
Behaviour Management & Exclusion
Protection of Adults with care and support needs
Challenging Bad Practice
Incident reporting
Sharing Information
Standards of Behaviour
Media
DBS –Checking staff & Volunteers
Recruitment
Recruitment of ex-Offenders

SoLO is committed to regularly reviewing policies and practice.

This policy has been reviewed by the Safeguarding Lead for SoLO Life Opportunities Trustees (SR) in April 2016.

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