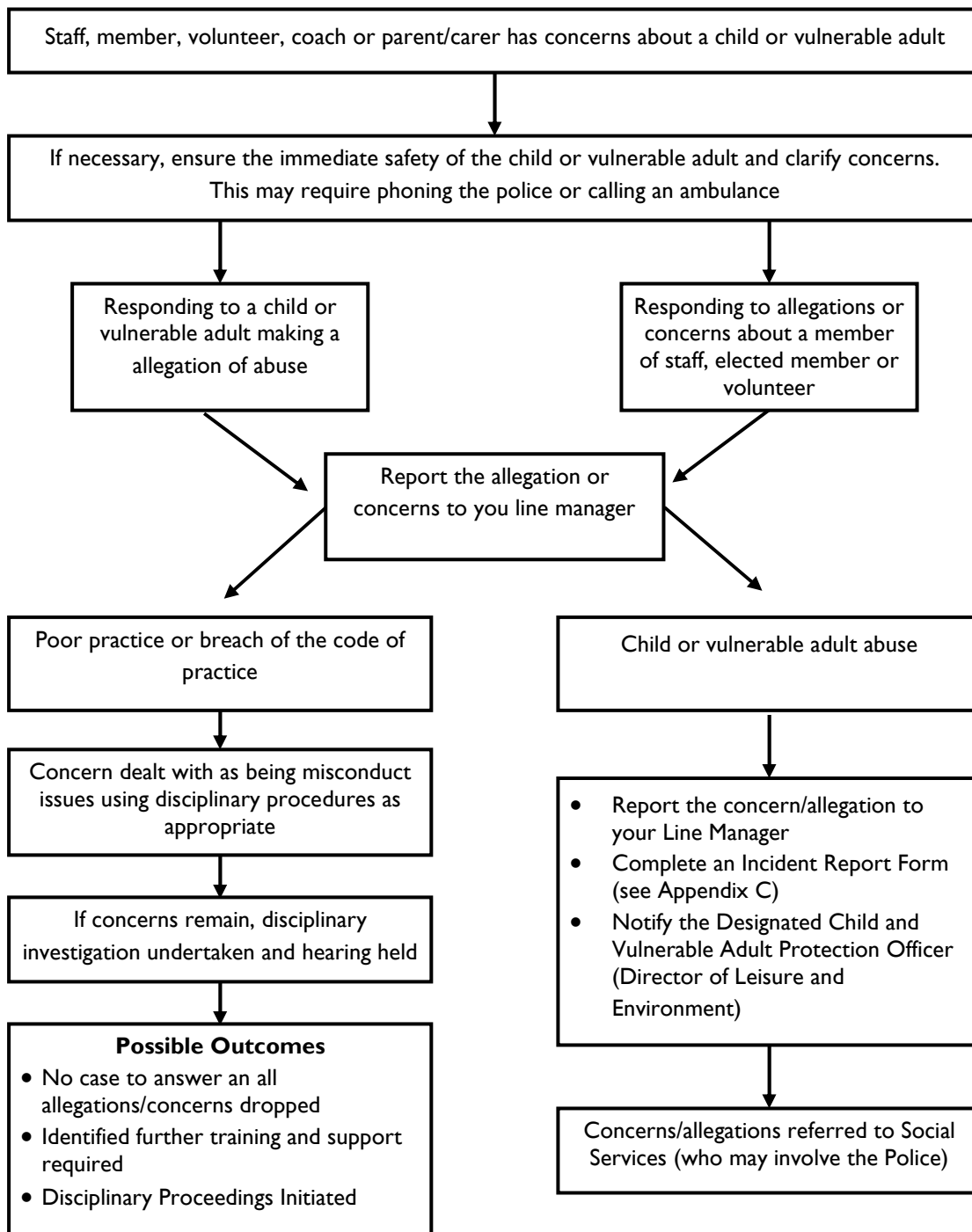




Draft
Children and Vulnerable
Adults Protection Policy
and Procedure

January 2006

Schematic Guide for dealing with concerns relating to Child and Vulnerable Adult Abuse



Remember it is not up to you to decide if abuse has taken place, that is the role of Social Services, **BUT** it is up to you to report **ANY** concerns

We have a duty of care to respond to any issues that may concern us even if they don't involve our staff or services

If the allegations or concerns relate directly to your line manager report them directly to the Designated Children and Vulnerable Adult Protection Officer. Similarly if they relate directly to the Designated Child and Vulnerable adult protection Officer report them directly to Social Services

Designated Child and Vulnerable Adult Protection Officer – Director of Leisure and Environment ext 4774

Social Services:

For child protection issues contact children & families duty desk 01509 266641

For vulnerable adult issues contact the adults access duty desk 01509 266641

Advice on allegations against staff contact the Child Protection Review Unit at County Hall 0116 265 7570

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Acknowledgements

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1.0 Introduction

All children and vulnerable adults have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect. Although hundreds and thousands of children and vulnerable adults have wonderful experiences, abuse does happen.

There is a considerable body of legislation, government guidance and standards designed to ensure that children and vulnerable adults are protected from harm (see Appendix A). These include 'The Children Act 1989' the 'Working Together to Safeguard Children' revised 2006 document by the DFES and the Every Child Matters green paper (see Children and Young People strategy 06-09).

Charnwood Borough Council has both a moral and legal obligation to ensure a duty of care for children and vulnerable adults across its services. We are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council.

The purpose of this policy and its associated procedures is to help protect the children and vulnerable adults placed in our care within our services and protect Charnwood Borough Council, its staff, elected members and volunteers.

1.1 Policy Statement

Charnwood Borough Council accepts the moral and legal responsibility to implement procedures, to provide a duty of care for children and vulnerable adults, safeguard their well being and protect them from abuse when they are engaged in services organised and provided by the Council. We aim to do this by:

- Respecting and promoting the rights, wishes and feelings of children and vulnerable adults.
- Raising the awareness of the duty of care responsibilities relating to children and vulnerable adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and vulnerable adults to protect them from harm.
- Creating a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and vulnerable adults from abuse, and minimise risk to themselves.
- Responding to any allegations of misconduct or abuse of children or vulnerable adults in line with this Policy and these Procedures and Local Area Safeguarding Board and 'No Secrets' guidance as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Children and Vulnerable Adults Protection Policy and Procedures and Code of Conduct.
- Reviewing and evaluating this Policy and Procedures document on a regular basis.

I.2 Principles

This policy and these procedures are based on the following principles

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse.
- It is everyone's responsibility to report any concerns about abuse and the responsibility of Leicestershire Social Services and the Police to conduct where appropriate, a joint investigation.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

I.3 Definitions

- The term children or young person is used to refer to anyone under the age of 18 years.
- All the policies and procedures described within this document refer to vulnerable adults as well as children.
- The term "vulnerable adult" is a person 18 years or over who: is or may be in need of community care services by reason of mental or other disability, age or illness; and is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation. The term "vulnerable adult" may include: people with a learning disability, a physical disability, a sensory impairment, a mental illness, who are frail due to age or other factors, having an acquired brain injury, people with a drug or alcohol addiction or certain types of physical illness.
- The term parent is used as a generic term to represent parents, carers and guardians.
- The term staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf, delivering a service for or representing the Council.

2.0 Recognition of Abuse and Bullying

2.1 Abuse

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

Recognising Abuse

Recognising abuse is not easy, and it is not the responsibility of Council staff, elected members or volunteers to decide whether or not child abuse has taken place or if a child or vulnerable adult is at significant risk. However, we do have a responsibility to act if we have a concern. Every child and vulnerable adult is unique and it is difficult to predict how their behaviour will change as a result of their experience of abuse.

Disabled People

There have been a number of studies which suggest people with disabilities are at increased risk of abuse. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves, or inadequately communicating that abuse has occurred. Children from ethnic minorities, who may also be experiencing racial discrimination, may be doubly powerless.

Race and Racism

People from black and minority groups (and their parents) are likely to have experienced harassment, racial discrimination and institutionalised racism. Although racism causes significant harm it is not, in itself, a category of abuse. All organisations working with children, including those operating where black and minority ethnic communities are numerically small, should address institutional racism. This was defined in the MacPherson Inquiry report on Stephen Lawrence as “the collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion”.

It is generally accepted that there are five main forms of abuse; physical, emotional, sexual, neglect and financial.

2.2 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child or vulnerable adult.

Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child or vulnerable adult whom they are looking after. The situation is commonly described as fabricated or induced illness in children or previously fictitious illness or ‘Munchausen Syndrome by Proxy’. A person might do this because they enjoy or need the attention they get through having a sick child or young person.

Physical abuse, as well as being a result of a deliberate act, can also be caused through omission or the failure to act to protect.

PHYSICAL ABUSE	
Physical Signs	Behavioural Indicators
<ul style="list-style-type: none"> • Unexplained bruising, marks or injuries on any part of the body • Bruises which reflect hand marks or fingertips (from slapping or pinching) • Cigarette burns • Bite marks • Broken bones • Scalds 	<ul style="list-style-type: none"> • Fear of parents being approached for an explanation • Aggressive behaviour or severe temper outbursts • Flinching when approached or touched • Reluctance to get changed, for example wearing long sleeves in hot weather • Depression • Withdrawn behaviour • Running away from home

2.3 Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the child or vulnerable adult's emotional development. It may involve making them feel or believe that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person.

It may feature age or developmentally inappropriate expectations being imposed on children or vulnerable adults. It may also involve causing children or vulnerable adults to frequently feel frightened or in danger, or the exploitation or corruption of a child or vulnerable adult.

Some level of emotional abuse is involved in all types of ill treatment of a child or vulnerable adult, though it may occur alone.

EMOTIONAL ABUSE	
Physical signs	Behavioural Indicators
<ul style="list-style-type: none"> • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress 	<ul style="list-style-type: none"> • Neurotic behaviour, e.g. hair twisting, rocking • Being unable to play • Fear of making mistakes • Self harm • Fear of parent being approached regarding their behaviour

2.4 Sexual Abuse

Sexual abuse involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not they are aware of, or consent to, what is happening. The activities may involve physical contact, including penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling.

Sexual abuse may also include non-contact activities, such as involving a child or vulnerable adult in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

Boys and girls and men and women can be sexually abused by males and/or females, by adults and by other young people. This includes people from all different walks of life.

SEXUAL ABUSE	
Physical Signs	Behavioural Indicators
<ul style="list-style-type: none"> • Pain or itching in the genital/anal areas • Bruising or bleeding near genital/anal areas • Sexually transmitted disease • Vaginal discharge or infection • Stomach pains • Discomfort when walking or sitting down • Pregnancy 	<ul style="list-style-type: none"> • Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn • Fear of being left with a specific person or group of people • Having nightmares • Running away from home • Sexual knowledge which is beyond their age or development age • Sexual drawings or language • Bedwetting • Saying they have secrets they cannot tell anyone about • Self harm or mutilation, sometimes leading to suicide attempts • Eating problems such as overeating or anorexia

2.5 Neglect

Neglect is the persistent failure to meet a child or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the child or vulnerable adult's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, leaving a young child home alone or the failure to ensure that a child or vulnerable adult gets appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child or vulnerable adult's basic emotional needs.

NEGLECT	
Physical Signs	Behavioural Indicators
<ul style="list-style-type: none"> • Constant hunger, sometimes stealing food from others • Constantly dirty or 'smelly' • Loss of weight, or being constantly underweight • Inappropriate dress for the conditions 	<ul style="list-style-type: none"> • Complaining of being tired all the time • Not requesting medical assistance and/or failing to attend appointments • Having few friends • Mentioning their being left alone or unsupervised

Important Rule

It is important to remember that many children and vulnerable adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring.

There may well be other reasons for changes in behaviour such as a death, or the birth of a new baby in the family, relationship problems between parents/carers, etc.

2.6 Financial Abuse

The “No Secrets” defines financial abuse as including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

This may include:

- Misappropriation of money and/or other assets by various means such as theft or fraud.
- Transactions to which the person could not consent or which were invalidated by intimidation or deception.
- Misuse of assets to meet the legitimate needs of a vulnerable person.
- Non-use of assets to meet the legitimate needs of a vulnerable person.

Financial abuse may be opportunistic or may be planned.

The victim may have been deliberately targeted because of their vulnerability. Examples of this include:

- The perpetrator befriending the victim and then using their position of trust to gain financially from the victim – moving into their house to ‘care’ for them, becoming their appointee/attorney.
- Being over charged for services or tricked into receiving goods or services that they do not want or need.

Financial	
Physical Signs	Behavioural Indicators
<ul style="list-style-type: none">• Insufficient funds• Unpaid bills/debts• Lack of amenities	<ul style="list-style-type: none">• Over protection of money/possessions

2.7 Bullying

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a child or vulnerable adult. It can occur that the abuser may be a young person, for example in the case of bullying. Bullying may be seen as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small or having a disability. Belonging to a different race, faith or culture can result in overt racism.

Bullies come from all walks of life, they bully for a variety of reasons and may even have been abused. Typically, bullies can have low self esteem, be excitable, aggressive and jealous. Crucially, they have learned how to gain power over others and there is increasing evidence to suggest that this abuse of power can lead to crime.

Bullying can include:

- Physical: pushing, hitting, kicking and pinching etc
- Verbal: name-calling, spreading rumours, constant teasing and sarcasm
- Emotional: tormenting, ridiculing, humiliating and ignoring
- Racist: taunts, graffiti and gestures
- Sexual: unwanted physical contact or abusive comments

There are a number of signs that may indicate that a person is being bullied:

- Behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctance to go to school.
- A drop off in performance at school or standard of performance.
- Physical signs such as stomach aches, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing for example on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

Allegations of bullying will be dealt with either through the Councils Harassment and Bullying Policy and Procedures for staff or through this policy.

3.0 Responding to Disclosure, Suspicions and Allegations

3.1 Introduction

These procedures inform all staff, elected members and volunteers of what actions they should take if they have concerns or encounter a case of alleged or suspected child or vulnerable adult abuse, i.e. response actions.

Council staff may come across cases of suspected abuse either through direct contact with children and vulnerable adults, for example, running a holiday activity, or for peripatetic staff visiting homes as part of their day to day work. It is not your responsibility to decide whether or not a child or vulnerable adult has been abused. It is however your responsibility to report your concerns. Our primary concern is to ensure any relevant information is passed to the police or social services without delay. These organisations have statutory responsibility to make enquiries, to establish if a child or vulnerable adult is at risk of harm.

3.2 Responding to Disclosure

Abused children and vulnerable adults will only tell people they trust and with whom they feel safe. By listening and taking seriously what the child or vulnerable adults is saying, you are already helping the situation. The following points are a guide to help you respond appropriately.

Actions to take

- React calmly so as not to frighten them
- Take what the person says seriously, recognising the difficulties inherent in interpreting what is being said by a person who has a speech impairment or differences in language.
- Avoid asking direct questions other than those seeking to clarify your understanding of what the person has said. They may be subsequently formally interviewed by the police or social services and they should not have to repeat their account on several occasions.
- Reassure the child or vulnerable adult but do not make promises of confidentiality which might not be feasible in the light of subsequent developments.
- Explain to them that you will have to share your concerns with someone who is in a position to act.
- Tell them they were not to blame and that they were right to tell.
- Record in writing on a Child Protection Incident Reporting Form (see Appendix D) all the details that you are aware of and what was said using the child or vulnerable adult's own words, as soon as possible. In your record you should include:
 - ◆ The date and time.
 - ◆ The child or vulnerable adult's name, address and date of birth.
 - ◆ The nature of the allegation.
 - ◆ A description of any visible injuries.
 - ◆ Your observations – e.g. a description of the child or vulnerable adult's behaviour and physical and emotional state.
 - ◆ Exactly what the child or vulnerable adult said and what you said. Record the child or vulnerable adult's account of what has happened as accurately as possible.

- ◆ Any action you took as a result of your concerns e.g. who you spoke to and resulting actions. Include names, addresses and telephone numbers.
- ◆ Sign and date what you have recorded.
- ◆ Store the information in accordance with relevant procedures, e.g. Data Protection, see section 5.10.
- Report to and inform your line manager and/or the Council's Designated Child and Vulnerable Adults Protection Officer

Actions to Avoid

The person receiving the disclosure should not:

- Dismiss the concern
- Panic
- Allow their shock or distaste to show
- Probe for more information than is offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises or agree to keep secrets

3.3 Responding to Suspicions

In the first instance if you have any suspicions regarding a child or vulnerable adult who you think is being abused it is important to complete an incident reporting form (Appendix D). Copies of these forms are available on the intranet (include link). The form should then be passed onto the Council's Designated Child and Vulnerable Adults Protection Officer.

It is the responsibility of the designated Officer to take a lead on suspicions and report them to Social Services and or the Police to take the appropriate course of action.

3.4 Sharing Concerns with Parents and Carers

Whilst delivering our services to children there is a commitment to work in partnership with parents/carers and share concerns about their child or vulnerable adult. Therefore in most circumstances it would be important to talk to parents or carers to clarify any concerns. For example if a child seems withdrawn, there may be a reasonable explanation, which a parent can provide.

3.5 When it is Inappropriate to Share Concerns With Parents or Carers

There are circumstances when children/vulnerable adults can be placed at greater risk by sharing concerns with their parents/carers e.g. where the parent/carer is the one who may be responsible for the abuse, or not able to respond to the concern appropriately. In these circumstances, or where concerns still exist despite an explanation from parents/carers, any suspicion, allegation or incident of abuse must be reported to the Child and Vulnerable Adults Protection Officer immediately and recorded. **Parents should not be contacted if the concern is about sexual abuse. Social Services and/or the Police will do this at an appropriate time.**

3.6 Designated Child and Vulnerable Adult Protection Officer

For the Council the Designated Child and Vulnerable Adult Protection Officer is the Director of Leisure and Environment. It is their responsibility to:

- Ensure that arrangements are made for all identified staff to have relevant training in child and vulnerable adult protection issues.
- Receive information from staff, volunteers and children who have concerns, and record them.
- Assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Make a formal referral to the statutory agencies and if necessary report the concerns to any National Governing Bodies.
- Receive the appropriate training.

In the absence of the Designated Child and Vulnerable Adult Protection Officer queries should be forwarded to the Head of Human Resources.

3.7 Allegations Against Staff or Volunteers

It is important that any concerns for the welfare of the child or vulnerable adult arising from abuse or harassment by a member of staff or volunteer should be reported immediately to the Designated Child and Vulnerable Adult Protection Officer and an incident report form completed. There may be circumstances where allegations are about poor practice rather than abuse but those responsible should always consult senior colleagues including the Service Manager and Human Resources Manager and gain advice from Social Services and/or Police.

3.8 Support for the Reporter of the Alleged Abuse

Strong feelings may be generated by the discovery that a member of staff or volunteer is, or may be, abusing a child or vulnerable adult. This can raise concerns among other staff or volunteers and create difficulties in reporting such matters. We will fully support and protect all staff/volunteers who, in good faith (without malicious intent), report his or her concern about a colleague's practice or the possibility that a child or vulnerable adult may be being abused.

3.9 Types of Investigation

Where there are allegations of abuse about a member of staff there may be three strands of investigation:

- Child/Vulnerable Adult Protection investigation
- A disciplinary or misconduct investigation
- Criminal Investigation

The Council will consider suspending any employee accused of abuse pending a formal investigation. Suspension is a neutral act that does not imply any form of guilt. If suspension is felt unnecessary the member of staff will be relocated to another area of work pending the outcome of the formal investigation. An investigation will be carried out as quickly as is practically possible for

the protection of all parties involved. The Council will assess each individual allegation on its own, taking into account the findings of any criminal investigation and respond to the outcome of the investigation in line with Council policy and procedure.

3.10 Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. This includes the following people:

- The Designated Child and Vulnerable Adult Protection Officer
- Social Services/Police
- The person making the allegation's parents/carers
- The parent or carers of the person who is alleged to have been abused (as appropriate)
- The person making the allegation
- If appropriate - Designated officers within the governing body of sport e.g. Legal Advisor
- The alleged abuser (and parents if the abuser is a child)*

***Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation. This includes contacting the alleged perpetrator. Advice should FIRST be sought from the police and/or Social Services.**

It is extremely important that allegations or concerns are not discussed, as any breach of confidentiality could be damaging to the child or vulnerable adult, their family and any child/vulnerable adult protection investigations that may follow.

Informing the parents/carer of a child or vulnerable adult you may have concerns about needs to be dealt with in a sensitive way and should be done in consultation with Social Services.

Any individual under supervision has the right to be notified about the cause for concern. This should be done in joint consultation with Social Services and the Police. It is important that the timing of this does not prejudice the investigation.

Recorded information should be stored in a secure place with limited access e.g. to the Designated Child and Vulnerable Adult Protection Officer, and in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

If enquiries arise from the public (including parents) or any branch of the media, it is vital that all staff, elected members and volunteers are briefed so that they do not make any comments regarding the situation. Staff, elected members and volunteers should be informed who the relevant designated Council spokesperson will be, and all enquiries directed through them. Staff, elected members and volunteers should reply 'no comment' to all questions / enquiries.

4.0 Recruitment and Employment and Deployment

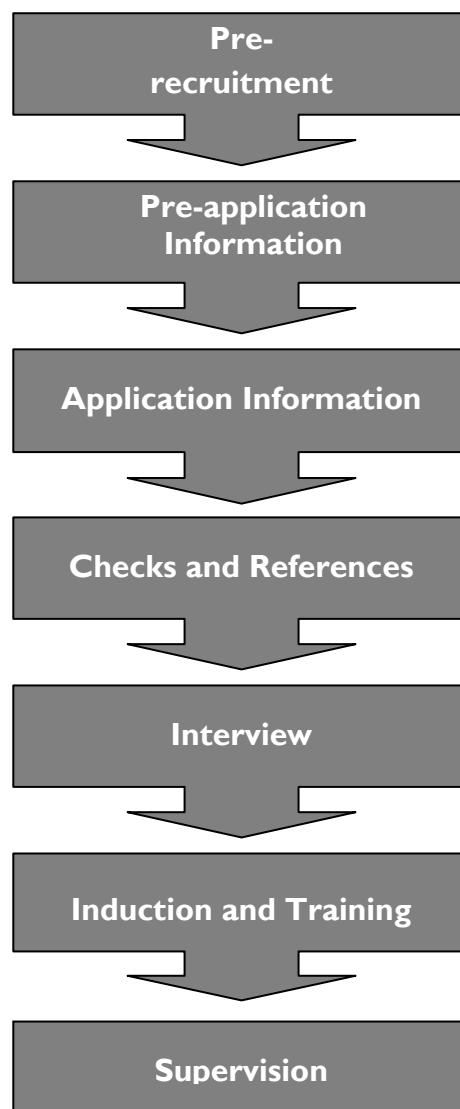
We will take all reasonable steps to ensure unsuitable people are prevented from working with children and vulnerable adults and that staff are trained and properly managed

As an employer it is a criminal offence (Criminal Justice and Court Services Act 2000) not to take sufficient steps to check an employee working with children or vulnerable adults, and/or to knowingly give someone that is inappropriate a job to work with them.

The same procedures should be adopted whether staff are paid or unpaid, full- or part-time.

For all positions that require regular contact with children and vulnerable adults the following recruitment procedures must be completed.

Fundamental stages in the recruitment and selection and management of staff and volunteers working with children and vulnerable adults



4.1 Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The aims of Charnwood Borough Council
- If appropriate the aims of the particular programme involved
- The responsibilities of the role
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and vulnerable adult protection
- The use of the Criminal Records Bureau in the recruitment and selection process

4.2 Pre-application Information

The pre-application information e.g. application pack, sent to interested or potential applicants should contain:

- A job description including roles and responsibilities
- A person specification (e.g. stating qualifications or experience required)
- An application form
- A Self Declaration form

4.3 Applicant Information

All applicants, whether for paid or voluntary, full- or part-time positions, should complete an application and self declaration form which should elicit the following information:

- Name, address and National Insurance Number
- Past career, relevant interests, any gaps in employment and reasons for leaving
- Relevant experience, educational qualifications, job specific qualifications and training
- Any criminal record
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with children and vulnerable adults where it is a requirement of the job.

The purpose of the self declaration form is to collect information on criminal behaviour that is relevant to the position e.g. criminal records or investigations. The self declaration form is requested in a separate sealed envelope and is not opened until the applicant is selected for an interview. If the applicant is not selected the form is returned unopened to the applicant.

It should be made clear that effective measures are in place to ensure confidentiality of information under Data Protection legislation.

4.4 Checks and References

Staff and volunteers recruited to work in services for children and vulnerable adults must be checked for any possible irregularities, which may give reason for concern.

- A minimum of two references must be taken up, and if available, at least one should be associated with former work with children or vulnerable adults. Written references will be followed up by letter or telephone. References should include the applicant's suitability to work with children or vulnerable adults where it is a requirement of the job.
- In accordance with guidance from the Criminal Records Bureau, all posts that have direct contact with children and vulnerable adults will require an Enhanced Disclosure. These checks will be completed by the Human Resources Team. Checks may be carried out with the following organisations that maintain information about individuals who are deemed to be unsuitable to work with children or vulnerable adults.
 - In England and Wales: Criminal Records Bureau (CRB)
 - In Scotland: Disclosure Scotland
 - In Northern Ireland: The DHSS Pre-employment Consultancy Service (PECS)

If a CRB check highlights an unspent conviction a risk assessment will be carried out to assess the suitability of the applicant to work with children or vulnerable adults. This will be carried out by the line manager and the Council's Health and Safety Officer and the outcome verified by the Designated Child and Vulnerable Adult Protection Officer.

4.5 Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and vulnerable adult protection issues.

4.6 Induction and Training

Checks are only part of the process to protect children and vulnerable adults from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and vulnerable adults from possible abuse.

The induction and training should include:

- An assessment of the training needs required
- Clarification, agreement and signing up to the Council's Code of Conduct for Employees
- Clarification, agreement and signing up to the Council's Children and Vulnerable Adult Protection Policy and Procedures (policy declaration (Appendix F) is signed and completed).
- The expectations, roles and responsibilities of the job are clarified
- As a minimum we will expect all staff to have undergone formal children and or vulnerable adult training related to their job within 6 months of the employment with us. Refresher training will be required every 3 years.

Relevant Training Courses

- NSPCC – Educare Programme
- Sports Coach UK – Good Practice and Child Protection
- Social Services Training for Vulnerable Adults
- Local Safeguarding Children Board multi agency training

Other areas of training:

- First Aid, e.g. St Johns First Aid Qualification / HSE First Aid at Work
- How to work effectively with children and vulnerable adults, e.g. Sports Coach UK

4.7 Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role.

All members of staff who have contact with children and vulnerable adults will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line Managers should be sensitive to any concerns about poor practice or abuse and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

It is the responsibility of Line Managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service.
- Staff appraisals, mentoring and providing feedback on performance.
- Children and adults feedback on the activities or services.

4.8 Rehabilitation of Offenders

Charnwood Borough Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working with us. This will depend on the nature of the position, the nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.

Please see The Councils Rehabilitation of Offenders Policy for further information (**include link**).

5.0 Promoting Good Practice with Children and Vulnerable Adults

5.1 Code of Conduct for the Protection of Children and Vulnerable Adults

It is possible to limit the situations where the abuse of children and vulnerable adults may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all staff, elected members and volunteers when in contact with children or vulnerable adults. The types of practice are categorised into good practice, practice to be avoided and practice never to be sanctioned. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Councils Disciplinary Procedure.

5.1.1 Good Practice for working with Children and Vulnerable Adults

Charnwood Borough Council supports and requires the following good practice by staff, members and volunteers when in contact with children and vulnerable adults.

When working with children and vulnerable adults:

- Always work in an open environment e.g. avoid private or unobserved situations and encourage an open environment for activities.
- Treat all children and vulnerable adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and vulnerable adults
- Ensure that if any form of manual or physical support is required for a child or vulnerable adult, it is provided openly, the child or vulnerable adult is informed of what is being done and their consent is obtained
- Deliver educational instruction first verbally; secondly role-modelling; and thirdly, and only if necessary, with hands on – which must be accompanied by telling the child or vulnerable adult where you are putting your hands and why it is necessary and obtaining their consent.
- Involve parents, guardians and carers wherever possible
- Build balanced relationships on mutual trust that empower children and vulnerable adults to share in the decision making process
- Recognise the developmental needs and capacity of children and vulnerable adults and avoid excessive training or competition and either pushing them against their will or putting undue pressure on them.

5.1.2 Practice to be avoided

In the context of your role within Charnwood Borough Council, the following practice should be avoided:

- Avoid having favourites – this could lead to resentment and jealousy by other children or vulnerable adults and could lead to false allegations

- Avoid spending excessive amounts of time alone with children or vulnerable adults away from others
- Ensure that when children or vulnerable adults are taken away from home adults avoid entering their rooms unless in an emergency situation or in the interests of health and safety. If it is necessary to enter rooms, the door should remain open, if appropriate
- Avoid taking children or vulnerable adults to your home.
- Avoid, where possible, doing things of a personal nature for children and vulnerable adults that they can do for themselves.

NB. It may sometimes be necessary to do things of a personal nature for children or vulnerable adults, particularly if they are very young or are disabled. These tasks should only be carried out with the full understanding and consent of the parent or guardian. In an emergency situation that requires this type of help, you should endeavour to have someone present and fully inform the parents as soon as it is reasonably possible. In such situations it is important that you ensure that all staff etc are sensitive to the child or vulnerable adult and undertake personal care tasks with the utmost discretion. Do not take on the responsibility for tasks for which you are not appropriately trained.

5.1.3 Practice never to be sanctioned

In the context of your role within the Council, the following practices should never be sanctioned:

- Never engage in sexually provocative games, including horseplay.
- Never engage in rough or physical contact except as permitted within the rules of the game or competition.
- Never form intimate emotional or physical relationships with children or vulnerable adults.
- Never allow or engage in touching a child or vulnerable adult in a sexually suggestive manner
- Never allow children and vulnerable adults to swear or use sexualised language unchallenged.
- Never make sexually suggestive comments to a child or vulnerable adult, even in fun.
- Never reduce a child or vulnerable to tears as a form of control.
- Never allow allegations made by a child or vulnerable adult to go unchallenged, unrecorded or not acted upon.
- Never share a room with a child or vulnerable adult for sleeping accommodation
- Never invite or allow children or vulnerable adults to stay with you at your home
- Never use the internet to access child pornography sites (see CBC Email and Internet Code of Conduct)

Important Note: In special cases sharing may be required for health and safety reasons or if the child is very young or particularly vulnerable. If so, explain why this is necessary to the child/vulnerable adult and their parent or guardian and seek their consent. Where possible ensure that at least two adults, preferably male and female are in the room.

5.2 First Aid and Treatment of Injuries

If a child or vulnerable adult requires first aid or any form of medical attention whilst in your care, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required
- Keep a written record of any injury that occurs, along with the details of any treatment given
- Where possible, ensure access to medical advice and/or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/vulnerable adult, in language that they understand and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible
- The child's or vulnerable adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to
- A notification of Accident Form must be completed and signed and passed to the Health and Safety Officer

5.3 For Transporting Children and Vulnerable Adults Away From Home

If it is necessary to provide transport or take children or vulnerable adults away from home the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or vulnerable adults
- Always tell another member of staff that you are transporting a child, give details of the route and the anticipated length of the journey
- Ensure all vehicles are correctly insured
- All reasonable safety measures are taken, e.g. children in the back seat, seatbelts are worn
- Ensure where possible, a male and female accompany mixed groups of children or vulnerable adults. These adults should be familiar with and agree to abide by the Council's Child and Vulnerable Adult Protection Policy and Procedures
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

5.4 Use of Contractors

Charnwood Borough Council and its staff, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the Council are monitored appropriately.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or vulnerable adults, should have their own equivalent Children and Vulnerable Adult Protection Policy, or failing this, must comply with the terms of this policy.

Where there is potential for contact with children or vulnerable adults it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Criminal Records Bureau check has been satisfactorily completed.

5.5 Guidelines on Children and Vulnerable Adults in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and vulnerable adults. In some cases, however, displaying certain information about children and vulnerable adults could place them at risk. The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or vulnerable adults at risk.

- Publications or information on an internet site must never include personal information that could identify a child and vulnerable adult. Any contact information must be directed to the Council or another relevant organisation's address.
- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable adult's parent/guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.
- The content of photographs or videos must not depict a child or vulnerable adult in a provocative pose or in a state of partial undress. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to not individual members. Credit for achievements by a child or vulnerable adult are to be restricted to first names.
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's Designated Child and Vulnerable Adults Protection Officer who will consult with the Head of Communication, Consultation and Partnerships.

5.6 Guidelines on Use of Photography, Videoing and Filming of Children and Vulnerable Adults

There is increasing evidence that some people have used children and vulnerable adults activities and events as an opportunity to take inappropriate photographs or video footage of children and vulnerable adults. The following procedures have been developed to protect children and vulnerable adults.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities you must ensure that you make your expectations clear in relation to child and vulnerable adult protection.
- Check credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and/or filming of a child or vulnerable adult must be obtained prior to the event or activity.

- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.
- An activity or event specific identification badge/sticker must be provided to, and clearly displayed at all times, by accredited photographers, film and video operators on the day of the activity or event.
- Do not allow unsupervised access to children or vulnerable adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or vulnerable adults home.
- It is recommended that the names of children or vulnerable adults should not be used in photographs or video footage, unless with the express permission of the child or vulnerable adult's parent or guardian.
- Charnwood Borough Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic /video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event.

The recommended wording is – *In line with the recommendation in the Councils Children and Vulnerable Adult Protection Policy, the promoters of the event request that any person wishing to engage in any video, zoom or close range photography should register their details with staff at the spectators entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoters conditions.*

Any concerns with photographers or video or film operators are to be reported to the Council's Child and Vulnerable Adult Protection Officer and where relevant, the Police.

5.7 Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of our expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser, their intent to use zoom, close range photography or filming equipment at an event.
- Children, vulnerable adults, parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the incident report form and pass on to the Child and Vulnerable Adult Protection officer to take appropriate action

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

“In line with Charnwood Borough Council's Children and Vulnerable Adults Policy, any person wishing to engage in the zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness”

5.8 Videoing as a Coaching Aid

There is no intention to prevent coaches or teachers using video equipment as a legitimate coaching aid. However, performers and their parents/carers should be aware that this is part of the coaching programme and care should be taken in the storing of such films.

Recommended Legislation and Guidance

Legislation

The Children Act 1989

Aims to ensure the welfare and development needs of children are met and that children are protected from harm

www.hmso.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm

Human Rights Act 1998

www.hmso.gov.uk/acts/acts1998/19980042.htm

The Data Protection Act 1984 and 1998

www.legislation.hmso.gov.uk/acts/acts1998/19980029.htm

The Protection of Children Act 1999

www.doh.gov.uk

Criminal Justice and Court Services Act 2000

www.hmso.gov.uk

Sexual Offences (Amendments) Act 2000

www.hmso.gov.uk

Health and Safety at Work Act 1974

www.hse.gov.uk

Criminal Records Bureau (CRB)

www.crb.gov.uk

Guidance

Working Together to Safeguard Children (Revised Version 2006, DFES)

<http://www.doh.gov.uk>

Every Child Matters (Department for Education and Skills)

www.dfes.gov.uk/everychildmatters

First Check – NSPCC

A step by step guide for organisations to safeguard children, implement a child protection policy, procedure and code of practice

www.nspcc.org.uk

Useful Contacts

Social Services

Children 01509 266641
Vulnerable Adults 01509 266641

Leicestershire Social Services

0116 265 7404

Leicestershire Constabulary

Child Protection Unit 0116 248 4858

Child Protection Unit Duty CPU Sergeant 0116 248 4842

Area Child Protection Committee – Leicestershire and Rutland

ACPC Policy Officer 0116 2657 407

NSPCC National Centre 0207 8252 500

42 Curtain Road

London

EC2A 3NH

Helpline

0808 800 500

www.nspcc.org.uk

Childline UK

Freepost 1111

0800 1111

London NI 0BR

Child Protection in Sport Unit
(England)

3 Gilmore Close

0116 234 7200

Beaumont Leys

Leicester

LE4 1EZ

www.sportprotects.org.uk

Sport England

16 Upper Woburn Place

020 72731500

London

WC1H 0QP

www.sportengland.org

Criminal Records Bureau

PO Box 91

0870 90 90 811

Liverpool, L69 2UH

www.crb.gov.uk

www.disclosure.gov.uk

Self Declaration Form

You have a right to information held on you and other rights under the Data Protection Act 1998

Part A

Title:	First Name:	Surname:	Any previous names by which you may have been known:
Address			
Postcode:			
Telephone number(s):			
E-mail address:			

Postcode **MUST** be completed

Date of Birth

--	--	--	--	--	--

Sex

M	F
---	---

*Please delete as appropriate.

I confirm that I have seen identification documents relating to this person, and I confirm to the best of my ability that these are accurate. Please detail which documents:

.....

Signature

Print Name

Date.....

Part B

Self declaration (for completion by the individual named in part A)

Failure to disclose relevant information will result in disciplinary action and possible termination of employment

I) Have you ever been convicted of a criminal offence? YES/NO*

If YES, please supply details of any criminal convictions:

.....

NOTE: You are advised under the provisions of the Rehabilitation of Offenders Act 1974 (exceptions) order 1975 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions Amendment) Order 1986 you should declare all convictions including 'spent' convictions

2) Are you a person known to any social services department as being an actual or potential risk to children? YES/NO*

If YES, Please supply details:

.....
.....

3) Have you had a disciplinary sanction (from a sports or other organisation's governing body) relating to child abuse? YES/NO*

If YES, Please supply details:

.....
.....

***Delete as appropriate**

IMPORTANT

I understand there is a need for me to be the subject of a criminal records check. I hereby consent to the organisation undertaking CRB Disclosure.

Signed by the above named individual:..... Date:.....

Print Name:

This form should be returned with your job application form in the 'Private and Confidential' envelope provided. It will not be opened until an applicant is selected for an interview. If the applicant is not selected the form is returned to them unopened.

Appendix D

Child and Vulnerable Adult Protection Incident Reporting Form

All information will be treated in strict confidence

Date:	Time:	Venue:
Your Name:		
Your Position:		
Name of child/vulnerable adult:		
Gender M/F	Age:	Date of birth:
Child/vulnerable adult's ethnic background:		
Any identified special needs or disability:		
Child/vulnerable adult's address:		
Tel No:		
Next of kin:		
Address (if different from above):		
Tel No (if different from above):		
Are you reporting you own concerns or passing on those of someone else? Please give details:		
Brief description of what has prompted the concerns: include dates, times etc of any specific incidents:		

If you have spoken to the child what exactly did they say, remember, do not lead the child – record the actual details. Continue on separate sheet if necessary.	
Have you spoken to the parent/carer(s)? If so, what was said?	
Has anybody been alleged to be the abuser? If so, give details:	
External agencies contacted (date and time)	
Police Yes/no	If yes which: Name and contact number: Details of advice received:
Social Services Yes/no	If yes which: Name and contact number: Details of advice received:
Other (e.g. NSPCC) Yes/no	If yes which: Name and contact number: Details of advice received:
Date:	Signature:

This form should now be given to a Designated Child Protection Officer by hand in a sealed envelope marked confidential.

NB A copy of this form should be sent to social services after the telephone report

Appendix E

Example Consent Form

All information will be treated in strict confidence

Please use block capitals and print clearly

Event/Activity:	Date:
Name of child:	Date of birth:
Home address:	
Home telephone No:	Mobile telephone No:
Medical conditions (if any) eg asthma, diabetes, allergies:	

I confirm that my son/daughter is in good health and I give consent for my son/daughter to participate in the above event/activity.

I consent to any emergency treatment required by my son/daughter during the course of the event/activity

I give consent for my son/daughter to be photographed during the course of the above event/activity and I consent to the photographs being used by Charnwood Borough Council for bona fide promotional purposes. This also includes the use on the World Wide Web (internet).

The information you provide will be used in accordance with the Data Protection Act 1998, to ensure the safety of all participants and may be shared with other people/organisations involved in the delivery of the above event/activity, if appropriate. By signing this form you are consenting to the Council using the information, which you have supplied in the manner stated above.

Name of Parent/Guardian:

Signature:

Date:

Appendix F

Consent Form for the use of Cameras and other Image Recorders

Venue/area:	Ref No:
Description of equipment:	
Surname:	Forenames:
Address:	
Tel No:	Mobile Tel No:
Fax No:	E-mail address:
Name(s) of the subject(s) 1 2 3 4	5 6 7 8
Relationship of the photographer and subject(s)	
Reason for taking photographs and/or uses the images are being, or are intended to be put to (i.e. family record/advertising etc)	

I declare that the information provided is true and correct and that images will only be used for the purposes stated.

Signed Date

Authorised by:..... Date:.....

Position held:

Under the Data Protection Act 1998 the information that you have provided will be used only for the purposes monitoring camera and image recorder use and will be destroyed at the end of a year.

Appendix G

Declaration

Charnwood Borough Council is fully committed to safeguarding the wellbeing of children and vulnerable adults by protecting them, from neglect, physical, sexual, emotional and financial harm.

Working as an employee or volunteer of Charnwood Borough Council or as an elected member it is important that you have taken time to thoroughly read this Children and Vulnerable Adult Protection Policy and Procedures.

By being made aware of the policy it is our intention to ensure that all are proactive in providing a safe and secure environment for the children and vulnerable adults in our care.

.....
Declaration:

I have read and understood Charnwood Borough Council's Children Protection Policy and Procedures and I accept the principles therein.

Signed: Date:

Name (Please print):

Position in organisation: