

Sedgefield Borough Council Safeguarding Children Policy and Procedures

1 Introduction

Sedgefield Borough Council acknowledges its shared responsibility for the protection and safety of children and young people up to the age of 19 years. Children have the right to be safe and happy in the activities that they, or their parents or carers choose, and parents have a right to believe that the organisations to which they entrust their children provide a safe environment. Therefore all organisations have a duty of care for the children for whom they provide activities or services.

Organisations such as the Council providing activities for children and young people are most likely to be taking all precautions and making every effort to ensure their safety. It is possible however, that there are people who work, or seek to work, in such organisations who may pose a risk to children and young people and who may harm them.

The purpose of this policy is to ensure that in discharging its functions the Council will have full regard for the need to safeguard and promote the welfare of children. It establishes the roles and responsibilities of managers and staff within the Council in relation to safeguarding and promoting the welfare of children and young people, procedures and reporting arrangements.

1.1 Background

The Children Act 1989

The Council acknowledges the moral and legal obligations placed on all Local Authorities by the Children Act 1989, specifically the responsibility to provide a duty of care, safeguard welfare and a right to protection from abuse, for young people especially, vulnerable groups irrespective of age, culture, ability, gender, language, racial origin, faith and/or sexual identity.

The main principles of the Act are as follows:

- The welfare of the child is the paramount consideration
- Wherever possible, children should be brought up and cared for within their own families
- Parents with children in need should be helped to bring up the children themselves; this help would be provided as a service to the child and his/her family and should:
 - Be provided in partnership with the parents;
 - Meet each child's identified needs
 - Be appropriate to the child's race, culture, religion and language;
 - Be open to effective independent representations and complaints procedure;

- Draw upon effective partnership between the local authority and other agencies, including voluntary agencies.
- Children should be safe and be protected by effective intervention if they are in danger
- When dealing with children, courts should ensure that delay is avoided, and may only make an Order if to do so is better than making no order at all
- Children should be kept informed about what happens to them and should participate when decisions are made about their future
- Parents will continue to have parental responsibility for their children, even when their children are no longer living with them (*not applicable in adoption cases*). They should be kept informed about their children and participate when decisions are made about their children's future.

Children in Need

The Children Act 1989 defines children in need as:

- 1 Those children
 - a) Who are unlikely to achieve or maintain a reasonable standard of health or development, or
 - b) Whose health or development is likely to be significantly impaired without the provision of services
- 2 Disabled children

Part III of the Children Act 1989 requires a corporate and inter-agency approach to promoting the welfare of children in need and their families, where help is requested of an authority it shall comply with the request if it is compatible with its own statutory and other duties.

Section 47 of the same Act states:

When a Local Authority is informed that a child who lives or is found in their area is:

- a) The subject of an Emergency Protection Order or,
- b) In police protection or,
- c) the Local Authority has reasonable cause to suspect that a child who lives or is found in their area is suffering or likely to suffer significant harm,

the authority shall make such enquires as it considers necessary to enable it to decide whether it should take any action to safeguard or promote the child's welfare.

Section 47 also places a responsibility upon all agencies to assist a Local Authority in carrying out enquiries into whether or not a child is at risk of significant harm.

The Council acknowledges that effective interagency working and recognition of the corporate responsibility of the authority and other agencies is essential and should be promoted through the overall frameworks provided by the Area Child Protection Committee, Investing in Children and the Children's Services Planning Process

1.2 Safeguarding Children

The Council recognises that safeguarding and promoting the welfare of children is a major corporate responsibility and that all services provided by this Council have an impact on the lives of children and families within the Borough. This Council also has a particular responsibility for those children and families most at risk of social exclusion. The Council is committed to practices that safeguard and promote the welfare of children and young people. All people acting on behalf of the Council such as employees, councillors and volunteers, whether paid or unpaid accept and recognise their responsibilities to develop awareness of the issues that cause children and young people harm and act when concerns arise.

For the purpose of this policy "a child or young person" means anyone up to the age of 19 years of age. This is also the target age range for youth work, however it is recognised that some services also focus on 19 - 25 age group.

The Council will ensure that all employees, members and others who are associated with services facilitated in some way by the Council are aware of this Policy and have access to the accompanying Guidance and code of Practice.

In ensuring the development of a safeguarding culture and ethos, the Council will ensure that:

- Its vision and corporate plan support the need to safeguard children and promote their welfare
- All senior managers are aware of the importance of safeguarding and promoting the welfare of children and are held to account regularly for the contribution of the services for which they are responsible to this objective.
- Appropriate procedures for recruitment of employees and volunteers are followed
- The induction process for all staff employed by the authority reiterates the importance of safeguarding the welfare of children and young people
- There are clear lines of accountability for the safeguarding work of each Department in the Authority
- Child Protection guidelines through procedures and a code of conduct for employees, volunteers, partners and members are in place
- Information about child protection and good practice is shared with children, parents and carers, employees, volunteers and councillors
- Information about concerns is with all partners and national agencies, agencies that need to know, and involving parents and children appropriately

- Effective management for employees and volunteers is achieved through supervision, support and training, ensuring that all staff and volunteers who come in to contact with children during the course of their work undergo the appropriate Criminal Records Bureau check
- Effective training and support to elected members is provided
- Any allegation is responded to appropriately and efficiently, implementing the appropriate disciplinary and appeals procedures where necessary

This policy is to be used in conjunction with the Council's

- Equality Policies
- Complaints Procedure
- Disciplinary Procedure
- Data Protection Policy on the use of photographs and videos
- Confidential Reporting Policy
- Employment of Ex-Offenders Policy
- Policy for the use of the Internet
- Guidance on Criminal Record Bureau (CRB) Disclosures
- Health and Safety at Work Policy

2 What is Child Abuse?

2.1 There are four main forms of child abuse:

Physical Abuse

Physical abuse may involve actions such as hitting, shaking, squeezing, burning and biting as well as giving children alcohol, inappropriate drugs and poison. Physical abuse as well as being a deliberate act, can be caused by an omission or failure to act to protect.

Sexual Abuse

Sexual abuse involves forcing or enticing the child or young person to take part in sexual activities whether or not the child is aware of, or consents to, what is happening. Sexual abuse can involve penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling. It may also involve non-contact activities such as showing pornographic material or encouraging children to behave in sexually inappropriate ways.

Emotional Abuse

Persistent lack of love and affection where a child may be constantly shouted at; threatened or taunted which may make the child very nervous and withdrawn. Emotional abuse may also occur when there is constant over protection and unrealistic pressure to succeed. Some level of emotional abuse is involved in all types of ill treatment of children although it may occur alone.

Neglect

Neglect is the persistent failure to meet a child's basic physical and or psychological needs. These needs include, for example, adequate food and warm clothing and also medical care. Children may be left alone unsupervised. Emotional neglect is when children are deprived of love and affection.

Other key areas of child abuse include:

Domestic Violence

Domestic violence and child abuse frequently co-exist; domestic violence may be a child protection issue

- A parent who is physically abusing the child's other parent may also physically abuse and/or kill children
- Where domestic violence is present and children are in the family, in the majority of cases the children are in the same or an adjacent room
- Children may be placed in physical danger when domestic violence is happening
- Children may have needs neglected when domestic violence causes a climate of fear to evade their home
- Children may learn inappropriate behaviour responses (e.g. bullying) through witnessing domestic violence
- Child abuse is 15 times more likely when domestic violence is present

Domestic violence encompasses a wide range of abusive acts that can be psychological, emotional, sexual or physical.

Children are affected by domestic violence as primary victims through exposure to and direct experiences of abusive relations. Domestic violence usually occurs in the home but may also occur outside the home, for example in the street, pub or work place.

Child on Child Abuse

- **Sexual Abuse** – Many adult sex abusers begin committing their abusing acts during childhood or adolescence and in many cases are themselves victims of abuse. It is therefore an important child protection function to ensure that such behaviour is treated seriously and is always subjected to a referral to child protection agencies. Children and young people who are abusers are themselves in need of help.
- **Physical Abuse** – Minor assaults by a child on another child; those, which would normally be associated with school child disputes, would not generally fall within a Child Protection Policy and Procedures. However where an assault is one of serious nature or there is a suspicion or allegation that he/she is being systematically bullied or physically abused this may then be seen as a Child Protection issue for both the victim and the perpetrator.

2.2 Recognising Child Abuse

Recognising child abuse is not easy and it is not the responsibility of employees or volunteers to decide whether or not abuse has taken place or if a child is at significant risk. Employees and volunteers however do have a responsibility to report their concerns promptly.

Indications that a child is being abused:

- Unexplained or suspicious injuries such as bruises, cuts and burns, particularly if situated on parts of the body not normally prone to such injuries
- Injuries for which an explanation seems inconsistent
- Child's fear of parents being approached about such injuries
- Reluctance to get changed e.g. wearing long sleeves in hot weather
- Flinching when touched or approached
- A failure to thrive or grow
- Sudden speech disorders
- Difficulties in making friends
- The child is prevented from socialising
- Sudden or unexplained changes in behaviour
- Fear of being left with a specific person
- Sexually explicit behaviour
- Sexual knowledge beyond their age and development level
- A distrust of adults particularly those with whom a close relationship would normally be expected
- Constant hunger, sometimes stealing food
- The child being dirty/smelly and unkempt
- Loss of weight
- Inappropriate dress for the conditions

This list is by no means definitive and it is important to remember that many children and young people will exhibit some of these indicators at some time and the presence of one or more should not be taken as proof that abuse is occurring. There may be other reasons for changes in behaviour, such as a death in the family or the birth of a new baby.

It is crucial to note that this is only a process of observation and that at no point in time should any person working on behalf of the Council feel that they should be actively seeking out abuse or an abuser. The responsibility of all people working on behalf of the Council is to ensure that if they have concerns about the welfare of a child or young person, they must report it and must never assume that others will do it.

3 Safeguarding Children Protection Procedures

The aim of these procedures is to ensure people representing, working for, or on behalf of the Council, or who are associated with services facilitated in some way by the Council:

- Have a clear understanding of their responsibilities when working with children and young people
- Recognise the signs of child abuse and the appropriate course of action to be taken in such circumstances
- Understand the potential risk to themselves and ensure that good practice is adhered to at all times
- Recognise signs of improper behaviour from other people working for or on behalf of the Council or otherwise and take appropriate action should this occur

3.1 Service Specific Child Protection Policies

This document represents the corporate policy and procedures of the Council in relation to safeguarding and promoting the welfare of children and young people. It is recognised that some Council services work far more closely with children, young people and their families than others. In these instances individual services or Sections within the Council will need to ensure that they have in place more specific child protection policies and procedures tailored to their own services operational characteristics. These should be consistent with this overarching framework. The requirement for a more specific policy approach is likely to apply to services such as Leisure Services, Community Wardens, Housing Maintenance, Training Services and local Sure Start programmes for example.

Everybody in the Council should be clear about their responsibilities for safeguarding and promoting the welfare of children. Each Department in the Council should ensure that it has a written statement of its responsibilities in this area, which is accessible to all staff. Where appropriate, the statement may form part of an existing document. It should explain the contribution of the Department to safeguarding and promoting the welfare of children in relation to services for children and families this should permeate down to team and where appropriate individual level.

Establishing senior management commitment and identifying clear lines of accountability

Each Department will appoint a Director or Head of Service as “Safeguarding Champion”. That person will be responsible for communicating the importance of safeguarding and promoting the welfare of children throughout the Department. He/she should also ensure that there are clear lines of accountability for the Departments contribution to safeguarding children.

3.2 Staff Recruitment

Under the Police Act 1997, Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000 it is an offence for any organisation to offer employment that involves regular contact with children under the age of 18 to anyone who has been convicted of certain specified offences, or included on lists of people considered unsuitable for such work by government departments. It is also an offence for people convicted of such offences to apply for work with children. Specified offences include murder or manslaughter, rape, grievous bodily harm and a number of sexual offences involving children.

All existing and potential employees who have regular or unsupervised contact with children through their employment with the Council will only be appointed using the Council's recruitment procedures. The Council will ensure that the following checks are made on all people who seek appointment to such a position:

- Identity
- Academic qualifications
- Vocational qualifications
- Professional and character references
- Previous employment history
- Appropriate Criminal Record Bureau Check (Disclosure)
- Medical/Health Check

The CRB Disclosure Service is not considered a substitute for existing pre-employment checks; rather they complement existing recruitment practice and will only be sought after a conditional offer of employment is made.

The CRB provide criminal record checks for people working with children and young people, reducing the risk that unsuitable people can gain employment with children. The CRB aims to help employers and voluntary organisations make safer recruitment decisions through a service called Disclosure. Employers can ask successful candidates to apply to the Bureau for a Disclosure, which will contain information about their criminal record. The Bureau issues three types of Disclosure, each representing a different level of check. The level of check is determined by the duties of the particular position or job involved. The CRB will advise applicants and employers what type of disclosure is appropriate in individual cases. Generally work with children and young people or vulnerable adults qualify for the most detailed checks.

The CRB checks draw on five primary sources of information to confirm the offence details of successful applicants:

- The Police National Computer
- Local Police Force Records
- Records held by the Department of Health
- Records held by the Department for Education and Employment
- Records held by the Home Office

The following levels of Disclosure are available:

Basic Disclosure (CRB aim to introduced Basic Disclosures in 2005) contains details of convictions held on the Police National Computer that are unspent

according to the Rehabilitation of Offenders Act 1974. All employers can request the production of a Basic Disclosure as part of the normal recruitment process.

Standard Disclosure contains information about both spent and unspent convictions, as well as cautions, warnings and reprimands, and concerns positions that are exempted under the Rehabilitation of Offenders Act. It is available in relation to posts that involve regular contact with children and other vulnerable groups. As well as central police records, the Standard Disclosure contains any relevant information held by the Department for Education and Employment and the Department of Health.

Enhanced Disclosure relates to particularly sensitive areas of work, for example that involving unsupervised contact with children, or posts that require gaming, betting or lottery licences. As well as containing the same information as the Standard Disclosure, Enhanced Disclosure may also contain any non-conviction information from local police records that is considered relevant.

In order to access this information the Council has registered with the CRB and has identified lead and counter signatories to manage and process the information. The Head of Service Improvement is the lead signatory for the Council. Counter signatories are located throughout the Council and are responsible for processing applications and controlling the use, access too and the security of Disclosure information.

Posts identified as Requiring CRB Checks

The posts listed below have been identified as requiring CRB checks because by their nature they involve staff having regular contact with children, young people and other vulnerable people. All new post will also be assessed to ascertain whether they should be added to this list.

- Neighbourhood Wardens
- Wardens and Mobile Workers
- Meals on Wheels Delivery
- Training Officers
- Sports and General Attendants
- Duty Managers
- Fitness Coaches
- Crèche Assistants
- Play Leaders and assistants
- Sure Start Employees
- Housing Support Officers
- Housing Maintenance Workers

The appropriate Heads of Service and/or Section Head should undertake this assessment in consultation with the Council's Human Resources Section. In making the assessment regard should be given to an analysis of the role of the post; the amount of time the post holder will have contact with children and young people and the working environment that this contact is likely to take place in; and potential management safeguards that could be applied to mitigate any identifiable risks.

For further information on CRB checks reference should be made to the Guidance on Criminal Records Bureau Disclosure procedures available from the Council's Human Resources Section.

3.3 Training

The Council recognises that it has a commitment to ensure that all employees have a clear understanding of their roles and responsibilities when working with children and young people. To this end the Council will develop and maintain a structured training programme which will ensure employees members and representatives of the Council gain and maintain a sound knowledge and understanding of the:

- The different signs of abuse and what appropriate course of action should be taken in such circumstances
- The potential risks to themselves and ensure that good practice is adhered to at all times
- Signs of improper behaviour from other employees and take appropriate action should this occur
- Individual and corporate roles and responsibility and the lines of accountability in relation to safeguarding and promoting the welfare of children and young people
- Individual roles and responsibilities of all counter signatories and all employees dealing with CRB Disclosures receive appropriate training.

3.4 Area Child Protection Committee (ACPC) -

In developing this policy the Council has taken into consideration the ACPC Child Protection Procedures. The ACPC provides a forum for developing, monitoring and reviewing local child protection policies and promotes effective co-operation between the agencies involved. It has established procedures to be followed in child protection cases, including the organisation of child protection conferences.

Managers within the Council whose staff work with children will make themselves aware of the work of the ACPC and their Child Protection Procedures and where possible contribute to the co-ordinated approach to child protection by developing effective liaison with other agencies and support services.

Local Safeguarding Children Boards (LSCB) will supersede Area Child Protection Committee from 2005. The inauguration of the Durham LSCB is expected to take place in April 2005.

Statutory guidance will soon be issued to agencies that are required to participate in the Local Safeguarding Children Boards as Board partners, which includes local authorities. This guidance will explain how agencies should come together as LSCBs to coordinate and ensure the effectiveness of what is done by each partner for the purposes of safeguarding and promoting the welfare of children.

4 Reporting Procedures

Where an employee or representative of the Council has grounds to believe that a young person may be suffering from or at risk of child abuse they should act immediately, following the relevant procedures outlined below.

Where there is immediate risk of harm to the young person the employee where possible should ensure their immediate safety. This should be followed by an immediate referral to Social Services/Police with the urgency of the situation emphasised. In all cases where there is a concern about a child's welfare, concerns should be formally referred to social services or the police on the same day and followed up in writing within 48 hours.

Confidentiality

The legal principle that "the welfare of the child is paramount" means that considerations of confidentiality that might apply to other situations within the Borough Council should not be allowed to override the right of the child to be protected from harm.

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the individual reporting the matter. At the appropriate time, however, the individual may need to come forward as a witness.

4.1 Responding to a child making an allegation of abuse

1. Stay calm
2. Listen carefully
3. Find an appropriate, early opportunity to explain that it is likely that the information will need to be shared. Do not promise to keep secrets
4. Ensure the safety of the child or young person – if the child or young person needs immediate medical treatment, call an ambulance, ensure the doctors are aware of your concerns and ensure that they are aware that this is a Child Protection issue. The situation should also be referred directly to Social Services.
- 5 Allow the child to continue at their own pace
- 6 Avoid leading the child or young person and keep any questions to the absolute minimum necessary to ensure a clear understanding of what has been said: **DO NOT interview the child or other witnesses**
- 7 Reassure the child that they have done the right thing in telling you
- 8 Tell them what you will do next and with whom the information will be shared
- 9 Record in writing what was said using the child's own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure that you sign and date this record.
- 10 Relay this information immediately to your line manager
- 11 Maintain confidentiality and do not discuss with any other persons unless requested to do so by you line manager.

12 Parents and Carers will be contacted only after the Designated Officers have taken advice from Social Services

It is important that everyone across the Council are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. This is the task of the professional child protection agencies following a referral to them of concern about a child.

4.2 Reporting signs and suspicions of abuse

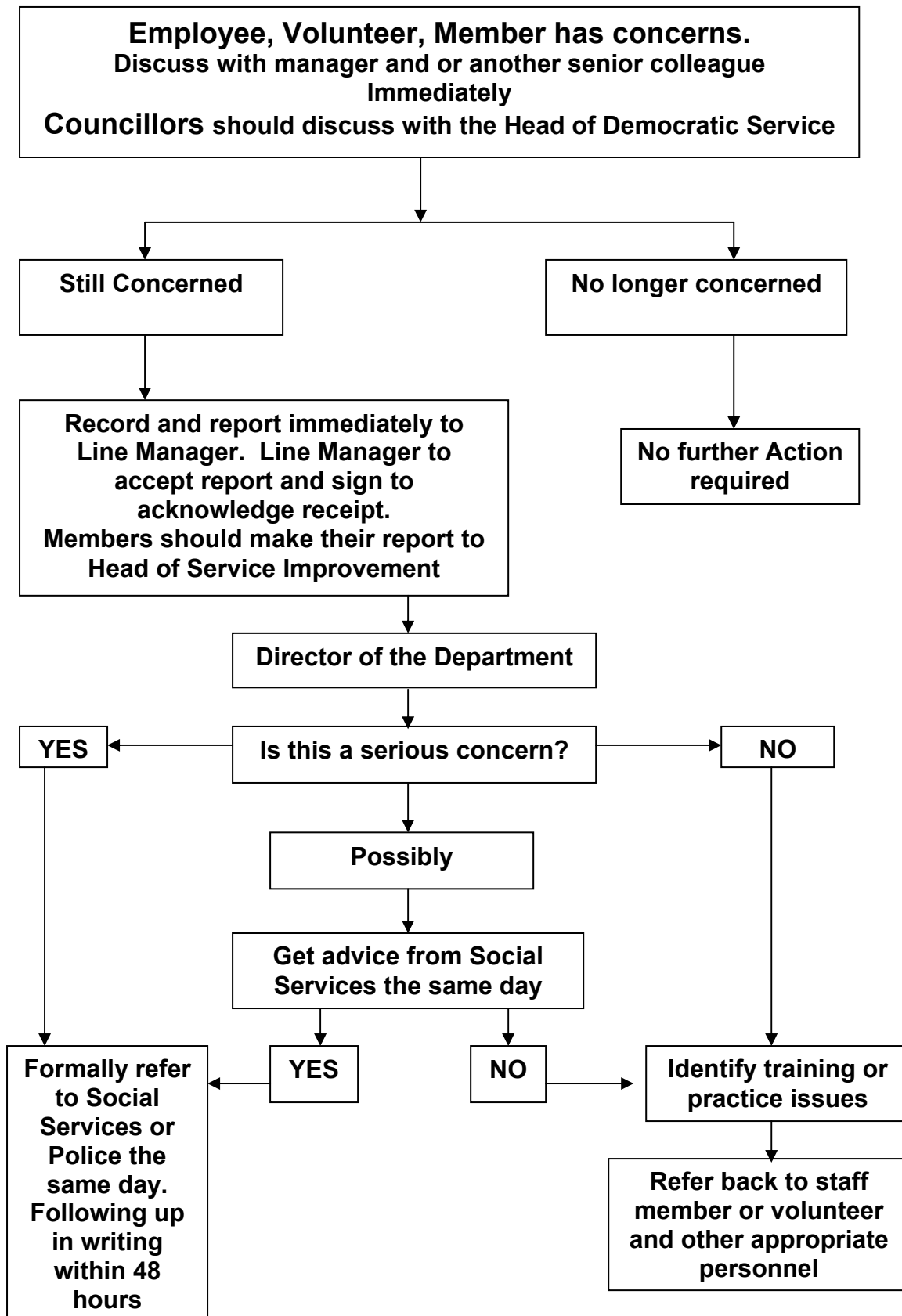
Any person working on behalf of the Council who is concerned about an individual child or young person should record these concerns and any conversations they may have had with the child or parents on the Checklist For Reporting Suspected Abuse (see page 14) and report them to their line manager immediately. The written report should be signed and dated by the person making the report and the Line Manager. Both parties should retain a copy of the report.

On receipt of a report the Line Manager should immediately submit this report to the Department Director. The Department Director will decide whether the nature of the report requires immediate intervention and if so will report the situation directly to Social Services, who will then decide whether Police involvement is required. If the report has potential implication for an employee of the Council the Director will inform the Head of Service Improvement who will then take the appropriate action, including instigating disciplinary proceedings if appropriate. All reports and associated correspondence will be stored securely and will only be shared with those who need to know.

The flow chart over leaf shows the procedure for reporting concerns about a child's welfare:

4.3 Process For Reporting Child Protection Issues

The timescale from the initial concern being reported to the line manager and referral to Social Services should in all cases happen within the same day.



Checklist for Reporting Suspected Abuse

1. Name of Child: _____ Age _____ Date of Birth _____
2. Any special factors e.g. disability, or non-English speaker _____
3. Parent's/carer's names _____
4. Home address and phone number if available _____

_____ Tel No: _____
5. Details of any other children living in the home _____

6. Are you reporting your own concerns or passing on those of somebody else? If someone else give details _____
7. Brief description of what has prompted the concerns: including dates, times etc of any specific incidents _____

8. Any physical signs? Behavioural signs? Indirect signs? _____

9. Have you spoken to the child? YES NO if so what was said (Continue overleaf if necessary) _____

10. Have you spoken to the parent/s? YES NO If so what was said? (Continue overleaf if necessary) _____

11. Has anybody been alleged to be the abuser/s? YES NO if so give details _____

12. Have you consulted anybody else? YES NO If yes give details _____

State your name and position _____

State the name and position of the officer you are handing the report to _____

Date the report _____ Sign the report _____

Signature of Officer accepting the Report _____

Note

Once both parties have signed the report the person submitting the form should retain a copy for future reference. All forms, correspondence and reports related to this matter should be held in strictest confidence and stored/filed in a secure cabinet with restricted access.

4.4 Responding to suspicions or allegations that a colleague may be abusing a young person or not following the code of good practice

General Responsibility of Staff and Representatives of the Council

Any person working on behalf of the Council who suspects that a colleague may be abusing a child or young person must act on their suspicions. Action should also be taken if it is felt that colleagues are not following the codes of conduct set out in this document. This action will serve not only to protect children but also colleagues from false accusations:

Employees are often the first to realise that there may be something seriously wrong within their own working environment. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the Council and that there is a possibility that their concerns are unfounded. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may be a suspicion of malpractice.

The Council acknowledges that this is an extremely sensitive issue and assures all employees and persons working on its behalf that it will fully support and protect anyone, who in good faith reports a concern or an allegation that a colleague is, or may be, abusing a child.

The Council's Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the council rather than overlooking a problem or "blowing the whistle" outside. This is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse, or
- Other unethical conduct

There are other procedures in place to enable staff to lodge a grievance relating to their own employment.

How to raise a concern

If any person working on behalf of the Council has concerns of an operational nature (such as a breach of procedures) and they feel comfortable doing so they should raise the matter with their immediate manager or supervisor. However in relation to serious issues such as suspected child abuse and or breaches of procedures relating to child protection, which they do not feel able to report to their immediate manager or supervisor, they should approach the Chief Executive, Director of Resources or the Monitoring Officer immediately. These concerns will then be discussed with the Head of Service Improvement who will be able to advise on the way forward.

The Council believes that this high level reporting reflects the seriousness and sensitivity of the issues involved within the scope of the Confidential Reporting Policy.

In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

An accurate note should be made of:

- The background and history of the concern (giving relevant dates)
- The reason why you are particularly concerned about the situation
- The date and time of the incident and disclosure
- The parties who were involved
- What was said and done by whom
- Any further action taken by the Council to investigate the matter
- Any further action e.g. the suspension of a worker
- Details of which statutory agencies the report has been referred
- Where relevant, reasons why there was no referral to a statutory agency
- The full name of the person/s reporting and to whom reported

The Human Resources Section must store this record securely and it should be shared only with those who need to know. Remember in all cases the welfare of the child is the paramount consideration, in the case of suspected child abuse the early concerns are expressed the easier it is to take action and eliminate any immediate risks to children. Every effort should be made by all concerned to ensure that any cases of suspected child abuse are reported to the appropriate statutory body, either (Social Services or the Police) on the same day as the concern are raised.

Should members of staff or others lack the confidence or trust to make their disclosure of information to an internal source the Audit Commission has set up a confidential hotline and the Council would suggest that this be your first contact rather than other external regulatory bodies. The number of the telephone hotline is 0171 630 1019.

Dissatisfaction with the Council's Decision not to Report the Incident, Allegation or Suspicion.

Should an employee or representative of the Council be dissatisfied with the Council's decision not to report an incident, allegation or suspicion, they may report their concerns directly to Social Services or the Police.

During Office Hours

a) To contact Social Services – Telephone either:

- | | |
|----------------------|--------------|
| • Spennymoor | 01388 819512 |
| • Newton Aycliffe | 01325 314466 |
| • Social Care Direct | 0845 8505010 |

and tell the customers Services section that you want to make a Child Protection Referral.

- b) To contact the Police – Telephone Newton Aycliffe Police Office 01325 314411 and ask for the Child and Family Protection Unit. If they are not in tell the person answering the phone that you want to make a Child Protection Referral.

Out of Office Hours

- a) To contact Social Services – Telephone Social Care Direct 0845 8505010 or the Emergency Duty Team 01740 657796
- b) To contact the Police – Telephone Newton Aycliffe Police Office 01325 314411 and ask for the Child and Family Protection Unit. If they are not in tell the person answering the phone that you want to make a Child Protection referral.

Emergency – In emergencies dial 999 and report the incident to the relevant emergency services (Police, or fire and Rescue Services) stressing that this is an emergency Child Protection Referral.

Code of Conduct and Good Practice

These guidelines are designed not only to protect children and young people but to also protect people, working for and on behalf of the Council from situations where false allegations may be occur. This applies to employees, elected members, appointed agents and contractors as well as representatives of organisations working alongside Council staff or when using Council owned buildings or other facilities.

Code of Conduct

1 When in contact with children and Young people individuals must:

- Treat all children and young people and their possessions with respect
- Provide an example of good conduct for others to follow
- Ensure that whenever possible there is more than one adult present during activities with children and young people, or at least that they are within the sight or hearing of others
- Respect a young person's right to personal privacy and encourage young people to feel comfortable and caring enough to point out attitudes or behaviour they do not like
- Remember that someone else might misinterpret actions, no matter how well intentioned
- Be aware that physical contact with a child or young person may be misinterpreted and be mindful of how and where they touch young people
- Recognise that special caution is required when discussing sensitive issues
- Challenge unacceptable behaviour and report all allegations/suspensions of abuse
- Be identifiable and wear a name badge at all times
- Keep the child's needs first and delivering services second

2 When in contact with Children and Young People individuals must not:

- Have inappropriate physical or verbal contact with children or young people
- Make sexually suggestive comments, even in fun
- Make derogatory remarks or gestures in front of children and young people
- Jump to conclusions about others without checking the facts
- Exaggerate or trivialise child abuse issues
- Show favouritism to individuals
- Ask young people to do things that are potentially dangerous, illegal or otherwise unreasonable
- Allow bullying
- Believe that "it could never happen to me" in terms of allegations being made against them
- Take chances when common sense, policy or practice suggests a more prudent approach

Good Practice

1 Contact with Children

- Do not spend excessive amounts of time alone with children away from others
- Children under 18 years should never be taken alone on a vehicle journey
- Do not take children to your home
- Never meet up with children outside of your work with the Council unless it is with the full consent and knowledge of the child's parents/carers and your manager
- Never enter a house when a child is on their own

2 Relationships

All employees, elected members and volunteers should be aware that in the course of their work they should **never**:

- Engage in rough physical games including horseplay
- Engage in sexually provocative games
- Allow or engage inappropriate touching of any form
- Allow children to use inappropriate language unchallenged
- Make sexually suggestive comments about or to a child, even in fun
- Let allegations a child makes be ignored or go unrecorded
- Do things of a personal nature for children that they can do themselves i.e. help them to dress, or use the toilet

3 Intimate Care

It may sometimes be necessary for employees/volunteers to do things of a personal nature for children who cannot do them themselves, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of the parents. If an emergency situation arises that requires this type of help then parents and the Council should be fully informed as soon as is reasonably possible.

4 Restraint

Restraint is where a child is being held, moved or prevented from moving against their will because not to do so would result in injury to themselves, or to others or would cause significant damage to property. Restraint must always be used as a last resort, when all other methods of controlling a situation have been tried and failed. Restraint should never be used as a punishment or to bring about compliance (except where there is risk of injury).

Only employees or volunteers who are properly trained in restraint techniques should carry it out. A young person should be restrained for the shortest period necessary to bring the situation under control.

USEFUL CONTACT INFORMATION

Social Services Contact Information

Social Care Direct 0845 8 50 50 10

Open

8am - 8pm weekdays

9am - 1pm Saturdays

Automatic re-direct to Emergency Duty Team at all other times

Text Messaging 07786 027280

E-mail scd@durham.gov.uk

Fax No 0191 383 5752

Minicom 01429 884 124

www.durham.gov.uk

Police (ask for the Child and Family Protection Unit)

Police Head Quarters

Detective Inspector

Force Liaison Officer

Child and Family Protection

Police Headquarters

Aykley Heads

Durham

DH1 5TT

Tel 0191 386 42929

Direct Line 0191 375 2253

Spennymoor Police Office

(Open 8am – 12 midnight)

Wesleyan Road

Spennymoor

Co Durham

DL1 6FB

Tel 01388 814411

Domestic Violence Co-ordinator

Tel 01325 7427730

Community Safety

Tel 01325 742714

Bishop Auckland Police Office

(Open 24 hours)

Woodhouse Lane

Bishop Auckland

County Durham

DL14 6LB

Tel 01388 603566

Newton Aycliffe Police Office

(Open 24 hours)

Central Avenue

Newton Aycliffe

Co Durham

DL5 5RW

Tel 01325 314401

Hospitals

Bishop Auckland General Hospital

Cockton Hill Road,
Bishop Auckland,
County Durham,
DL14 6AD
Tel: 01388 455000

Darlington Memorial Hospital

Hollyhurst Rd,
Darlington,
County Durham,
DL3 6HX
Tel: 01325 380100

University Hospital of North Durham

North Rd,
Co Durham,
DH1 5TW
Tel: 0191 3332333

University Hospital of North Tees

Hardwick Road
Stockton on Tees
Cleveland
TS19 8PE
Tel 01429 266654

University Hospital of Hartlepool Holdforth Road

Hartlepool
Cleveland
TS2 4AH
Tel 01429 522842 1863983

County Hospital

North Road
Co Durham
DH1 4ST
Tel 0191 3336262

National Drugs Help Line

RE-SOLV

National No 0808 800 2345
9am – 5pm Monday – Friday
email: helpline@re-solv.org

Free Confidential information and support
24 hour HELPLINE: 0800 776 600

Domestic Violence

East Durham Domestic Violence Forum

Office Hours 9am - 5pm weekdays
Floor 3
Upper Yoden Way
Peterlee
Co. Durham
SR8 1BB
Tel 0191 587 1555 Email d.trotter@lineone.net

East Durham Domestic Violence Forum 24 hour HELPLINE 0191 586 3055

NSPCC 24 Hour HELPLINE 0808 800 5000

Panah Black Women's Refuge 0191 2846998

Sedgefield Borough Women's Refuge 0191 586 3055

Sedgefield Borough Victim Support

4 Beveridge Walkway

Newton Aycliffe

Co Durham

DL5 4EE

Tel 01325 319 263

Email elbdtl@uk.uumail.com

National Victim Support Line 0845 30 30 900

LEGISLATIVE FRAMEWORK FOR SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN

The Children Act 1989

Section 17 of the Children Act 1989 places a general duty on **every** local authority:

- To safeguard and promote the welfare of children within their area who are in need; and
- So far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.

The Children Act 1989 places two specific duties on agencies to co-operate in the interests of vulnerable children.

a) Section 17 provides that a local authority may request help from:

- Any local authority;
- Any local education authority;
- Any local housing authority;
- Any health authority, Special Health Authority or National Health Service Trust; and
- Any person authorised by the Secretary of State

In exercising the local authority's function under Part III of the Act. This part of the Act places a duty on local authorities to provide support and services for children in need, including children looked after by the local authority and those in secure accommodation. The authority whose help is requested in these circumstances has a duty to comply with the request, provided it is compatible with its other duties and functions.

b) Section 47 places a duty on:

- Any local authority;
- Any local education authority;
- Any housing authority;
- Any health authority; Special Health Authority or National Service Trust; and
- Any person authorised by the Secretary of State

To help a local authority with its enquiries in cases where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

Statutory Guidance on making arrangements under Children Act 2004

This guidance will set out the arrangements that agencies should make in order to comply with the Children Act 2004. Part 1 of the guide will set out the processes

that are likely to be common to all agencies to which the duty applies. There will however, be differences in how they are applied depending on the function of each agency. Part 2 describes how these processes should be implemented in each particular agency to which the Act applies.

The guidance will be issued under the Children Act 2004. This means that all agencies covered by the duty need to “have regard” to the policy set out in the guidance in discharging the duty. The requirement ‘to have regard to means, that agencies should act in accordance with this guidance unless there is a good reason not to. If an agency decides to depart from the guidance, it will have to give clear reasons for doing so, and those reasons would be open to being challenged under ordinary administrative law principles, such as reasonableness, fairness and rationality.

The guidance may also be used for private and voluntary organisations that have a contribution to make to safeguarding and promoting the welfare of children.

The commencement date for Children Act 2004 is 1st April 2005, the date by which, agencies will be expected to be complying with the guidance.

Housing Act 1996

Section 213A of the Housing Act 1996 (as amended by the 2002 Homelessness Act) ensures that a Housing Authority contacts Social Services (with consent) when a family with children is ineligible or intentionally homeless – i.e. they are not owed the main homelessness duty – and the family wishes to seek assistance under Part 3 of the Children Act. Even if consent is withheld the Housing Authority may disclose information about a homelessness case to Social Services if the child is or may be at risk of significant harm.

Section 213A also ensures that housing authorities cooperate with social services to provide advice and assistance as is reasonable to help ineligible or intentionally homeless households with children to obtain accommodation. However the duty does not extend to providing accommodation for the household.

EVERY CHILD MATTERS

In his report into the death of Victoria Climbié, Lord Laming concluded that “ the suffering and death of Victoria was a gross failure of the system”.

One of the key reasons why the system failed Victoria so badly and why it has failed other children over the years, is because agencies that come into contact with children on a regular basis do not give sufficient priority to safeguarding and promoting the welfare of children. This means that:

- The system does not always focus on the child’s needs. For example in Victoria’s case, the focus was on the needs of the adults responsible for her, rather than the child herself
- Senior managers, right up to Chief Executives and Chairmen, do not know enough about, and take enough responsibility for, the actions of their staff in relation to safeguarding and promoting the welfare of children
- It is difficult for agencies to work together effectively to safeguard and promote the welfare of children

- Many staff are not adequately trained in safeguarding children. This is a particular problem for staff who often come into contact with children and families but are not considered to be “child protection specialist”

In response, Clause 8 of the Children Bill places a duty on key local agencies to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. The aim of this duty is to ensure that services are delivered, top to bottom, with safeguarding and promoting the welfare of children in mind.

The duty to make arrangements to safeguard and promote welfare is part of a comprehensive programme of ***Change for Children***, which began, with the publication of the ***Every Child Matters Green Paper*** in September 2004. At the very heart of this programme is the recognition that protecting children from harm cannot be separated from policies to improve children’s lives as a whole. The programme is designed to improve the outcomes for children that they thought were important, i.e:

- Being healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic well being

FURTHER INFORMATION ON CHILD PROTECTION AND OTHER RELATED ISSUES CAN BE OBTAINED FROM THE FOLLOWING PUBLICATIONS

1. Area Child Protection Committee Child Protection Procedures
2. Working together to Safeguard Children (Department of Health)
3. Every Child Matters
4. What To Do If You're Worried A Child Is Being Abused (Department of Health Publication) [www.doh.gov.uk/safeguarding children/index.htm](http://www.doh.gov.uk/safeguarding%20children/index.htm)
5. Children in Need (Durham County Council Social Services Department)
6. The Children Act 1989
7. Working With Young People – 'Legal Responsibility and Liability' Children's Legal Centre 1998, 4th Edition
8. The Children's Legal Centre Briefing: "Confidentiality: Law and Guidance" 1998
9. LEA 'Outdoor Education Policy and Guidance'
10. Sexual Offences Act 2003

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