

## POLICIES AND PROCEDURES MANUAL

### SECTION I

#### FAMILY SOCIETY OVERARCHING SAFEGUARDING CHILDREN & CHILD PROTECTION POLICY

#### SUPPORTING LEGISLATION AND/OR GUIDANCE

Children Act 1989  
Every Child Matters 2004  
The Childcare Act 2006  
The Safeguarding Vulnerable Groups Act 2006  
Care Standards Act 2000 & 2010  
Adoption and Children Act 2002 (*A & C Act*) and accompanying Guidance (*Guidance*)  
Adoption Agencies Regulations 2005 (*AAR*)  
The Local Authority Adoption Service (England) Regulations 2003  
The Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003  
The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005  
Working Together to Safeguard Children  
And referencing all local LSCB policies & procedures

#### INTRODUCTION

Family Society (Adoption Focus & Triangle Project) is committed to providing services to children and families based on the overriding principles that the safety and well-being of children and young people is paramount; and that all staff and volunteers have a duty to safeguard and promote the welfare of children/young people.

In accordance with the Children's Act 1989, a "child/young person" is defined as a person under the age of eighteen years.

Family Society is committed to working within the guidelines issued by Area Safeguarding Children's Boards to ensure the safety and well-being of children and young people.

Where allegations or expressions of concern are made that question the safety or well-being of a child/young person, immediate and appropriate action is taken.

Family Society acknowledges that the local Children's (Social Services) Department and the Police have the statutory responsibility to investigate cases of suspected child abuse. These bodies rely on the co-operation of other agencies and the sharing of relevant information in order to ensure that referrals/cases are dealt with appropriately. Family

Society will give every assistance to Local Authorities and the Police to enable them to carry out their statutory child protection responsibilities.

In all cases where Family Society suspects that a child/young person is or is likely to suffer significant harm this will be reported to the appropriate authorities. In immediate and emergency situations Family Society staff will take whatever steps are practicable to protect the child/young person whilst awaiting response from the statutory bodies. If the child / young person requires urgent medical treatment arrangements should be made for the child to be taken to hospital.

Family Society's Adoption Agency (Adoption Focus) and Fostering Service (Triangle Project) has a statement setting out the child protection procedures that comply with this policy statement and is appropriate to the context of the specific service that Adoption Focus and Triangle Project provide. Adoption Focus and Triangle Project therefore have Procedures on Child Protection and Managing Child Abuse in Adoptive and Fostering for Adoption Placements

Family Society will ensure that Safer Recruitment principles underpin the recruitment and appointment of all staff, volunteers – including Trustees; Panel Members; fundraisers; Adopter Committee Members (etc) – and adopters and FFA carers. A DBS and other reference checks will be undertaken and confirmed prior to their confirmation in post, and the DBS updated in line with regulations.

The induction process for all staff and volunteers will include information about their safeguarding responsibilities, and the requirement that they undertake safeguarding training which is updated regularly. Family Society will ensure that appropriate training is made available.

Family Society will ensure that all professional staff retain their registration with the appropriate professional body - Social Work England; the GMC (medical advisors)' counselling body; Legal panel.

### **Designated Safeguarding Lead**

The Designated Safeguarding Lead is Anna Sharkey – the CEO, to whom all safeguarding concerns must be reported. In her absence safeguarding concerns must be reported to the Director of Operations – Howard Parker - and/or a Senior Manager.

In all cases, where a child is at immediate risk of harm the emergency services must be alerted – Police; Ambulance Service.

Safeguarding is everybody's responsibility and this underpins the work of Family Society.

## RECOGNISING ABUSE:

### Being alert to children's/young person's welfare.

All staff and volunteers who work with children/young people or with parents and other adults in contact with children should be able to recognise and know how to act upon indicators that a child/young person's welfare or safety may be at risk.

The abuse or harm to children/young persons may occur from:

- Parents
- Others who have parental responsibility
- Adults who are in a position of trust
- People living within the wider circle of the family or neighbourhood
- A complete stranger
- Other children/young people

It must be recognised that abuse or harm can occur as much from omissions and lack of protection as from commission of acts of abuse.

A particular situation arising in adoption and FFA assessments which Family Society staff may encounter is the disclosure of childhood abuse experienced by the applicant. Whilst the assessment of suitability will necessarily focus on the applicant's ability to effectively parent and protect their adopted child/child placed through FFA, there is also a duty of care in respect of any children with whom the alleged abuser may be in contact. Therefore, the assessing social worker must report the matter to the Local Authority responsible for the geographical area in which the alleged abuser currently lives.

All Family Society staff and volunteers who work with children and young people will receive appropriate training and supervision to enable them to recognise abuse, raise concerns with their supervisor/manager and know how to respond appropriately. This is viewed as "core" training by Family Society and must be arranged by the Registered Manager, and attended by all staff and volunteers as indicated.

### What is Abuse and Neglect?

A person may abuse or neglect a child/young person by inflicting harm, or by failing to act to prevent harm. Children and young people may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child.

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only

insofar as they meet the needs of another person; age or developmentally inappropriate expectations being imposed on children; causing children frequently to feel frightened (this includes witnessing or being exposed to Domestic Violence); or the exploitation or corruption of children.

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 (e.g. rape or buggery) or non-penetrative acts. They may include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

Additionally, a child or young person may be at risk of harm arising from the impact of early trauma and/or identity issues arising from their adoption and/or care status which may make them more vulnerable to Child Sexual Exploitation (CSE); Radicalisation; and the Criminal Exploitation of Children and Vulnerable Adults (County Lines). It is also essential that as an Agency which places children from diverse ethnic backgrounds that staff and adoptive parents/FFA carers are aware of Female Genital Mutilation and understand how this (and the risk of CSE and Radicalisation) should be addressed during the preparation, assessment and continuing support of adoptive and FFA families.

#### **ACTION ON OCCURRENCE OR SUSPICION OF CHILD ABUSE:**

In circumstances where there is concern that a child is suffering or is likely to suffer significant harm or where a child gives information detailing abuse, the following principles must be adhered to:-

- All concerns and allegations, whatever their origin must be taken seriously
- In circumstances where a child/young person/volunteer/discloses information about abuse, they must be listened to; they must not be stopped from freely recalling events, but must not be asked leading questions. The person to whom the disclosure is made must not attempt to investigate allegations as this may jeopardise a police investigation
- The child/young person should be communicated with in a manner appropriate to their age, understanding and preference. This is especially important where the child/young person may be disabled or where English is not the preferred language

- In circumstances where a child has an injury but no explanation is volunteered, it is acceptable to enquire how the injury was sustained
- A FULL written record must be made by the person to whom the disclosure is made, as near as possible to the time when any information is volunteered. The record will include the date and time it was written, the setting, personnel present, names, address(es), gender, date of birth, names of person with parental responsibility and any other primary carers as well as what was said
- Confidentiality must not be promised

If any member of staff/volunteer has concerns about a child's welfare they should raise this without delay, and in any event that same day, with their Line Manager, or the Director of Operations and the CEO (the designated safeguarding lead)/Responsible Individual.

If after discussion, concern persists, the social worker or - in cases where the concern has been raised by another member of staff, or volunteer - the Team Manager will refer to the local (to the child) Social Services Department that same day. The referral must be followed up in writing within 48 hours.

The social worker will notify Ofsted\*, and keep Ofsted informed of the outcome.

The social worker or Manager will make a written record of the referral on the child/young person's CHARMS record and upload a copy of the written referral. The outcome and conclusion of any investigation by Social Services or Police will also be recorded on the child/young person's record.

All staff and volunteers, in pursuit of their duty to safeguard and promote the welfare of children/young people will co-operate with social services/police in any enquiry and attend meetings as required when the purpose is to protect and promote the wellbeing of children/young people.

Child protection work can be challenging and stressful. Family Society recognises that while staff/volunteers may be competent and feel confident in exercising their judgement when undertaking this work they should always have access to support and the stressful nature of the work should not be underestimated.

#### **SHARING INFORMATION:**

There are certain legal restrictions on the sharing/disclosure of information. These are:

- Common law duty of confidence
- Human Rights Act 1998
- Data Protection Act 2018 (including GDPR)

But, in general the law does not prevent the sharing of information with other practitioners/appropriate agencies if, the public interest in safeguarding the child's welfare overrides the need to keep the information confidential.

The key factor is the rule of proportionality; is the proposed disclosure a proportionate response to the need to protect the welfare of the child/young person?

Where this is the considered view, Family Society will support staff in a referral to the Social Services Department.

Family Society recognises and complies with the requirement that any suspicion that a child has been subjected to FGM must be reported, under the remit of the Serious Crimes Act 2015 which introduced a duty on regulated professionals in England & Wales, which includes, healthcare professionals, teachers and social care workers, to notify the Police of known cases of FGM carried out on a girl under 18.

#### **ALLEGATIONS AGAINST FAMILY SOCIETY STAFF/ VOLUNTEERS:**

If allegations are made against Family Society staff or volunteers it is important to recognise the different strands and areas of responsibility.

There are three separate strands to enquiries of this type:

- Safeguarding/Child Protection Issues
- Any necessary criminal investigation
- Any necessary use of the Society's disciplinary procedures

Any allegation or expression of concerns against staff / volunteers will be brought to the attention of the Director of Operations and in his absence a member of the Senior Management Team. The Director of Operations will notify the CEO of the allegations / concerns within 24 hours.

The position of trust which Family Society staff enjoy with adoptive families and FFA carers is one which could be exploited. To ensure that the working relationship is not used by any staff member or volunteer to groom or otherwise inappropriately interact with a child or adoptive/FFA family member, feedback is sought from all service users at regular points during the provision of adoption, FFA and support services. Evaluation forms are returned to the admin team and monitored by the Service Managers. Service users are also advised how they may complain to/alert Ofsted of any concerns arising – Ofsted contact details are included in the Information Pack for Prospective Adopters/FFA carers, and in the Children's and Young People's Guides.

Any reported suspicion or allegation of child abuse against a member of staff / volunteer will be reported directly to the LADO in the area in which the member of staff provides the service on behalf of Family Society in line with the policy statement. It is the

responsibility of the Social Services Department and the police to investigate such allegations.

Action in respect of the alleged perpetrator will be taken in line with the Society's Disciplinary Policy and Procedures. A key decision to be made is the need to remove or suspend the member of staff/volunteer in order to protect their own interests, and for those of the children/young people.

It must be noted that the failure of a member of staff/volunteer to act appropriately to safeguard and promote the welfare of children/young people will lead to invoking of the Disciplinary Policy and Procedures.

Any enquiries under the Safeguarding/Child Protection procedures will take priority over any internal investigations under disciplinary procedures. Once a decision has been made to investigate under the child protection procedures or an investigation has concluded it remains for the Society to decide whether or not to pursue the matter further under the disciplinary procedures.

The matter will be referred to Social Work England and the Disclosure and Barring Service. Ofsted will be informed.

A clear and comprehensive summary of any allegations made against a staff member or volunteer, including details of how the allegation was followed up and resolved, a record of any action taken and the decisions reached, is kept on the person's confidential file. A copy is provided to the person as soon as the investigation is concluded. The information is retained on the confidential file, even after someone leaves the organisation, until the person reaches normal retirement age, or for 10 years if this is longer.

Support, which is independent of the agency, is made available to the person subject to the allegation.

A copy of these procedures is made available to staff, volunteers, prospective adopters/FFA carers and children. Any comments on these procedures are taken into account by the agency.

The procedures are submitted for consideration and comment to the Local Safeguarding Children's Board (LSCB) and to the Local Authority Designated Officer (LADO) for Child Protection.

\*Ofsted may be contacted via:

Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Telephone: 0300 123 1231

[www.gov.uk/ofsted](http://www.gov.uk/ofsted)