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## Safeguarding Children Policy

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### 1.0 General Statement

- 1.1 Children in Wales is in contact with children and young people through its staff, associates, partners and dissemination activities. Because of our work we recognise our responsibility to safeguard the welfare of children and young people and protect them from abuse and harm. We therefore have in place a Safeguarding Children policy. This policy demonstrates our duty of care to all the children with whom we work and our responsibility to safeguard them from harm. Children in Wales believes that all children have a right to such protection and the needs of disabled children and others who may be particularly vulnerable must be taken into account. Children in Wales will ensure the safety and protection of all children by strictly following this Safeguarding Children policy.
- 1.2 The Children in Wales Safeguarding Children policy is based on legislative requirements and national guidance. The key legislation within which agencies must operate is the **Children Act 1989** and the **Social Services and Well-being (Wales) Act 2014** which provide a comprehensive framework for the care and protection of children. It also refers to the United Nations Convention on the Rights of the Child, the All Wales Child Protection Procedures 2008 and the Protection of Freedoms Act 2012.

### 2.0 Principles

The aims of the Children in Wales Safeguarding Children policy are to:

- 2.1 Create a culture in which children are valued and their right to be safe is paramount
- 2.2 Ensure that staff, trustees, associates and partners understand their role in safeguarding and protecting children
- 2.3 Help staff to create a safe and positive working environment

2.4 Give guidance to staff and to trustees, associates and partners in the context of their work for and on behalf of Children in Wales on what action must be taken when abuse is suspected or disclosed

2.5 Enable all staff, associates and partners to make informed and confident responses to specific child protection issues.

### 3.0 **Scope of Policy**

3.1 This Policy relates to Children in Wales staff, trustees, volunteers and any other agency or individual working on behalf or representing the organisation, including assessors, tutors, trainers, internal verifiers, learners and quality assurance managers of awarding bodies involved in delivering accredited training.

3.2 A child is defined as a person up to the age of 18 years, in line with the Children Act 1989 and UNCRC.

3.3 Children in Wales' Designated Child Protection Officer is Owen Evans, Chief Executive.

### 4.0 **Related Policies**

4.1 Other policies which should be read in relation to this include:

- Accredited Training Policy Series
- Complaints Policy
- Disciplinary Procedure
- Induction, Training & Development
- Recruitment
- Safeguarding Adults at Risk
- Vetting & Barring
- Whistle-blowing Policy

### 5.0 **Guidance**

5.01 This section provides a synopsis of the Children in Wales Safeguarding Children Policy. It is repeated and expanded at Appendix 1 to provide the full and detailed procedures to follow in relation to safeguarding children.

5.02 This Policy and its associated Procedures will be reviewed formally every three years or when legislation is changed.

5.1 **The Children in Wales Safeguarding Children policy is underpinned by the following principles:**

- 5.1.1 The welfare of the child is paramount
- 5.1.2 All children whatever their age, culture, language, gender, dis/ability, ethnicity, religious beliefs, sexual identity have the right to be protected from harm and abuse
- 5.1.3 All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- 5.1.4 All staff, associates and partners working with Children in Wales have a responsibility to report concerns in accordance with this policy and the procedures within it.
- 5.2 **The policy:**
  - 5.2.1 Outlines measures to ensure that the needs of all children to be protected from abuse are addressed
  - 5.2.2 Provides guidance on reporting procedures and response mechanisms in different circumstances
  - 5.2.3 Establishes the principle of confidentiality and information sharing thereby encouraging concerns to be raised
  - 5.2.4 Clarifies roles and responsibilities
  - 5.2.5 Establishes systems for recording information and dealing with any complaints
  - 5.2.6 Outlines the recruitment, vetting and operational processes that are in place to minimise the risk of children being abused by those in positions of trust
  - 5.2.7 Provides guidance to staff, trustees, associates and partners in respect of expected and acceptable standards of behaviour to promote good practice
  - 5.2.8 Outlines the support arrangements available to children and those responsible for safeguarding them.
- 5.3 **Responsibilities of staff, trustees, associates and managers**
  - 5.3.1 All staff, trustees and associates must be aware of the requirements within this policy so that when incidents of abuse are raised or suspected they have the necessary knowledge, information and managerial support to enable them to respond to issues appropriately.

- 5.3.2 Staff must work to a high standard of professional conduct and act with integrity at all times, in order to minimise the risk of abuse from within Children in Wales.
- 5.3.3 Staff must create a work environment where the risk of abuse is minimised and all children and young people feel comfortable and safe.
- 5.3.4 Managers must ensure that the staff they line-manage are aware and understand this policy.
- 5.3.5 Before any new work/project with children and young people begins, the designated manager must ensure that staff and associates involved in the project are adequately trained, that appropriate Disclosure and Barring Service (DBS) checks have been carried out where necessary and that staff are familiar with and agree to work within the framework provided by this document.

#### 5.4 **Working with partner organisations**

- 5.4.1 Appropriate agreements with any partner organisations on child protection procedures and lines of reporting must also be confirmed. It is likely that Children in Wales staff will sometimes work to the partner's procedures and it will be important to check that they reflect the key issues raised in this document.
- 5.4.2 In the event of Children in Wales working with partner agencies, a **written agreement** must be created specifying the arrangements for safeguarding children and the process to be followed in the event of concerns about any child protection matters. This should be compatible with the All Wales Child Protection Procedures.
- 5.4.3 Annex 5 of the Children in Wales Safeguarding Children Procedures (Appendix 1) provides further guidance on procedures when working with partner organisations.

#### 5.5 **Working with children and young people**

- 5.5.1 Children in Wales often works directly with children and young people and it is important that they are made aware of our responsibilities in child protection in accordance with their age and understanding. They should be helped to understand how the child protection process works and should be involved in any child protection referral that is made and concerns them, unless to do so would seriously jeopardise their safety. The child or young person should be told why a referral is being made, what the process will be, and appropriate support should be given throughout the process. All children should feel safe enough to share their

concerns with staff and they should have access to the Children in Wales Complaints Procedure.

## **5.6 Children and young people as co-workers**

5.6.1 It is also important to recognise that children and young people can sometimes also be abusers. When we work directly with young people as trainers or project workers, it is important that the young people are aware of these procedures and work to them.

## **5.7 Responding when concerns are raised about possible abuse**

5.7.1 Concerns of abuse or possible abuse may come to staff in a number of ways. The child or young person themselves may make a disclosure; someone else such as a parent or volunteer may voice concerns or staff may see or suspect abuse.

5.7.2 In all cases the line manager and Children in Wales Designated Child Protection Officer should be informed so that the appropriate action can be taken and the matter referred by the member of staff with concerns to the Social Services or Police for investigation with the support of management. This referral should always be confirmed in writing within 2 working days.

5.7.3 In all cases a written, dated record must be kept by staff regarding the nature of the concern, to whom it was reported and consequent agreed actions and timescales naming the person responsible for them. This should be maintained securely and updated as necessary. The quality of recording is an important part of protecting children and young people and keeping them safe.

5.7.4 In each of the scenarios described, no one should ever delay emergency action to protect a child because of the unavailability of a certain person. If you believe a child or young person is in immediate danger call the Police.

## **5.8 If a child or young person discloses abuse**

5.8.1 It is important to discuss the issues in a calm, caring and supportive manner. The child needs to know that you are listening and taking seriously the information that is being divulged and that you will respond positively to ensure their protection. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it. It is not appropriate to enquire into the details of the abuse at this stage or to ask direct questions. When a child speaks about what appears to be an abusive situation, the following principles should apply, and should be followed in all cases:

- a. The child should be listened to but not interrogated nor asked to repeat their account
- b. Care should be taken not to make assumptions about what the child is saying or to make interpretations
- c. The child should not be interrupted when recalling significant events
- d. The discussion and details such as timing, setting, who was present should be noted carefully and what was said should be recorded in the child's own words
- e. All actions subsequently taken should be recorded
- f. The child should never be promised complete confidentiality
- g. The child should be given information and an explanation about what will, or is likely to happen next.

5.8.2 This information should then be referred to your line manager and the Designated Child Protection Officer.

## 5.9 **If you are concerned about the safety of a child or young person by observing their behaviour or physical injuries**

5.9.1 In some cases the identification of child abuse can be straightforward as a result of the nature of the injuries, statements from witnesses and actions of perpetrators. In these circumstances, and where it is less clear, you should contact your manager and the Children in Wales Designated Child Protection Officer immediately and discuss appropriate action. If they are not available, contact the Chief Executive.

## 5.10 **If there is an allegation or concern regarding the abuse of a child by another child**

5.10.1 These need to be responded to with particular sensitivity, although they must nevertheless be dealt with through the child protection process. Many young abusers have been abused themselves, and so any subsequent process - including any Police investigation where this applies - must consider the needs and circumstances of the 'abuser' and the 'abused', as well as taking account the protection needs of both.

## 5.11 **If there are allegations against staff from external agencies**

5.11.1 Concerns about abusive practice of staff from external agencies should be discussed with your line-manager and the Children in Wales Designated Child Protection Officer. In all such cases the All Wales Child Protection Procedures will be followed and complaints and allegations reported to the local authority Children's Social

Services where a decision will be made on the most appropriate way to deal with the matter.

- 5.11.2 Depending on the outcome of any Police and Social Services investigation it may be necessary to review any contract that Children in Wales has with the external agency concerned.
- 5.12 **If there is an allegation of abuse against Children in Wales staff or associates**
- 5.12.1 If the behaviour of a colleague or any other adult towards children or young people causes you concern
- a. Do not dismiss your concerns
  - b. Do not confront the person about whom you have concerns
  - c. Notify and discuss your concerns with your line manager and Children in Wales Designated Child Protection Officer. If you feel uncomfortable doing this, or you are not satisfied with the response that you get, contact the Chief Executive
  - d. You should never delay in passing on your concerns to somebody who is in position to take them forward and ensure that a proper investigation takes place. You will always be taken seriously.
  - e. Do not worry that you may be mistaken. It is better to have discussed it with somebody with the experience and responsibility to make an assessment who will be able to take the case forward in the appropriate manner, liaising with internal and external personnel as required.
- 5.12.2 Any allegation made by a party about suspected abuse against Children in Wales staff and associates, freelance or external staff with whom Children in Wales works must be referred to the local authority Children's Social Services or the Police as a request for investigation under child protection procedures.
- 5.12.3 Further information in respect of the way in which allegations of abuse against Children in Wales staff will be handled can be found in Appendix 1.
- 5.13 **Historical abuse**
- 5.13.1 Any allegations of historical abuse of children in any former care setting brought to the attention of staff should be channelled through the Chief Executive and appropriate referrals made.

## 6.0 Appendices



6.1 Appendix 1 provides detailed guidance on Children in Wales' Safeguarding Children Procedures. It is a stand-alone document and includes some of the information found in the Policy synopsis.

It also includes the following Annexes:

Annex A – Legislative Framework

Annex B – Handling Allegations against Children in Wales Staff

Annex C – What Happens When a Referral is made to Social Services

Annex D – E-Safeguarding Policy

Annex E - Partnership Arrangements for Safeguarding

## Appendix 1 Safeguarding Children Procedures

### Contents

Item		Page
1.0	<b><u>Introduction</u></b>	12
2.0	<b><u>Legal Background</u></b> <i>Relevant legislation and guidance</i>	13
3.0	<b><u>Policy Aims and Principles</u></b>	14
4.0	<b><u>Recognising Child Abuse</u></b> <i>Significant definitions and possible indicators</i>	15
5.0	<b><u>Responsibilities of Children in Wales Staff, Trustees and Associates</u></b> <i>Responsibilities/expectations of staff, managers, and working with partners, children and young people</i>	17
6.0	<b><u>Creating a Safe Environment</u></b> <i>Whistle blowing, recruitment, support, supervision, lone working, staff conduct</i>	18
7.0	<b><u>Responding when Concerns are Raised about Possible Abuse</u></b> <i>When a child discloses, when there are concerns re child's safety, abuse of child by another child, allegations about staff from external agencies or from Children in Wales</i>	21
8.0	<b><u>Confidentiality and Recording</u></b> <i>Duty to share information in child protection, importance of maintaining detailed and accurate records</i>	23
9.0	<b><u>Reporting Abuse – the Process of Referral and Investigation</u></b> <i>Guidance on making a referral and the process</i>	25
	<b><u>Annex A – Legislative Framework</u></b>	27
	<b><u>Annex B – Handling Allegations against Children in Wales Staff</u></b>	28
	<b><u>Annex C – What Happens When a Referral is made to Social Services</u></b>	35
	<b><u>Annex D – E-Safeguarding Policy</u></b>	38

	<b><u>Annex E</u> - Partnership Arrangements for Safeguarding</b>	43
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## 1.0 Introduction

- 1.1 Children in Wales is in contact with children and young people through our staff, associates, partners and dissemination activities. Because of our work we recognise our responsibility to safeguard the welfare of children and young people and protect them from abuse and harm. We therefore have in place a Safeguarding Children policy. This policy demonstrates our duty of care to all the children with whom we work and our responsibility to safeguard them from harm. Children in Wales believes that all children have a right to such protection and the needs of disabled children and others who may be particularly vulnerable must be taken into account.
- 1.2 The policy applies to all staff as well as to trustees, associates and partners in the context of their work for and on behalf of Children in Wales all of whom should be familiar with and understand the policy and its implications. The implementation of the policy is mandatory for all concerned.
- 1.3 A child is defined as a person up to the age of 18 years – Children Act 1989 and UNCRC.
- 1.4 Children in Wales will actively promote its Safeguarding Children Policy by:
- a. providing a copy to all staff, trustees and associates
  - b. publicising and making it available to all stakeholder and partner organisations and ensuring that it provides the minimum standards for Children in Wales' work with and through partners
  - c. publicising and promoting it as necessary with children and their carers with due consideration to language, accessibility and different ways of communication
  - d. providing induction, on going training and development opportunities for staff (linked to supervision, appraisal and staff development policies) and associates as necessary
  - e. ensuring that awareness raising initiatives are also aimed at children
  - f. monitoring its consistent application and effectiveness
  - g. formally reviewing it with the Trustee Board on a three yearly basis or whenever there is a significant change in the organisation or relevant legislation.
- 1.5 The Designated Child Protection Officer for Children in Wales is Owen Evans, Chief Executive.

## 2.0 **Legal Background**

- 2.1 The Children in Wales Safeguarding Children policy is based on legislative requirements and national guidance. The key legislation within which all agencies must operate is the **Children Act 1989** and the **Social Services and Well-being (Wales) Act 2014** which provide a comprehensive framework for the care and protection of children. Other relevant legislation includes the Protection of Freedoms Act 2012.
- 2.2 Additional statutory guidance is available within 'Working Together to Safeguard People' issued in support of Part 7 of the **Social Services and Well-being (Wales) Act 2014**. This guidance sets out how all agencies and professionals should work together to safeguard and promote children's welfare and protect them from harm. It is addressed to all statutory agencies and others whose work brings them into contact with children and families. As such it is relevant to those working in the statutory, voluntary and independent sectors.
- 2.3 The policy is also based on the **United Nations Convention on the Rights of the Child** (UNCRC) – ratified by the UK Government in 1991 and takes account of the European Convention of Human Rights.
- 2.4 Children in Wales has based its work on the principles of the United Nations Convention on the Rights of the Child.
- 2.5 In all local authorities in Wales, services to safeguard children are led by multi agency **Safeguarding Boards**. The Safeguarding Boards are the key statutory mechanism for agreeing how the relevant organisations in each area will cooperate to safeguard and promote the welfare of all children in that local authority area. The Safeguarding Boards are also responsible for leading and coordinating the arrangements to protect children who are suffering or at risk of suffering abuse and harm.
- 2.6 The **All Wales Child Protection Procedures** (AWCPP) provide detailed procedural guidance on how these concerns should be dealt with by local authorities, Police and other relevant professionals and are used in every local authority in Wales. They are relevant to all those whose work involves contact with children and their families across departments and agencies in the statutory, voluntary and independent sector and staff in Children in Wales should be familiar with them.

2.7 The Trustee Board of Children in Wales has formally adopted the All Wales Child Protection Procedures to help inform our child protection practice and arrangements.

2.8 Further information on relevant legislation is provided in Annex A.

### 3.0 **Aims and Principles**

#### 3.1 **The aims of the Children in Wales Safeguarding Children policy are to:**

- a. create a culture in which children are valued and their right to be safe is paramount
- b. ensure that staff, trustees, associates and partners understand their role in safeguarding and protect children
- c. help staff to create a safe and positive working environment
- d. give guidance to staff and to trustees, associates and partners in the context of their work for and on behalf of Children in Wales on what action must be taken when abuse is suspected or disclosed
- e. enable all staff, associates and partners to make informed and confident responses to specific child protection issues

#### 3.2 **The Children in Wales Safeguarding Children Policy is underpinned by the following principles:**

3.2.1 The welfare of the child is paramount.

3.2.2 All children whatever their age, culture, language, gender, disability, ethnicity, religious beliefs, sexual identity have the right to be protected from harm and abuse.

3.2.3 All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.

3.2.4 All staff, associates and stakeholders/partners working with Children in Wales have a responsibility to report concerns in accordance with this policy and the procedures within it.

#### 3.3 **The policy:**

- a. outlines measures to ensure that the needs of all children to be protected from abuse are addressed
- b. provides guidance on reporting procedures and response mechanisms in different circumstances
- c. establishes the principle of confidentiality and information sharing thereby encouraging concerns to be raised
- d. clarifies roles and responsibilities

- e. establishes systems for recording information and dealing with any complaints
- f. outlines the recruitment, vetting and operational processes that are in place to minimise the risk of children being abused by those in positions of trust
- g. provides guidance to staff, trustees, associates and partners in respect of expected and acceptable standards of behaviour to promote good practice
- h. outlines the support arrangements available to children and those responsible for safeguarding them.

#### 4.0 **Recognising child abuse**

- 4.1 It is important that any person who has contact with children and families should always be alert to the possible indicators of abuse. Anyone who has knowledge, concerns or suspicions that a child is being harmed, or is at risk of significant harm, has a responsibility to pass such concerns to those agencies who have the statutory powers to investigate and intervene. These agencies are the Social Services Department, Police or NSPCC, and all provide a 24 hour service.
- 4.2 A child in need of protection is a child who is suffering or is at risk of suffering significant harm. Child abuse may be the result of direct acts towards a child, or of the failure of those who have responsibility for a child to provide reasonable care, or it may be both.
- 4.3 Children may be abused in a family or in an institution or community setting, by someone known to them or more rarely by a stranger. A child may also be the victim of abuse where the abuser is another child.
- 4.4 It should be remembered that the first indication that a child is being abused is not necessarily the presence of a severe injury. Suspicions of any form of abuse may be aroused by overheard remarks made by a child, family members or friends, or by noticeable changes in a child's behaviour or reactions.
- 4.5 The following definitions are taken from the Children Act 1989:
- 4.5.1 **Significant harm - Section 47(1)(b) Children Act 1989** - where a local authority have reasonable cause to suspect that a child who lives, or is found in their area, is suffering, or is likely to suffer significant harm, the authority shall make, or cause to be made, such enquiries as they consider to be necessary to enable them to decide whether they should take action to safeguard or promote the child's welfare.

- 4.5.2 **Harm** – harm means ill treatment or the impairment of health or development including physical harm, sexual abuse and forms of ill treatment which are not physical.
- 4.6 The following definitions of abuse are taken from All Wales Child Protection Procedures 2008:
- 4.6.1 **Neglect** - The persistent or severe neglect of a child or the failure to protect a child from exposure to any kind of danger including cold, starvation or extreme failure to carry out important aspects of care, resulting in the significant impairment of the child's health or development including non organic failure to thrive. It may also include neglect of, unresponsiveness to, a child's basic emotional needs.
- 4.6.2 **Physical abuse** - Physical abuse may involve hitting, shaking, throwing, poisoning, suffocation, drowning, scalding or otherwise causing physical harm to a child. It can also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after.
- 4.6.3 **Sexual Abuse** - Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative and non penetrative acts. They may include non contact activities such as involving children in looking at, or in the production of pornographic materials or in watching sexual activities or encouraging children to behave in sexually inappropriate ways.
- 4.6.4 **Emotional Abuse** - The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.
- 4.7 The following are ***general indicators of possible child abuse*** – however it should not be assumed that because the indicators exist that a child or young person is being abused.
- A history or other evidence of frequent, repeated injuries
  - Repeated attendance at clinic or hospital or frequent hospital admissions
  - A delay in seeking medical advice and treatment that is obviously necessary
  - Conflicting accounts and explanations of how an injury has occurred given by the child and carers
  - An unawareness or denial of an injury or incident by the carer
  - Very low self esteem



- Fearful and withdrawn behaviour
- An adult who has very noticeable unrealistic expectations of a child
- Failure to thrive and meet developmental milestones
- An awareness that domestic violence or animal abuse occurs within the family

## 5.0 **Responsibilities of Children in Wales Staff, Trustees, Associates and Managers**

### 5.1 **Responsibilities and Expectations**

- 5.1.1 All staff, trustees and associates must be aware of the requirements within this policy so that when incidents of abuse are raised or suspected they have the necessary knowledge, information and managerial support to enable them to respond issues appropriately.
- 5.1.2 Staff must work to a high standard of professional conduct and act with integrity at all times, in order to minimise the risk of abuse from within Children in Wales.
- 5.1.3 Staff must create a work environment where the risk of abuse is minimised and children and young people feel comfortable and safe.
- 5.1.4 Managers must ensure that the staff they line-manage are aware and understand this policy.
- 5.1.5 Before any new work/project with children and young people begins, the designated manager must ensure that staff and associates involved in the project are adequately trained, Police checked (through an Enhanced DBS check) and are familiar with and agree to work within the framework provided by this document.

### 5.2 **Working with partner organisations**

Appropriate agreements with any partner organisations on child protection procedures and lines of reporting must also be confirmed. It is likely that Children in Wales staff will sometimes work to the partner's procedures and it will be important to check that they reflect the key issues raised in this document.

### 5.3 **Working with children and young people**

Children in Wales often works directly with children and young people and it is important that they are made aware of our responsibilities in child protection in accordance with their age and understanding. They should be helped to understand how the child protection process works and should be involved in any child

protection referral that is made and concerns them, unless to do so would seriously jeopardise their safety. The child or young person should be told why a referral is being made, what the process will be, and appropriate support should be given throughout the process. All children should feel safe enough to share their concerns with staff and they should have access to the Children in Wales Complaints Procedure.

#### 5.4 **Children and young people as co-workers**

It is also important to recognise that children and young people can sometimes also be abusers. When we work directly with young people as trainers or project workers, it is important that the young people are aware of these procedures and work to them.

### 6.0 **Creating a safe environment**

6.1 An important part of child protection is about prevention and a key aspect of prevention in an organisation is the creation of a safe environment for children and young people. This means that appropriate procedures need to be in place to recruit, support and train staff and that there should be in place clear guidance and expectations of the way in which staff should conduct themselves and how they can access advice and support on these issues when they need it.

#### 6.2 **Whistle blowing**

Staff must feel able to raise concerns with their managers. If a line manager fails to respond to staff regarding child protection, the staff member must feel free to contact the next manager up the line without prejudice to the Chief Executive or the Chair of the Trustee Board (see Whistleblowing Policy).

#### 6.3 **Recruitment of staff**

6.3.1 Children in Wales will take all practical measures in its recruitment and selection procedures (see Safe Recruitment of Staff Policy) to ensure that people unsuitable for working with children are not recruited to positions where they will have contact with children during the course of their work.

6.3.2 This will include:

- Requirement for application forms to be completed
- Unexplained gaps in employment history clarified
- Provision of child protection policy to all **successful** applicants, with **agreement secured** in writing that they have seen, understand and accept it

- Qualifications being substantiated
- Making the relevant enhanced checks and/or Barred List checks with the Disclosure and Barring Service
- Taking up of at least two confidential references (including current employer) before new members of staff begin work
- Clarification of job requirements and responsibilities through provision of job descriptions
- Provision of induction training on child protection at a level appropriate to their responsibilities

#### 6.4 **Support and Supervision of Staff**

Children in Wales will ensure that staff are properly supervised and supported by:

- Regular supervision and staff appraisal process
- Access to internal and external training including updating training in child protection where appropriate to their level of responsibilities.

#### 6.5 **Lone Working**

Staff may be on their own with children and young people. It is important for staff in this situation to follow good practice guidelines outlined below to safeguard the children and young people, and to protect themselves against possible allegations. Where lone working is unavoidable, staff should agree working protocols with colleagues and line managers to maximise safe practice. This should be kept under regular review through staff supervision and other appropriate means.

#### 6.6 **Staff Conduct**

Staff have a responsibility, and in some cases a legal duty, to ensure the safety of the children with whom they work. Children can be at risk of harm or abuse from a range of sources. It is the responsibility of staff particularly when engaged in activities with children and young people to minimise the risk of harm by the promotion of good practice and by identifying and planning the management of potential risks.

##### 6.6.1 **Staff should at all times:**

- Be aware of situations which may present risks
- Plan and organise the work and the workplace so as to minimise risks

- Ensure that a culture of openness exists to enable any issues or concerns to be raised and discussed
- Ensure that a sense of accountability exists between staff so that poor practice or potentially abusive behaviour does not go unchallenged
- Promote an environment where children and young people are encouraged to raise any concerns
- Empower children and discuss their rights with them, what is acceptable and unacceptable, and what they can do if there is a problem

#### 6.6.2 **Staff should never:**

- Physically abuse children and young people
- Develop physical/sexual relationships with children and young people
- Develop relationships with children which could in any way be deemed exploitative or abusive
- Engage in actions that may be abusive or may place a child at risk of abuse
- Condone, or participate in, behaviour with children and young people which is illegal, unsafe or abusive
- Act in ways intended to shame, humiliate, belittle or degrade children, or otherwise perpetrate any form of emotional abuse

This means that it is unacceptable, for example, to treat a child in any of the following ways:

- to cause distress by shouting or calling them derogatory names
- to slap
- to hold them in such a way that it causes pain, or to shake them
- to physically restrain them except to protect them from harming themselves or others
- to take part in horseplay or rough games
- to allow or engage in inappropriate touching of any kind
- to do things of a personal nature for the child that they can do for themselves (this includes changing clothing, or going to the toilet with them unless another adult is present)
- to allow or engage in sexually suggestion behaviour within a child's sight or hearing, or make suggestive remarks to or within earshot
- to give or show anything which could be construed as pornographic
- to seek or agree to meet them anywhere outside of the normal workplace without the full prior knowledge and agreement of the parent, guardian or carer.

#### 6.6.3 **A child or young person who is arrested or detained for interview by the Police**

If a child or young person with whom Children in Wales is working is detained for interview or arrested by the Police under the Crime and Disorder Act 1998 and/or the Police and Criminal Evidence Act (PACE) 1984 ([revised July 2018](#)) they are entitled to be supported by an 'Appropriate Adult'. The definition of an 'Appropriate Adult' is a responsible person aged 18 or over who supports children and vulnerable adults detained at the police station or being interviewed by the police.

Children in Wales staff, volunteers, Trustees *or any other agency or individual working on behalf of or representing the organisation* must **not** act as an appropriate adult in support of a child or young person with whom Children in Wales is working.

The appropriate line manager, a member of the Senior Management Team or the Children in Wales' Designated Safeguarding Officer must be notified as soon as possible in the event that any child or young person with whom Children in Wales is working has been detained, arrested or had involvement with the Police.

For further information relating to the role of Appropriate Adults, please visit <https://www.gov.uk/government/publications/guidance-for-appropriate-adults> or <https://yjlc.uk/appropriate-adult/>.

## 7.0 **Responding when concerns are raised about possible abuse**

7.1 Concerns of abuse or possible abuse may come to staff in a number of ways. The child or young person themselves may make a disclosure; someone else such as a parent or volunteer may voice concerns or staff may see or suspect abuse.

7.2 In all cases the line manager and Children in Wales' Designated Child Protection Officer should be informed so that the appropriate action can be taken and the matter referred by the member of staff with concerns to the Social Services or Police for investigation with the support of management. This referral should always be confirmed in writing within 2 working days.

7.3 **In all cases a written, dated record must be kept by staff regarding the nature of the concern, to whom it was reported and consequent agreed actions and timescales naming the person responsible for them. This should be maintained securely and updated as necessary.** The quality of recording is an important part of protecting children and young people and keeping them safe.

7.4 **In each of the scenarios described below, no one should ever delay emergency action to protect a child because of the**

**unavailability of a certain person. If you believe a child or young person is in immediate danger call the Police.**

#### **7.5 If a child or young person discloses abuse**

It is important to discuss the issues in a calm, caring and supportive manner. The child needs to know that you are listening and taking seriously the information that is being divulged and that you will respond positively to ensure their protection. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it. It is not appropriate to enquire into the details of the abuse at this stage or to ask direct questions. When a child speaks about what appears to be an abusive situation, the following principles should apply, and should be followed in all cases:

- The child should be listened to but not interrogated nor asked to repeat their account
- Care should be taken not to make assumptions about what the child is saying or to make interpretations
- The child should not be interrupted when recalling significant events
- The discussion and details such as timing, setting, who was present should be noted carefully and what was said should be recorded in the child's own words
- All actions subsequently taken should be recorded
- The child should never be promised complete confidentiality
- The child should be given information and an explanation about what will, or is likely to happen next.

This information should then be referred to your line manager and Designated Child Protection Officer.

#### **7.6 If you are concerned about the safety of a child or young person by observing their behaviour or physical injuries**

In some cases the identification of child abuse can be straightforward as a result of the nature of the injuries, statements from witnesses and actions of perpetrators. In these circumstances you should contact your manager and the Children in Wales Designated Child Protection Officer immediately and discuss appropriate action. If they are not available, contact the Chief Executive.

#### **7.7 If there is an allegation or concern regarding the abuse of a child by another child**

These need to be responded to with particular sensitivity, although they must nevertheless be dealt with through the child protection process. Many young abusers have been abused themselves, and so any subsequent process - including any Police investigation where this applies - must consider the needs and circumstances of the 'abuser' and the 'abused', as well as taking account the protection needs of both.

## **7.8 If there are allegations against staff from external agencies**

7.8.1 Concerns about abusive practice of staff from external agencies should be discussed with your line-manager and the Children in Wales Designated Child Protection Officer. In all such cases the All Wales Child Protection Procedures will be followed and complaints and allegations reported to the local authority Children's Social Services where a decision will be made on the most appropriate way to deal with the matter.

7.8.2 Depending on the outcome of any Police and Social Services investigation it may be necessary to review any contract that Children in Wales has with the external agency concerned.

## **7.9 If there is an allegation of abuse against Children in Wales staff/associates**

7.9.1 If the behaviour of a colleague or any other adult towards children or young people causes you concern:

- Do not dismiss your concerns
- Do not confront the person about whom you have concerns
- Notify and discuss your concerns with your line manager and the Children in Wales Designated Child Protection Officer. If you feel uncomfortable doing this, or you are not satisfied with the response that you get, contact the Chief Executive
- You should never delay in passing on your concerns to somebody who is in position to take them forward and ensure that a proper investigation takes place. You will always be taken seriously
- Do not worry that you may be mistaken. It is better to have discussed it with somebody with the experience and responsibility to make an assessment who will be able to take the case forward in the appropriate manner, liaising with internal and external personnel as required.

7.9.2 Any allegation made by a party about suspected abuse against Children in Wales staff and associates, freelance or external staff with whom Children in Wales works. Must be referred to the local authority Children's Social Services or the Police as a request for investigation under child protection procedures.

7.9.3 **Further information in respect of the way in which allegations of abuse against Children in Wales staff will be handled can be found in Annex B.**

#### 7.10 **Historical abuse**

Any allegations of historical abuse of children in any former care setting brought to the attention of staff should be channelled through the Chief Executive and appropriate referrals made.

### 8.0 **Confidentiality and Record Keeping**

8.1 In all cases where a child has been abused, or is at risk of abuse, there is a duty to share all relevant information amongst relevant professionals and agencies. In all such situations, the protection of the child must take precedence over all other considerations. The success of multi-disciplinary co-operation is rooted in the exchange and sharing of relevant information. Professional rules of confidentiality should be interpreted in relation to the need to protect the child.

8.2 Both parents and children should be made aware that information that has relevance to child protection is shared. It is important not to promise a child complete confidentiality in the hope of encouraging that child to make a disclosure of abuse. Such a pledge cannot be kept, as there is a professional responsibility to decide what information must be passed on in order to protect children.

8.3 It should be noted that although in general concerns should be discussed with a family and agreement sought to the making of a referral to the local authority Children's Social Services – this should **only** be done where such discussions and agreement seeking will not place the child at increased risk of harm or compromise a future investigation. Reasons for withholding information from a family should always be clear and recorded.

8.4 If a member of the public passes on reported suspicions that a child is being abused, they may ask for an assurance that their identity will not be revealed. It should be explained that this cannot be guaranteed as, for example, the need to take action to protect a child may indirectly lead a parent or carer to suspect who, in fact, has alerted the authorities. In addition, there may be exceptional occasions when a Court directs a referrer's name to be revealed. A referrer should always be assured that alerting the professionals to a family in crisis is of prime importance when it is necessary to protect a child.



- 8.5 All concerns and any discussions about a child's welfare should be recorded in writing whether or not further action is taken. It is important that anxieties are recorded accurately and in detail: it should be clear to somebody reading about the worries where and why they have arisen. All discussions should end with clear and explicit recorded agreement about who will be taking what action by when, or that no further action is needed.
- 8.6 Records should be as detailed and precise as possible, giving an exact account of what was said, especially where it is a child who is disclosing abuse or making an allegation. They should report the details as disclosed or alleged, including who was present and what happened, the sequence of events, and so on. All subsequent action should also be documented.
- 8.7 The record should clearly state whether the information recorded is hearsay, third party information, professional's opinion or fact.
- 8.8 Records must be kept securely in a locked place to which access is restricted. Managers have a particular responsibility in maintaining the confidentiality of these records and must ensure that the records, or any information they contain, are made available only to relevant parties. The transfer of information - verbally, through the mail, electronically, etc - should be done in such a way that confidentiality is maintained.
- 9.0 **Reporting Abuse – the process of referral and investigation**
- 9.1 It should be noted that when reporting abuse the All Wales Child Protection Procedures must be followed.
- 9.2 When any member of staff, or a trustee or associate in the context of their work for and on behalf of Children in Wales, has a concern that a child might be in need of protection, it should be immediately discussed with their line manager and the Children in Wales Designated Child Protection Officer. This will clarify the issues, and ensure that those at the right level of seniority are involved and informed. In all cases the All Wales Procedures must be followed when making a referral and a written record maintained by Children in Wales personnel of all actions undertaken in relation to this.
- 9.3 It is essential that emergency action (if this is believed to be necessary) to protect a child should never be delayed because of the unavailability of a certain individual. Any emergency action should be reported as soon as possible to the line manager and the Children in Wales Designated Child Protection Officer.

- 9.4 A referral is a request for a professional assessment and should be made by telephone to the Children's Social Services Department where the child is resident. Telephone referrals must be confirmed in writing within two working days. Alternatively the relevant Department might request use of the appropriate Multi Agency Referral Form which will be emailed to you for immediate return. If you need to refer your concerns outside office hours, contact the Emergency Duty Team for the relevant local authority.
- 9.5 The names and addresses of the appropriate personnel within each Local Authority area are listed in the local All Wales Child Protection Procedures, but can also be found through the Social Services department's main telephone number and website.
- 9.6 You may be required to participate in discussions or meetings with the Children's Social Services Department and/or the Police in order to assist with child protection enquiries, and/or write a report for the child protection conference.
- 9.7 A Flow Chart of this process can be found in Annex C.

## Annex A

The legislative framework relevant to working to safeguard and promote the welfare of children

### **The Children Act 1989**

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

### **The Social Services and Well-being (Wales) Act 2014**

[http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw\\_20140004\\_en.pdf](http://www.legislation.gov.uk/anaw/2014/4/pdfs/anaw_20140004_en.pdf)

### **The Education Act 1996**

<http://www.legislation.gov.uk/ukpga/1996/56/contents>

### **The Housing Act 1996**

<http://www.legislation.gov.uk/ukpga/1996/52/contents>

### **Data Protection Act 1998**

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

### **Education Act 2002**

<http://www.legislation.gov.uk/ukpga/2002/32/contents>

### **Adoption and Children Act 2002**

<http://www.legislation.gov.uk/ukpga/2002/38/contents>

### **Sexual Offences Act 2003**

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

### **Female Genital Mutilation Act 2003**

<http://www.legislation.gov.uk/ukpga/2003/31/contents>

### **The Licensing Act 2003**

<http://www.legislation.gov.uk/ukpga/2003/17/contents>

### **The Housing Act 2004**

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

### **The Children Act 2004**

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

### **Protection of Freedoms Act 2012**

<http://www.legislation.gov.uk/ukpga/2012/9/contents>

### **Social Services and Wellbeing Act (Wales) 2014**

<http://www.legislation.gov.uk/anaw/2014/4/contents>

### **Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015**

<http://www.legislation.gov.uk/anaw/2015/3/contents>

### **Serious Crime Act 2015**

<http://www.legislation.gov.uk/ukpga/2015/9/contents>

### **Counter Terrorism and Security Act 2015**

<http://www.legislation.gov.uk/ukpga/2015/6/contents>

## **Annex B**

### **Handling Allegations of Abuse by Staff, Trustees, Associates and Partners of Children in Wales**

Please note that any allegation made against Children in Wales staff, trustees, associates or partners should be reported to the line manager and the Children in Wales Designated Child Protection Officer. All allegations will be dealt with under Section 4 of the All Wales Child Protection Procedures and the matter immediately referred to the local authority Children's Social Services.

#### **1.0 Introduction**

1.1. This procedure applies to all members of staff as well as to trustees, associates and partners in the context of their work for and on behalf of Children in Wales (CIW).

1.2. It will be used in all cases where it is alleged that the person concerned has

- 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
- behaved towards a child in a way that indicates s/he is unsuitable to work with children or an allegation has been made
- committed an Abuse of Trust, as defined in the Sexual Offences Act 2003

#### **1.2.1 Definition of Abuse of Trust**

Sexual relationships with under 16s are against the law, but it's also an offence for an adult to have a sexual relationship with someone under 18 if the adult is in a 'position of trust' with that young person. A relationship of trust exists where a member of staff or volunteer is in a position of power or influence over a patient, pupil or service user by virtue of the work or nature of the activity being undertaken. It is a criminal offence for a person in a position of trust to engage in any sexual activity with a person aged under 18 with whom they have a relationship of trust, even if the basis for their relationship is consensual.

1.3. Such allegations might come to CIW from any source including the child or young person, his/her family, another agency or be referred by a colleague within CIW and they may be made against an individual in either their private life or their working capacity.

1.4. Allegations will be dealt with under the All Wales Child Protection Procedures (AWCPP) and the matter immediately referred to the local authority Children's Social Services.

- 1.5. Allegations relating to the workplace setting will be dealt with under Section 4 AWCPP and relating to an individual in their private life under Section 3 AWCPP but with reference to the nature of their employment with children or vulnerable adults.
- 2.0 **Making the referral**
- 2.1 Staff, trustees, associates and partners are reminded that they have a duty to safeguard and promote the welfare of children and to report concerns about the behaviour of other staff members, trustees, associates and partners towards children. The CIW Whistle Blowing Policy facilitates and supports such action.
- 2.2. Whenever a concern is identified it must be immediately notified to your line manager and the CIW Designated Child Protection Officer.
- 2.3. The Designated Child Protection Officer or the line manager in their absence, will report the matter to the responsible senior manager in Children's Social Services who will consider the referral and subsequent action under the AWCP.
- 2.4. There will be an initial discussion between the responsible senior manager and Children in Wales' Chief Executive. If it can be unequivocally demonstrated that the allegation is false and/or unfounded then a decision may be made to take no further action. However this might be discussed with the Police before arriving at such a decision. Such a decision will never be based on the employer's (CIW's) opinion about the character and/or personal circumstances of the individual employee or of the person making the allegation.
- 2.5. In the event of no further action the AWCPP require that the responsible senior manager in Children's Services gives consideration to:
- a. Informing the child's parents about the allegation and outcome (if they have not already been advised by CIW as a result of the child requiring medical attention)
  - b. Informing the individual employee about the allegation and the amount of detail to be provided
- 2.6. The reasons for all decisions will be recorded.
- 2.7 In the event of no further action, Children in Wales will pass relevant information to other organisations working with the individuals concerned.

### 3.0 **Strategy meeting**

- 3.1. If it is decided that there is cause to suspect a child is suffering or likely to suffer significant harm, and/or a criminal offence has been committed, and/or the individual employee has behaved towards a child in a way which indicates he/she is unsuitable to work with children, then the responsible senior officer will arrange for a strategy discussion with the Police to consider if immediate action needs to be taken to protect children and to arrange a strategy meeting.
- 3.2. At any point after being informed about the allegation the Chief Executive may decide to suspend the individual employee in order to protect the child, to evaluate the possible risk of harm to children, and to enable the child protection enquiries and/or criminal investigation to be undertaken.
- 3.3. Should an employee decide to resign at any time following an allegation CIW will continue to follow the child protection procedures and any disciplinary processes and will not enter into any compromise agreements with the employee.
- 3.4. Any strategy meeting will be convened by Children's Social Services within two working days of the referral and will be attended by all relevant agencies including CIW as the employing agency. The meeting will consider the preliminary information gathered in the referral and initial assessment and the information provided by the employer about the circumstances and context of the allegation, consider and evaluate the risk to the employee's own children and agree any action.
- 3.5. The suspension of an individual employee must always be considered where there is cause to suspect that a child is at risk of significant harm, and/or where the allegation warrants a criminal investigation by the Police, and/or where the allegation might be grounds for dismissal. Suspension is not an automatic requirement and will be given careful consideration and reviewed at each strategy meeting and the investigation outcome meeting.
- 3.6. The strategy meeting can only recommend suspension, the authority to suspend an individual employee rests with CIW. Should CIW decide not to suspend an individual employee a risk assessment will be undertaken and shared with the strategy meeting and/or will consider the redeployment of the individual employee to a position where he/she has no contact with children.
- 3.7. Suspension is considered a neutral act and will be considered by CIW where:

- an allegation has been made which if proven would lead to a dismissal or prosecution
- a child could be placed in danger if the member of staff were not removed from duty
- it is necessary to allow full child protection section 47 enquiries and/or a criminal investigation

3.8. The strategy meeting can decide:

- to undertake child protection section 47 enquiries and/or a criminal investigation;
- that child protection section 47 enquiries are not required and the employer should deal with the allegation in accordance with the organisation's own disciplinary procedures;
- that no further action should be taken.

3.9. If no further action to be taken, the reasons for the decision will be recorded.

3.10. In the event of child protection section 47 enquiries, and/or a criminal investigation, and/or the organisation's disciplinary process identifying a risk of harm to other children it may be necessary to hold further strategy meetings. In addition during a prolonged and complex enquiry it is recommended that the strategy meeting should develop an action plan with timescales in order to avoid unnecessary delay and the local authority Children's Social Services Department will monitor the progress by convening review strategy meetings at agreed intervals.

3.11 Any investigation may well have three related but independent strands:

- a. Child protection enquiries relating to the safety and welfare of any children who are or may have been involved including the alleged person's own children or children within his/her care.
- b. A Police investigation into a possible offence.
- c. Disciplinary procedures where it appears that the allegations may amount to misconduct or gross misconduct on the part of staff.

3.12. It is essential that the common facts of the alleged abuse are applied independently to each of the three strands of possible enquiries/investigation. The fact that a prosecution is not possible does not mean that action in relation to safeguarding children, or employee discipline, is not necessary or feasible. The important thing is that each aspect is thoroughly assessed, and a definite conclusion reached.

3.13. The outcome for a number of allegations is likely to be that a criminal prosecution does not take place. In such situations CIW will decide if any further disciplinary action is appropriate. The information provided by the Police and/or Children's Services will inform this decision as well as the different standard of proof required in disciplinary and criminal proceedings. If CIW undertake disciplinary proceedings this procedure can be found in the CIW staff handbook under the Disciplinary Procedure.

3.14 To avoid delay and duplication CIW will seek a recommendation at the strategy meeting that the interviewing Police officer and/or social worker seek consent from individuals being interviewed to share the information provided with itself as employer at the conclusion of the enquiries and/or court hearing.

#### 4.0 **Investigation outcome meeting**

4.1. When the child protection section 47 enquiries and/or criminal investigation has been concluded an investigation outcome meeting will be convened.

4.2. The responsible senior Children's Social Services Manager with responsibility for child protection will convene an investigation outcome meeting within five working days of the completion of the child protection section 47 enquiries. The meeting will determine whether an allegation continues to be dealt with under these procedures. The meeting will be attended by those involved in the strategy meeting, plus relevant others.

4.3. The investigation outcome meeting will:

- a. Evaluate the information gathered during the enquiries
- b. Decide, on the balance of probability, whether there is substance in the allegation
- c. Decide whether any further action is needed, in the light of the information gathered
- d. Ensure support and services are available for the child or children where indicated
- e. Decide whether to recommend that CIW make a referral under the POCA and POVA procedures, and List 99 (and future arrangements brought in by the Welsh Government)
- f. Offer advice to the Police regarding any entry on the Police National Computer taking particular care to ensure that the outcome of the investigation is clearly recorded
- g. Agree reporting arrangements to the Care and Social Services Inspectorate Wales (CSSIW), if involved, on the investigation and action taken or to be taken



- h. Discuss and make recommendations to CIW, the employer, in relation to employees who may have been temporarily suspended or redeployed for the duration of the investigation
- i. Advise on support for staff where concerns are substantiated/ are not substantiated.

4.4. If the allegation is deemed to be not substantiated, the reason for this decision must be fully recorded.

#### 5.0 **Action after any court hearing**

5.1. The Police and Crown Prosecution Service will inform CIW and the Children's Social Services Department senior manager when a criminal trial has been concluded together with its outcome. The Children's Social Services Department senior manager will arrange for a child protection strategy meeting to be convened. The purpose of the strategy meeting will be to consider the outcome of the court hearing and decide any further recommendations and actions.

5.2. In the event of a criminal conviction and the individual employee is dismissed or resigns, the strategy meeting will recommend that CIW notify the relevant regulatory/barring organisation.

5.3. In the event of a court decision that does not find the individual employee guilty, disciplinary action including dismissal will not be ruled out - CIW will decide if any further disciplinary action is appropriate. The information provided by the Police and/or children's services will inform this decision. The range of options open will depend on the circumstances of the case and consideration will need to be given to the result of the Police investigation or trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

5.4. CIW will not reach a compromise agreement with an individual employee who decides to resign. The disciplinary procedure and notification will always be carried out.

5.5. If the individual employee is to return to work the strategy meeting will consider how the contact between the individual employee and child should be managed, and any services that the child may need.

5.6. CIW will at this stage consider how best to facilitate an employee's return to work through a planned phased return with support in the short term.

5.7. The strategy meeting will agree the arrangements to keep the child and his/her parents informed of the outcomes.

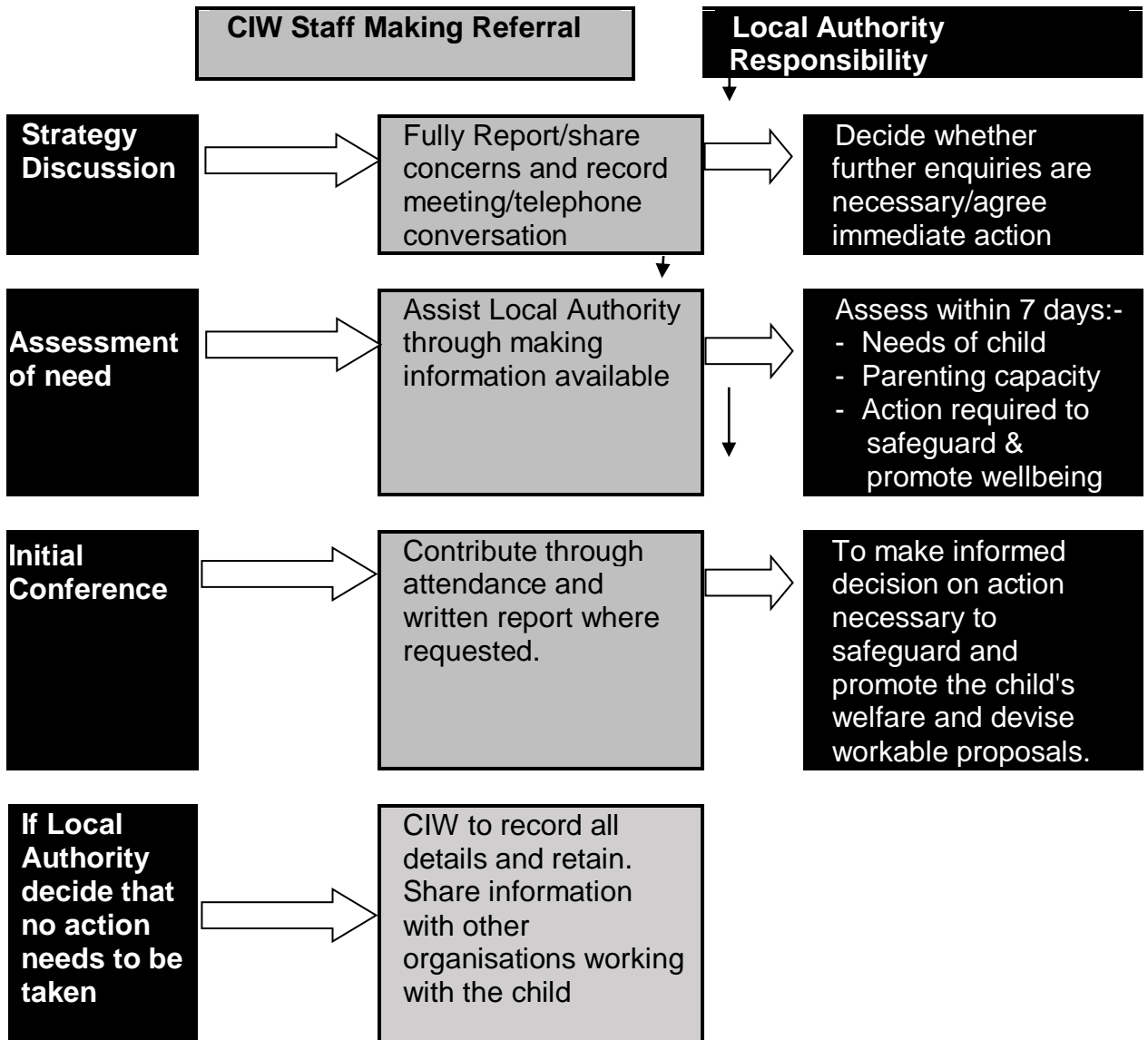
## 6.0 **Information to the staff member**

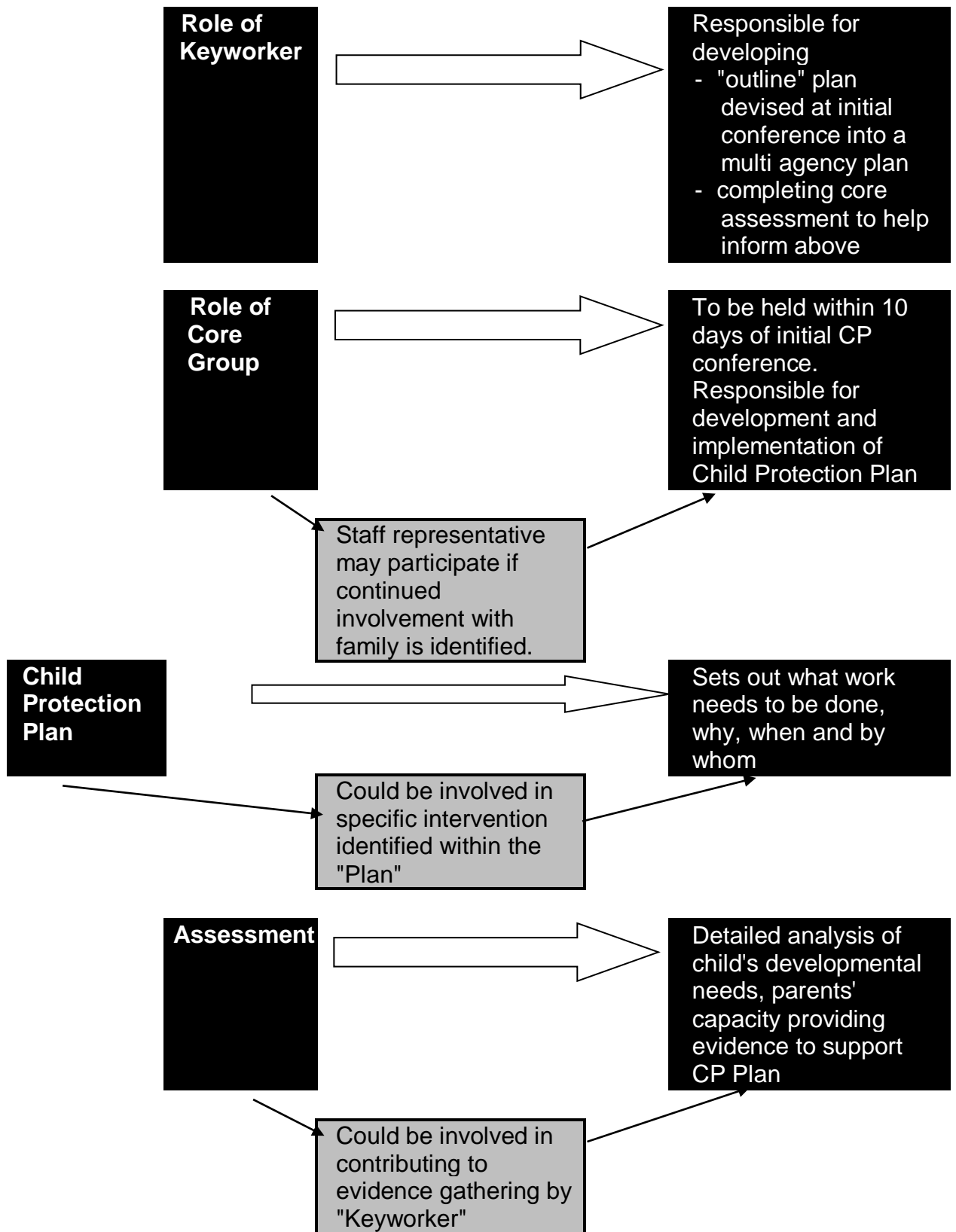
- 6.1. CIW will inform the individual employee about the allegation at the earliest opportunity, unless to do so may place a child at risk of further harm and/or prejudice the criminal investigation and will keep the individual employee up to date with the progress of the enquiries. The local authority Children's Social Services Department senior manager, the Police and CIW will agree the information that can be disclosed to the individual employee.
- 6.2. Individual employees subject to such allegations should note that they will be dealt with under the AWCPP and that every effort will be made to preserve confidentiality and avoid media publicity during the enquiries. However any information gathered that is relevant for criminal proceedings or disciplinary procedures will be disclosed for those purposes.
- 6.3. If the individual employee is a member of a trade union or professional association they are advised to contact that organisation.
- 6.4. The individual employee will not be invited to strategy meetings or the investigation outcomes meeting. At the conclusion of the investigation outcomes meeting and within 5 working days, the chair of the meeting will write to the individual employee and inform them about the allegation that was made, the procedures followed, and, the outcome, including decisions that were made, unless to do so would prejudice any further enquiries or the legal process.
- 6.5. If at the conclusion of the case an employee who has been suspended is able to return to work, CIW will at this stage consider how best to facilitate his/her return to work through a planned phased return with support in the short term.

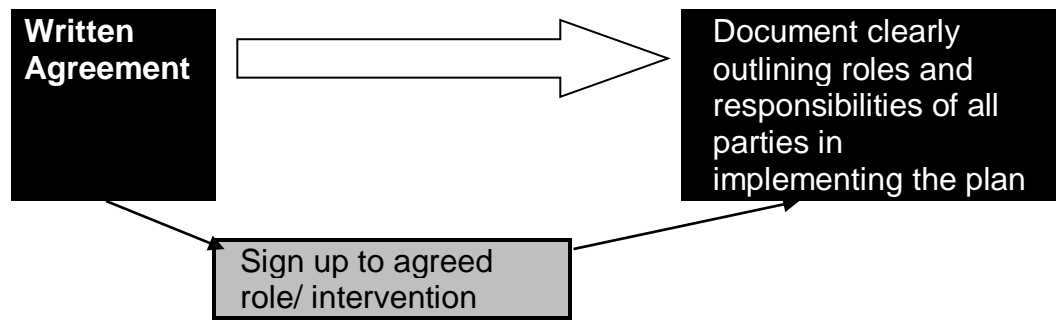
## Annex C

### What Happens when a Referral is made to Social Services

The model below outlines what will happen when you make a referral to Social Service or the Police. Your role may be to provide information but responsibility of the process will lie with the Local Authority.







## **Annex D E-Safeguarding policy**

### **1.0 Scope**

This policy and the procedures that underpin it applies to all staff, including senior managers and the Trustee Board, paid staff, volunteers and anyone working on behalf of Children in Wales.

### **2.0 Principles**

2.1 The aims of the Policy are:

2.1.1 To protect children and young people who receive Children in Wales's services and who make use of information technology (such as mobile phones, games consoles and the Internet) as part of their involvement with us;

2.1.2 To provide staff and volunteers with the overarching principles that guide our approach to e-safety;

2.1.3 To ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use information technology.

2.2 We recognise that:

2.2.1 The welfare of the children/young people who come into contact with our services is paramount and should govern our approach to the use and management of electronic communications technologies;

2.2.2 All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse;

2.2.3 Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare and in helping young people to be responsible in their approach to e- safety;

2.2.4 The use of information technology is an essential part of all our lives; it is involved in how we as an organisation gather and store information, as well as how we communicate with each other. It is also an intrinsic part of the experience of our children and young people, and is greatly beneficial to all. However, it can present challenges in terms of how we use it responsibly and, if misused either by an adult or a young person, can be actually or potentially harmful to them.

- 2.3 We will seek to promote e-safety by:
- 2.3.1 Appointing an e-safety coordinator, Owen Evans who is also the Designed Child Protection Officer.
  - 2.3.2 Developing a range of procedures that provide clear and specific directions to staff and volunteers on the appropriate use of information and communication technology (ICT);
  - 2.3.3 Supporting and encouraging the young people using our service to use the opportunities offered by mobile phone technology and the internet in a way that keeps themselves safe and shows respect for others;
  - 2.3.4 Supporting and encouraging parents and carers to do what they can to keep their children safe online and when using their mobile phones and game consoles;
  - 2.3.5 Incorporating statements about safe and appropriate ICT use into the codes of conduct both for staff and volunteers and for children and young people;
  - 2.3.6 Developing an e-safety agreement for use with young people and their carers, see below.
  - 2.3.7 Use our procedures to deal firmly, fairly and decisively with any examples of inappropriate ICT use, complaints or allegations, whether by an adult or a child/young person (these may include breaches of filtering, illegal use, cyberbullying, or use of ICT to groom a child or to perpetrate abuse);
  - 2.3.8 Informing parents and carers of incidents of concern as appropriate;
  - 2.3.9 Reviewing and updating the security of our information systems regularly;
  - 2.3.10 Providing adequate physical security for ICT equipment;
  - 2.3.11 Ensuring that user names, logins and passwords are used effectively;
  - 2.3.12 Using only official email accounts provided via the organisation, and monitoring these as necessary;
  - 2.3.13 Ensuring that the personal information of staff, volunteers and service users (including service users' names) are not published on our website;

- 2.3.14 Ensuring that images of children, young people and families are used only after their written permission has been obtained, and only for the purpose for which consent has been given;
- 2.3.15 Any social media tools used in the course of our work with children, young people and families must be risk assessed in advance by the member of staff wishing to use them;
- 2.3.16 Providing effective management for staff and volunteers on ICT issues, through supervision, support and training;
- 2.3.17 Examining and risk assessing any emerging new technologies before they are used within the organisation.

### 3.0 **Guidance**

- 3.1 The name of our e-safety coordinator is Owen Evans. He/she can be contacted at Children in Wales on 02920 342434.
- 3.2 We are committed to reviewing our policy, procedures and good practice annually.



Example of e-safety agreement for use with young people

Children in Wales understands the importance of emerging technologies for children’s education and personal development and seeks to support children and young people in making use of these in our work. However, we also recognise that safeguards need to be in place to ensure children are kept safe at all times.

**Note to young people, parents and carers:** This agreement is part of our code of behaviour for children and young people. It also fits with our overarching e-safety policy and the expectations we have of our staff and volunteers in terms of their use of communications technologies such as the Internet and mobile phones. If you would like to know more about this, please speak to the group leader or to our e-safety co-ordinator Owen Evans.

**Young person:** please read the following agreement and discuss with your parent/carer. If there is anything you do not understand, please also discuss with your group leader.

**Parents/carers:** please read and discuss this agreement with your child, and then sign it, ask your child to sign it, and return it to the group leader.

**Young person’s agreement**

- I will be responsible for my behaviour when using the Internet. This includes resources I access and the language I use.
  
- I will not deliberately browse, download or upload material that could be considered offensive or illegal. If I accidentally come across any such material
  
- I will report it immediately to a member of staff.
  
- I will not send anyone material that could be considered threatening, bullying, offensive or illegal.
  
- I will not give out any personal information such as name, phone number or address.
  
- I will not reveal my passwords to anyone.
  
- I will not arrange to meet someone unless accompanied by a member of staff or a parent.

Signed:.....(Young Person)

Signed:.....(Group leader)

Date: .....

## **Annex E**

### **Partnership Arrangements for Safeguarding**

- 1.0 In the event of Children in Wales working with partner agencies, a **written agreement** must be created specifying the arrangements for safeguarding children and the process to be followed in the event of concerns about any child protection matters. This should be compatible with the All Wales Child Protection Procedures.
- 2.0 The **written agreement** is to ensure there is clarity as to which organisation is responsible for taking the lead role for child protection and for taking action in respect of children at risk. The **written agreement** will state clearly which organisation has the responsibility to report concerns. Circumstances will include events, meetings and activities organised by Children in Wales or jointly with another partner.
- 3.0 **Working with a Partner Organisation**
- 3.1 Where an organisation's staff accompany children and young people, that organisation should take lead responsibility for responding to child protection concerns.
- 3.2 In this event of a child protection concern, the named lead person for Children in Wales will inform the Chief Executive that concerns have been raised. The Chief Executive of Children in Wales will send written confirmation to a senior named person in the organisation within two working days. The Chief Executive of Children in Wales will follow up the situation within 10 working days to ensure that appropriate action has been taken by the organisation.
- 3.3 **Transport Arrangements**
- Where an organisation's staff accompany children and young people, that organisation should take lead responsibility for making transport arrangements to and from Children in Wales – Young Wales organised activities and events. Children in Wales cannot be held responsible for any loss, damage or injury suffered by any child arising during a journey to or from their organised activities or events.



### Example Consent Form for workers/staff

Young Wales Activity	
Name of lead member of staff	
Name(s) of other staff	

<b>Your details</b>	
Organisation name	
Name of main contact	
Job Title	
Telephone	
Email	

<b>Who should we contact in case of a child protection issue?</b>	
Name	
Job Title	
Telephone	
Email	
Signed	
Date	

## Example Consent Form for Young People

This consent form covers all Young Wales activities and events, including conferences and day meetings.

**Under 18:** This form should be completed by a parent/guardian, if you are **under 18**, before you are able to participate in any Young Wales activities.

**Over 18:** If you are **over 18** you should complete the form yourself and sign at the end of the form.

**If we do not receive a completed form, this means you will be unable to attend any Young Wales activities.**

### Child / Young Person information

Name of child / young person: .....

Home address: .....

.....Post code: .....

Home Tel: .....

Mobile: .....

Email: ..... Gender: .....

Date of birth: ..... Age: .....

Preferred language: .....

### Parent / Guardian information

Parent / Guardian Name: .....

Parent / Guardian Tel No: (Day) ..... (Evening) .....

Mobile: .....

**Child / Young Person Medical Information**

Name of Doctor: ..... Tel: .....

Surgery address: .....  
.....

Do you / Does the young person / your son/daughter (*Please delete*)

- Have any conditions which require medical treatment, including medication? If yes, please give details below including who is responsible for administering any medication:  
.....

- Have an allergy to any medication? If yes, please give details below:  
.....

- Have any dietary requirements? If yes, please give details (eg, vegetarian, vegan, nut allergy)  
.....

**Emergency Contact Details**

Please could you provide an alternative contact name and their details

Contact name .....

Relationship to you / young person .....

Address .....

Telephone no .....

Mobile no .....

**Other Information**

Do you / the young person / your son/daughter have any specific access requirements, eg, wheelchair user .....

Do you / Does the young person / your son/daughter (*please delete*) require any specific support to enable him/her to fully participate in the activity? If yes, please give details below:

.....

Any other information you feel may be useful for us to know:

.....

**Travel Arrangements (Under 18s)**

You will be required to make sure that transport arrangements are in place to attend Young Wales activities. Young Wales cannot be held responsible for any loss or damage to your personal belongings or injury suffered during travel to and from organised activities.

**X** Signed .....

**Media Consent (Under 18s)**

Young Wales may wish to photograph or film various activities and the images taken may be used for display or publicity purposes, using various media.

For any young person, **under the age of 18**, it is necessary for us to obtain parental/guardian consent for images to be used in this way. You can give consent by signing the declaration below.

I give permission for images of the young person named on this form to be used for display and publicity purposes.

**X** Signed  
.....

Relationship to the young person  
.....

I grant the above permission on the understanding that the images and videos will not be used in a manner that is detrimental to the young person.

**Declaration**

- I understand that this consent form covers me / the young person / my son/daughter to take part in all Young Wales activities. I agree to the staff members of Young Wales to give permission for me / the young person / my son/daughter to receive any emergency dental, medical or surgical treatment, which is considered necessary by medical authority. I will inform members of Young Wales staff of any changes to the information requested on this form
- I will ensure that I / the young person / my son/daughter understands, as far as reasonably possible, that it is important that any instructions given by Young Wales staff are followed carefully in the best interest of health and safety
- I understand that while Young Wales staff are in charge they will take all reasonable care of the young people, and unless they are negligent, cannot be held responsible for any loss, damage or injury suffered by any child arising during organised activities
- I undertake to inform Young Wales as soon as possible of any change in my / the young person's circumstances between the date signed below and the date of the activity

X Signed ..... Date .....

Relationship to young person (if parent/guardian) .....

*If you need to contact Young Wales staff on the day of the activity in an emergency, please use the following mobile numbers:*

*South Wales – 07468 563953*

*North Wales – 07747 442916*

**Please note:** *These numbers will only be available on the day of the event*







**Safeguarding Adults at Risk Policy**  
*(formerly Protection of Vulnerable Adults Policy)*

<b>Version &amp; Notes</b>	<b>Submitted to F&amp;HR</b>	<b>Outcome</b>	<b>Submitted to TB</b>	<b>Outcome</b>	<b>Review Date</b>
Version I January 2014	21.2.14	Approved	12.3.14	Approved	April 2015
Version II	11.8.17	Approved	05.09.17	Approved	2020
Version III (small amendment at 5.9)	13.11.19	Approved	3.12.19	Approved	2020



**Safeguarding Adults at Risk Policy**  
(formerly *Protection of Vulnerable Adults Policy*)

**1.0 General Statement**

1.1 Children in Wales carries out activities which may bring its employees and people working on behalf of the organization into contact with adults at risk. Children in Wales is committed to creating and maintaining the safest possible environment for these people as well as for its employees and workers and all reasonable steps will be taken to prevent all parties from harm, recognizing the risks involved in lone working.

1.2 This Policy relates to a range Government legislation, including the Social Services and Well-being (Wales) Act 2014, Police Act 1997, the Rehabilitation of Offenders Act 1974, Health & Safety at Work Act 1974, the Human Rights Act 1998, the Protection of Freedoms Act 2012 and the Safeguarding Vulnerable Groups Act 2006.

**2.0 Principles**

2.1 This policy is designed to safeguard and promote the welfare of adults at risk. It is aimed at protecting both the individual and the member of staff or representative of Children in Wales.

**3.0 Scope of Policy**

3.1 This Policy relates to Children in Wales staff, trustees, volunteers and any other partner, agency or individual working on behalf or representing the organisation, including assessors, tutors, trainers, internal verifiers, learners and quality assurance managers of awarding bodies involved in delivering accredited training

**3.2 Definition of an Adult at Risk**

An “adult at risk”, as defined by Section 126(1) of the Social Services and Well-being Act is an adult who:

- (a) is experiencing or is at risk of abuse or neglect;
- (b) has needs for care and support (whether or not the authority is meeting any of those needs); and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.”

Adults who **may** fall within this definition include adults with a learning disability or mental health problem, older people and disabled people, particularly when their situation is complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, social or emotional problems, poverty or homelessness. It may be that they are unable to take care of themselves or protect themselves against harm and abuse.

3.3 If there is concern which relates to anyone under the age of 18, procedures described in Children in Wales Safeguarding Children Policy should be followed.

3.4 The Children in Wales Designated Person (Safeguarding) is Owen Evans, Chief Executive.

#### 4.0 **Related Policies**

4.1 This Policy should be read in conjunction with the following:

- Accredited Training Policy Series
- Disciplinary Policy
- Equality Policy
- Health & Safety Policy
- Recruitment Policy
- Safeguarding Children Policy
- Vetting & Barring Policy
- Whistleblowing Policy

#### 5.0 **Guidance**

5.1 It is the line manager's responsibility to clarify with the staff member, volunteer or associate their roles and responsibilities regarding their relationships with adults at risk with whom they may be in contact. Regular supervision for staff involved will monitor this work and offer the opportunity to raise any issues.

5.2 Specific guidance and procedures at Appendix 1 set out:

- The principles which should be followed when working with adults at risk
- The procedures that should be followed when working with adults at risk

#### 6.0 **Appendices**

6.1 Appendix 1: Guidance, Principles & Procedures to be followed in relation to protection of adults at risk

## Appendix 1

### Guidance, Principles & Procedures to be followed in relation to Safeguarding Adults at Risk Policy

#### 1. Introduction

- 1.1 Children in Wales has a legal and moral responsibility to provide a duty of care to all adults at risk through implementing procedures to safeguard their well-being and protect them from harm.
- 1.2 This Policy sets out the practice and procedures in order to safeguard and promote the welfare of adults at risk. It is aimed at protecting both the individual and the member of staff or representative of Children in Wales.

#### 2.0 Principles

- 2.1 This policy is designed to ensure that all employees and volunteers working with adults at risk are carefully selected, understand and accept responsibility for the safety of those individuals in their care.
- 2.2 This policy ensures that the health, safety and welfare of all adults at risk is of paramount importance when involved in training courses or activities which come under the responsibility of Children in Wales.
- 2.3 This policy ensures a swift and appropriate response to all suspicions or allegations of abuse, and ensures confidential information is restricted to the appropriate individuals within Children in Wales and appropriate external agencies.
- 2.4 The Children in Wales Designated Person (Safeguarding) is Owen Evans, Chief Executive.

#### 3. Safe Recruitment

- 3.1 Those who are involved in situations where they have sustained or prolonged unsupervised access to adults at risk are exempt from the Rehabilitation of Offenders legislation. This means that prospective employees, associates and volunteers must declare all criminal convictions, however long ago and these will be taken into account when deciding on their suitability for working with adults at risk.
- 3.2 In line with Children in Wales Vetting and Barring Policy, all staff, associates and volunteers who will be working with adults at risk as described in 3.1 above, including in the delivery of training, will be asked to complete an Enhanced

Disclosure and Barring Service (DBS) check and, if applicable, they will be checked against the appropriate Barred List. Any Disclosure that causes concern will be assessed in line with Children in Wales Vetting & Barring Policy.

**3.3** In line with Children in Wales Recruitment Policy, following a successful interview process, two references will be taken up for all staff, associates and volunteers.

3.4 Children in Wales will ensure that all employees, associates and volunteers have appropriate qualifications and training.

3.5 If there is any doubt or concern about an employee, associate or volunteer this should be passed on to the Designated Person (Safeguarding) or, in the event that the concern relates to the Designated Person (Safeguarding), this should be passed to the Chief Executive or the Chair of the Trustee Board.

#### 4. Creating a Safe and Caring Environment

4.1 Risk Assessments should be undertaken prior to any offsite visits or new types of activities.

4.2 Employees/volunteers working with adults at risk should be appropriately trained and qualified to ensure the safe provision of services, use of equipment, activities undertaken, etc.

4.3 Employees/volunteers working with adults at risk should carefully plan activity sessions with the care and safety of individuals as their main concern including the use of activities at an appropriate age/ability level.

4.4 Wherever possible we will encourage an 'open environment' eg avoiding private or unobserved situations and discouraging the keeping of secrets. This especially includes employees, associates or volunteers being alone with adults at risk at any time. When this is unavoidable, it should be done with the full knowledge and consent of someone in charge of the activity.

4.5 Employees, associates or volunteers must treat all with respect.

4.6 Employees, associates or volunteers must not make racist, sexist or any other remarks which upset or humiliate

4.7 Employees/volunteers must take care to avoid showing any favouritism.

4.8 Employees, associates or volunteers must never subject any adult at risk to any form of harm or abuse. This means that it is unacceptable, for example, to treat an adult at risk in any of the following ways:

- 4.8.1 to cause distress by shouting or calling them derogatory names
- 4.8.2 to slap
- 4.8.3 to hold them in such a way that it causes pain, or to shake them
- 4.8.4 to physically restrain them except to protect them from harming themselves or others
- 4.8.5 to take part in horseplay or rough games
- 4.8.6 to allow or engage in inappropriate touching of any kind
- 4.8.7 to do things of a personal nature for the person that they can do for themselves (this includes changing clothing, or going to the toilet with them unless another adult is present)
- 4.8.8 to allow or engage in sexually suggestive behavior within a person's sight or hearing, or make suggestive remarks to or within earshot
- 4.8.9 to give or show anything which could be construed as pornographic
- 4.8.10 to seek or agree to meet them anywhere outside of the normal workplace without the full prior knowledge and agreement of the parent, guardian or carer.

## 5. Roles and Responsibilities of employees/volunteers

- 5.1 The safety of all parties, including participants and employees, associates or volunteers is of prime consideration at all times.
- 5.2 All accidents involving anyone should be recorded in the organisation's accident book immediately or as soon as practicably possible. The accident book is kept by the Administration Manager at Children in Wales.
- 5.3 Employees, associates and volunteers are responsible for familiarising themselves with building/facility safety issues, such as, fire procedures, location of emergency exits, location of emergency telephones and first aid equipment.
- 5.4 Employees, associates and volunteers are responsible for reporting suspected cases of abuse to the Designated Person (Safeguarding). Any such case should not be investigated by the employee, associate or volunteer.
- 5.5 Employees, associates and volunteers will be expected to keep an attendance register for all organised sessions.
- 5.6 Employees, associates and volunteers should ensure that their activities start and end on time.

- 5.7 Employees, associates and volunteers are expected to promote, demonstrate and incorporate the values of fair play, trust and ethics throughout their activities.
- 5.8 Employees, associates and volunteers should ensure that they are adequately insured, to protect against claims of negligence, through their organisation or their own personal insurance if acting as a self employed agent.

5.9 **An adult at risk who is arrested or detained for interview by the Police**

If an adult at risk with whom Children in Wales is working is detained for interview or arrested by the Police under the **Crime and Disorder Act 1998 and/or the Police and Criminal Evidence Act (PACE) 1984 (revised July 2018)** they are entitled to be supported by an 'Appropriate Adult'. The definition of an 'Appropriate Adult' is a responsible person aged 18 or over who supports children and vulnerable adults detained at the police station or being interviewed by the police.

Children in Wales staff, volunteers, Trustees *or any other agency or individual working on behalf of or representing the organisation* must **not** act as an appropriate adult in support of an adult at risk with whom Children in Wales is working.

The appropriate line manager, a member of the Senior Management Team or the Children in Wales' Designated Safeguarding Officer must be notified as soon as possible in the event that any adult at risk with whom Children in Wales is working has been detained, arrested or had involvement with the Police.

For further information relating to the role of Appropriate Adults, please visit <https://www.gov.uk/government/publications/guidance-for-appropriate-adults> or <https://yjlc.uk/appropriate-adult/>.

6 **Responding to Signs of Abuse**

Employees, associates and volunteers are responsible for reporting suspected cases of abuse to the Designated Person (Safeguarding) who will then contact the appropriate authorities if necessary.

- 6.1 Any such case should not be investigated by the employee, associate or volunteer.
- 6.2 The Children in Wales Designated Person (Safeguarding) will need to take into account: the need for discussion with an appropriate representative of any external organisation associated with the concern; the involvement of Children in Wales staff or representatives, and/or referral to external agencies including the police, DBS or social services etc. as appropriate.



- 6.3 The Children in Wales Designated Person (Safeguarding) is not responsible for making or contributing to any disciplinary decisions on behalf of, or confirming that an alleged abuse has occurred within, any third party organisation.

## **7 Confidentiality**

- 7.1 Every effort must be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. Information must be stored in a secure place with limited access to designated people, in line with data protection.

## **8 Protecting Employees, Associates and Volunteers from Abuse**

- 8.1 Staff and volunteers are openly discouraged from giving or accepting gifts in whatever form from service users or well-wishers of the organisation. Should any staff member receive any such item they must report it to their appropriate line manager.

## **9. Breach of this Policy**

- 9.1 Failure to follow the guidelines in this policy is considered a serious offence and will be investigated thoroughly through Children in Wales' Disciplinary Policy in the case of employees, or by the Corporate Management Team in relation to associates or volunteers.

## **10. Policy Review**

- 10.1 This policy will be reviewed on a three yearly basis or if legislation changes.