

Public Document Pack

09 September 2008

Dear Councillor

A meeting of the Council will be held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 18th September, 2008 at 6.00 pm

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roy Templeman', written over a light grey rectangular background.

R TEMPLEMAN

Chief Executive

AGENDA:

1. Apologies for Absence
2. To Confirm the Minutes of the Previous Meeting (Pages 1 - 6)
3. Public Speaking
4. To receive declarations of interest from Members
5. Report from the Leader of the Council
6. Reports from Portfolio Holders
 - a) Neighbourhood Services
 - b) Community Engagement and Partnerships
 - c) Regeneration and Strategic Planning
 - d) Resources and Value for Money

7. Questions to Leader and Executive Members
8. Cestria Board - Council Representation to the Board
9. To accept the report of the Audit Committee held 3 July 2008 (Pages 7 - 8)
10. Proposal to Charge for Discharge of Planning Conditions (Pages 9 - 16)
11. Early Integration of the Local Development Framework Function (Pages 17 - 26)
12. Children and Young People Policies (Pages 27 - 96)
13. Correspondence
14. Conferences
15. Common Seal
16. Exclusion of Public and Press. To Resolve:
'That under Section 100A of the Local Government Act 1972, the Public and Press be excluded from the meeting for the following item of business on the grounds it involves the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act.'
17. Office of Surveillance Commissioners Inspection Report of 2008 and Council Policy on Covert Surveillance and Covert Human Intelligence Sources. (Pages 97 - 122)
18. Proposed Early Retirement and Voluntary Redundancy of the Chief Executive. (Pages 123 - 160)

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of Council held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 24 July 2008 at 6.00 pm

PRESENT:

Councillor D Thompson (Chairman)

Councillors

| | |
|--------------|---------------|
| G Armstrong | P H May |
| L Armstrong | P B Nathan |
| S Barr | K Potts |
| L E W Brown | M Potts |
| G K Davidson | J M Proud |
| L Ebbatson | D L Robson |
| M Gollan | J Shiell |
| S Greatwich | T J Smith |
| R Harrison | A Turner |
| D M Holding | S C L Westrip |
| M D May | |

Officers: R Templeman (Chief Executive), I Forster (Director of Corporate Services), I Herberson (Head of Corporate Finance) and C Turnbull (Democratic Services Officer)

There were 2 members of the public present.

30. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors JW Barrett, R Court, P Ellis, TH Harland, SA Henig, A Humes, CJ Jukes, W Laverick, M Sekowski, F Wilkinson and A Willis.

31. TO CONFIRM THE MINUTES OF THE MEETING HELD 26 JUNE 2008

The minutes of the proceedings at the meeting of the District Council held on 26 June 2008 copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

32. PUBLIC SPEAKING

No requests had been received from members of the public to speak at the meeting in accordance with the Council's agreed policy.

33. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS

Councillor D Holding declared a personal and prejudicial interest in item no. 10 on the agenda regarding the Countywide Common Early Retirement and Voluntary Redundancy Policy.

34. REPORT FROM THE LEADER OF THE COUNCIL

The Leader, Councillor L Ebbatson, advised that details of the key decisions made by the Executive in July had been circulated.

The Leader then advised of the following matters:

- Councillor Derek Robson wished to resign from the Board of Cestria Housing due to pressure of work. Councillor Ebbatson thanked Councillor Robson for his contribution as a member of the Shadow Board. Councillor Robson was one of five Council representatives on the Board and a replacement would be sought at next Council Meeting.
- New Chief Executives had been appointed to the new unitaries in Northumberland and Durham. The appointees were, in Northumberland, Steve Stewart currently Assistant Chief Executive at Northamptonshire, and in Durham, George Garlick, currently Chief Executive at Stockton Borough Council.
- A top level re-structuring had been designed for County Durham and all staff had been informed and asked for comments.
- District Council Officers had been asked to facilitate a countywide consultation on the shape of local governance/area action partnerships for the new unitary. A presentation would be given by County Council Officers to the Steering Group of the LSP on Tuesday of the following week.
- An event for stakeholders was planned for 4 September in the Civic Centre and the Leader, Deputy Leader or Portfolio Holder for Partnerships from the new authority would be present.
- The Action Learning Sets designed around our People and Place priority were progressing well. Some projects, such as the Federation of Residents Associations and the Town Council, have had to be put on hold as a consequence of the work commenced by the Boundary Committee but Scrutiny Task and Finish Groups on a Town Council and the future of the market had been set up.

- The Leader reminded Members of the 'handing over the flag' event on 24 August 2008 to mark the end of the Beijing Olympics and a forerunner of public involvement in the London 2012 Olympiad. Attendance of Members would be very welcome at the event.

35. REPORTS FROM PORTFOLIO HOLDERS

a. Neighbourhood Services

Councillor SCL Westrip reported on the following items: -

Environmental Services

The declining quality of parks and green spaces throughout the United Kingdom was a cause for concern in many places but in Chester-le-Street there were many examples of thriving popular sites run by dedicated, enthusiastic people working closely with their local communities. Many places that were run-down and neglected were now shining examples of outstanding green space management and this had been recognised nationally with the Green Apple Award and runners-up in the Cemetery of the Year Award. This success in managing green spaces was further recognised by a recent award of a Green Flag for the Ropery Lane Cemetery. Winning a second Green Flag acknowledged the Council's commitment to the Government's Liveability Agenda by recognising the valuable contribution good quality parks and green spaces make to the well-being of communities.

Planning Services

Planning Services Officers facilitated a well-attended community consultation event in the Waldrige Parish Rooms, at the request of local Members. The event was staged to allow the public to consider proposals submitted for development of West Farm. The application would be reported to the September meeting of the Planning Committee.

Leisure Services

The Riverside site was successful in retaining the Green Flag Award for the sixth consecutive year and was a testimony to all the staff on the site who worked so hard in maintaining its excellent standards. An arts project was completed at Roseberry Grange whereby the external face of the driving range was decorated by a local artist. The artwork covered the entire length of the driving range and depicted scenes linking the sites mining past to its current golfing role. As part of the design process, artist-led workshops were held within the local community and golf club. Early indications showed an increase in usage of the driving range.

Environmental Health

Food Safety Week was an annual initiative promoted by the Food Standards Agency and looked to highlight the importance of good hygiene practice within

the home. The 2008 campaign was entitled 'Germwatch' and focused on the potential hygiene hazards found in the domestic kitchen. The Environmental Health Team took the campaign to the Lilac Community House in Sacriston on 10 June and created the Holly Kitchen of Horrors crime scene in which scores of kitchen hazards were planted in the Community House kitchen. The project was aimed predominantly at the 12-18 year old group and participants were given 5 minutes in which to identify as many hazards as they could find. All participants enjoyed the fun filled afternoon, which promoted a serious health message.

b. Regeneration and Strategic Planning

There was no report from Councillor CJ Jukes.

c. Resources and Value for Money

There was no report from Councillor L Armstrong.

d. Community Engagement and Partnerships

There was no report from Councillor M Sekowski.

36. QUESTIONS TO LEADER AND EXECUTIVE MEMBERS

There were no questions to the Leader or Portfolio Holders.

37. TO ACCEPT THE REPORT OF THE AUDIT COMMITTEE HELD 24 JUNE 2008

The Council RESOLVED:

"That the report of the meeting of the Audit Committee held 24 June 2008, copies of which had previously been circulated, be accepted."

38. TO CONFIRM THE ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

Consideration was given to a report from the Chief Environmental Health Officer seeking approval to and adoption of the Transitional Environmental Health Enforcement Policy.

Councillor SCL Westrip introduced the report and advised that the draft policy was approved by Council in December 2007 for public consultation. Following the consultation process and changes in legislation and guidance, the policy document had been revised.

Councillor D Holding proposed, seconded by Councillor L Armstrong, that the recommendations in the report be approved.

The Council RESOLVED:

- “1. That the responses received following public consultation be noted.
2. That the Transitional Environmental Health Enforcement Policy, appended to the report as appendix A, be agreed.”

Prior to consideration of the following item, Councillor D Holding left the meeting.

39. PROPOSED COUNTYWIDE COMMON EARLY RETIREMENT AND VOLUNTARY REDUNDANCY POLICY

Consideration was given to a report from the Director of Corporate Services seeking adoption of a countywide common and harmonised policy on early retirement and voluntary redundancy.

The Director of Corporate Services introduced the report and advised that the harmonised policy had been agreed by the Joint Implementation Team. The policy included an agreement to extend protection for staff for three years beyond vesting day.

Councillor L Ebbatson proposed, seconded by Councillor SCL Westrip, that the recommendations in the report be agreed.

The Council RESOLVED:

- “1. That the countywide Common Early Retirement and Voluntary Redundancy Policy, as detailed on the appendix to the report, be adopted subject to an assurance that there would be no detriment to employees as a result.
2. That details of the Policy be made available to all members of staff.”

40. CORRESPONDENCE

There were no items of correspondence.

41. CONFERENCES

There were no invitations to attend conferences.

42. COMMON SEAL

The Council RESOLVED:

“That the action of the Officer in affixing the Common Seal of the Council to the following documents be confirmed:

Lease in duplicate relating to former Mechanics Institute building, Chester-le-Street.
Transfer in duplicate relating to land at Fleece Terrace, Edmondsley.”

The meeting terminated at 6.34 pm

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of the Audit Committee held in Conference Room No 3, Civic Centre, Chester-le-Street on Thursday 3 July 2008 at 2.00pm.

Members Present: Councillors G Armstrong, R Harrison and J Shiell.

Officers Present: J Elder (Acting Head of Resources), M Welsh (Acting Head of Internal Audit), K Roberts (Principal Internal Auditor) and C Turnbull (Democratic Services Officer).

8. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor JM Proud.

9. MINUTES OF MEETING HELD 24 JUNE 2008

RESOLVED: "That the minutes of the proceedings at the meeting of the Committee held 24 June 2008 copies of which had previously been circulated, be confirmed as a correct record."

The Chairman proceeded to sign the minutes.

10. DECLARATIONS OF INTEREST BY MEMBERS

There were no declarations of interest from Members.

11. INTERNAL AUDIT WORK COMPLETED

Consideration was given to a report from the Acting Head of Internal Audit giving an update of the findings of Internal Audit work completed within the first quarter of the 2008/2009 financial year. The report contained executive summaries of audits on Accounts Payable, Best Value Performance Indicators, Cash & Banking, Payroll and End of Year Balances.

Accounts Payable 2007/2008

The Principal Internal Auditor spoke to the report and advised of the key findings.

Best Value Performance Indicators 2007/2008

The Acting Head of Internal Audit spoke to the report and key findings. He advised that recommendations to address minor issues and further improve the arrangements had been agreed with the various Managers responsible for the collation of their respective BVPIs.

Discussion took place on the value of historical data and accuracy of figures provided by external contractors.

Cash and Banking

The Acting Head of Internal Audit spoke to the report and key findings. He advised that recommendations to address the issues identified and further improve the arrangements had been agreed with the Officer.

In response to a question, the Acting Head of Internal Audit confirmed that banking arrangements at the market and at Roseberry Grange Golf Course were working satisfactorily.

Payroll

The Principal Internal Auditor spoke to the report and key findings. He advised that recommendations to address the issues identified and further improve the arrangements had been agreed with the Officer.

End of Year Balances 2007/2008

The Principal Internal Auditor spoke to the report and key findings. He advised that recommendations to address the issues identified and further improve the arrangements had been agreed with the Officer.

12. INTERNAL AUDIT PERFORMANCE

Consideration was given to a report from the Acting Head of Internal Audit on the activity and performance of Internal Audit during the first quarter of the financial year 2008/2009.

RESOLVED: "That the information contained in the report be noted."

13. HEADLINE CORPORATE STRATEGIC RISKS

The Acting Head of Resources advised that the Council approved a Transition Plan in March 2008 and agreed that a re-assessment of the strategic risks would be undertaken. As a result 12 strategic risks were agreed and these would be monitored and reported on to the Executive and Scrutiny on a quarterly basis. The 12 strategic risks were detailed on the extract from the Transitional Plan, copies of which had previously been circulated

RESOLVED: "That the 12 strategic risks be noted."

The meeting terminated at 2.59pm



Chester-le-Street
District Council

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| Report to: | Council |
| Date of Meeting: | 18 September 2008 |
| Report from: | Director of Development Services |
| Title of Report | Proposals to Charge for Discharge of Planning Conditions |
| Agenda Item Number: | |

1. PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to advise Members of new powers provided to the Council in legislation contained in the Town and Country Planning (Applications and Deemed Applications) Fees (Amendment) (England) Regulations 2008 (hereafter referred to as 'The Regulations') and to seek Council approval to adopt those powers.
- 1.2 The Regulations, which came into force in April 2008, provide for a number of changes to the national fee regime applicable for customers wishing to make applications for planning permission (and other forms of related consents as governed by the relevant Town and County Planning Acts). Typically this increased the level of fee payable by customers, upon the making of a planning application, by between 15% and 25%. The Government considered this increase justified as part of its aim of ensuring Local Planning Authorities are adequately resourced to deliver their planning functions, and in part following the commissioning of independent research which revealed that planning application fees amount to a relatively insignificant figure taken in the context of all costs associated with development projects (as little as 1% in many cases).
- 1.3 However, in addition to the general increase in planning application fees the Regulations also provided for a discretionary power for Local Planning Authorities to charge customers seeking to discharge conditions attached to grants of planning permission. As this Authority has never previously charged for this service the view is taken that Council approval is required before this new income stream could be realised.
- 1.4 Officers would therefore recommend that Members of the Council authorise the adoption of the advice detailed in the Town and Country Planning (Applications and Deemed Applications) Fees (Amendment) (England)

Regulations 2008 to introduce a fee charge, for customers wishing to discharge planning conditions,

2. CONSULTATION

- 2.1 Although there is no statutory requirement for consultation to be carried out, in the interests of customer care Officers have consulted with the Planning Services Team's Developer Forum. Members may be aware that this group, consisting of regular users of the Planning Service, has been in existence for some 18 months now and acts as a sounding board for proposed service delivery changes within the Planning Service. Details of the comments received in response to this consultation exercise, together with an appraisal of their implications, are shown in the attached appendix.

3. TRANSITION PLAN AND PEOPLE AND PLACE PRIORITIES

- 3.1 It is not considered that the introduction of a charge for the discharge of planning conditions has any significant impact on Transition Plan priorities.

4. IMPLICATIONS

4.1 Financial Implications and Value for Money Statement

The introduction of a charge for customers wishing to discharge planning conditions will have a positive financial implication. It is anticipated that the charge will bring increased revenue into the present Planning Services budget account in the region of £2,000 for the financial year 2008/09.

4.2 Local Government Re-organisation

The introduction of the recommended charge is not considered to have any adverse LGR implications. Two of the other present County Durham Authorities are already charging for the discharge of planning conditions. Discussions held with other County Durham Officers has also revealed that all other Authorities are intending to implement the charging Regulations through 2008/09.

4.3 Legal

There are no significant legal implications arising from this report.

4.4 Personnel

There are no personnel implications arising from this report. The administration of the proposed charging stream can be carried out by existing staffing establishments from within the Planning Services Team.

4.5 Other Services

There are no implications on other services arising from this report.

4.6 Diversity

There are not considered to be any diversity issues arising from this report. Whilst the additional charges could be construed as having a potential impact on the less wealthy residents of the District it is considered that the level of fee prescribed by Central Government is relatively insignificant taken in the context of the wider costs associated with any development project requiring planning permission.

In addition Members will note from the attached appendix that Officers are proposing to waive the fee requirement for disabled customers.

4.7 Risk

If Members were minded not to adopt the recommended charges this could attract criticism from the Audit Commission on the grounds of the Authority failing to take advantage of an available income stream.

4.8 Crime and Disorder

There are no crime and disorder issues raised by the report.

4.9 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation are accurate, timely, consistent and comprehensive. The Council's Data Quality Policy has been fully complied with in producing this report.

4.10 Other Implications

There are no other implications associated with this report.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

- 5.1 At present the only charge levied by the Council to customers seeking to use its Planning Service arises in the form of a mandatory fee to be paid at the time of the submission of a planning application. The level of fee payable varies depending upon the nature and size of a development (for example an application for a proposed house extension attracts a flat rate fee of £150 whereas applications for new housing development attract a fee of £335 for each dwelling).

- 5.2 All other services provided by the Council's Planning Services Team are done so free of charge. This includes providing pre-application advice to customers as to the likely acceptability of a proposed development; the investigation of planning enforcement complaints; the making of Tree Preservation Orders, and, defending the Council's case at planning appeal.
- 5.3 The new Regulation advises that a Local Authority can now charge customers seeking to discharge conditions attached to planning permissions. The nationally applicable fee is set at £25 for conditions attached to a domestic (householder) applications and £85 for conditions attached to all other forms of planning consent.
- 5.4 The Regulations advise that Local Authorities should respond to such request inside 8 weeks, and furthermore that if a decision is not made within 12 weeks the fee must be refunded. These timescale are considered by Officers to be entirely achievable as the Planning Team currently operates to established Local Performance Indicators of either 14 or 28 days to respond to customer requests to discharge conditions (14 days for those conditions which do not require consultation with other bodies, 28 days for those which do). These targets are presently being met in the overwhelming majority of cases.
- 5.5 The Regulations also advise that Authorities should allow the submission of details to discharge more than one condition as part of a single fee. This advice will help mitigate any potential additional financial impact on customers; in particular those who may have received a grant of planning permission with several conditions attached.

6. CONCLUSION

- 6.1 Officers consider that the Regulations provide for a reasonable response by Central Government to help address the resource implications required by Local Planning Authorities to discharge conditions attached to planning permissions. Furthermore it is considered that the adoption of the advice contained in the Regulations will help the Planning Services Team to continue to meet its service aim of best practice in terms of financial management. Finally it is considered that the potential adverse implications identified by the service's customers (see appendix) can be addressed by Officers.

7 RECOMMENDATION

- 7.1 Members are recommended to authorise the adoption of the advice detailed in the Town and Country Planning (Applications and Deemed Applications) Fees (Amendment) (England) Regulations 2008 to introduce a fee charge of £25 and £85, for customers wishing to discharge planning conditions, as detailed above at 5.3.

8. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

- 8.1 The Town and Country Planning (Applications and Deemed Applications) Fees (Amendment) (England) Regulations 2008

CLG Circular 04/2008 - Planning Fees

AUTHOR NAME: Stephen Reed
DESIGNATION: Development & Building Control Manager
DATE OF REPORT: 1 September 2008
VERSION NUMBER: 1.0

AUTHOR CONTACT DETAILS:

Extension: 2212 stephenreed@chester-le-street.gov.uk

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Appendix Showing Appraisal of Customer Comments Received

| Consultee | Comments Raised | Officer Response to Comments |
|------------------------------|--|--|
| Miller Homes | <p>Welcome the opportunity to comment although advise that additional costs will not be welcomed. However if they help secure an improved service in respect to discharge of conditions this will help soften the blow.</p> <p>Concerned monies have to be paid 'up front' at the time request is made. Experience has shown this means lower priority is given to condition discharge issues by many Authorities, leading to lengthy delays. Consider payment should be due on receipt of Local Authority response letter, which would help incentivise Local Authorities to prioritise workloads.</p> <p>Central Government should introduce a National Performance Indicator for the time taken to respond to condition discharge requests, to speed up responses</p> | <p>Effective performance management of service will ensure high level of service</p> <p>Government advice is clear that fee has to be paid up front. As such there is no discretion to vary timescale for payment.</p> <p>Decision for Central Government therefore no discretion. However it should be noted that this Council has established Local Performance Indicators to monitor efficiency of this area of the service</p> |
| PH Architectural Partnership | <p>Welcome the opportunity; advising that some Authorities have implemented the charges without prior notification, a course of action which has lead to difficulties in explaining additional costs to clients</p> <p>Advise many clients consider the Government's stated aim of trying to improve the planning service is merely masking increased charges 'through the back door'.</p> <p>Administration of the new charges will merely lead to additional costs and delays to Planning Authorities, which in turn will lead to further delays in the system</p> <p>Rather than introduce a separate fee charge for conditions the initial</p> | <p>Noted however Central Government decision.</p> <p>Officers are confident that the Planning Team has capacity to administer new charges without leading to any such delays.</p> <p>Noted, however Central Government</p> |

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| | <p>planning application fee should be increased. This would avoid architects having to request additional fees from clients</p> <p>The fees are discriminatory on the grounds that there is no initial application fee for disabled persons applications, yet there would now be a fee payable to discharge any conditions attached to any such approval.</p> <p>Many Authorities presently apply numerous conditions to planning permission. As such there is a fear this approach will continue to ensure additional income generation.</p> | <p>decision.</p> <p>In recognition of this comment Officers propose to waive the fee requirement for disabled persons</p> <p>Officers will ensure that all planning conditions meet the relevant statutory test, including that they are necessary in order to allow the development to proceed.</p> |
| Phil George Architect | <p>Raises concerns as to how the proposed fee will impact on smaller clients</p> <p>Many Authorities presently attach ambiguous conditions to approvals which in many cases replicate detail already submitted with the original planning application. Request that if charging proposal are adopted, that care is taken to ensure such conditions are not attached to approvals, in order to ensure that unnecessary expense is not incurred in discharging their requirements</p> | <p>Fee scale is nationally set. However, as discussed in the main body of the report there is evidence to shown that planning fees are a very small percentage of overall development costs.</p> <p>Officers will ensure that all planning conditions meet the relevant statutory test, including that they are necessary in order to allow the development to proceed and also that they do not duplicate detail already submitted with the original application.</p> |
| Jeff Park Architect | <p>The proposed fees add more red tape to the statutory planning process. Further charges would be unacceptable to clients.</p> | <p>As per comment above proposed fees are considered to represent a small percentage of overall development costs. In addition Officers are confident that processes can be carried out in a timely manner in order to prevent 'red tape' delays.</p> |



Chester-le-Street
District Council

Report to: Council
Date of Meeting: 18th September 2008
Report from: Regeneration & Strategic Planning Manager

Title of Report: Early Integration of the Local Development Framework Function

Agenda Item Number:

1. Purpose and Summary

- 1.1 The purpose of this report is to request Member agreement for the formal cessation of the Chester-le-Street LDF programme, and to note the early integration of all District and County Council work on the production of Local Development Frameworks (LDF) in anticipation of the forthcoming creation of a unitary authority for County Durham.
- 1.2 All District and County Councils currently have a Local Development Scheme (LDS), agreed with GONE, which identifies the scope and programme which guides the production of individual LDFs. For districts this involves comprehensive local planning and for counties mineral and waste planning. The current programme of district based LDF production will not allow sufficient time for any LDF document to have reached formal submission stage by vesting day. There is, therefore, little value in continued individual activity, but value in early collaborative work to make an early start on the production of a new County LDF. This will also allow the early development of a 'county-wide' perspective for involvement in the production of an Integrated Regional Strategy and assisting with the housing review of the RSS.
- 1.3 The LGR Place Programme Board and the Joint Implementation Team have previously endorsed the early integration of the LDF function. The County Durham Districts Forum also agreed at its meeting on 6th June to pursue early integration.

- 1.4 The Department of Communities and Local Government (CLG) have now published regulations which propose an immediate transfer of responsibility for LDF preparation from the Districts to the County Council. This will also require the transitional authority to submit a revised Local Development Scheme (LDS) by 30th September, which will replace all the existing LDSs.
- 1.5 This report on early integration, adapted to incorporate specific Council circumstances, is being taken to all Councils across the County for authorisation, so that work can commence on the new Unitary Local Development Framework prior to vesting day.
- 1.6 This report was agreed at the Executive meeting of the District Council on the 1st September, when it was resolved:
1. That the Executive recommends that Full Council agrees the formal cessation of work on the Chester-le-Street Local Development Framework.
 2. That the Executive notes and supports the early integration of the Local Development Framework (LDF) function and the creation of an Interim Team and the interim appointment of a Strategic Planning Manager.
 3. That a letter be sent to all Parish Councils to advise of the functions that will continue to be undertaken by District Councils until vesting day.

2. Consultation

- 2.1 See paragraph 1.3 above

3. Transition Plan and People and Place Priority

- 3.1 "Develop and publish a LDF" is one of the Corporate Plan proposals listed in the Transition Plan.

4. Implications

4.1 Financial Implications and Value for Money Statement

The cessation of the Chester-le-Street LDF programme and formal public consultation will result in cost savings

4.2 Local Government Reorganisation Issues

The whole report relates to reorganization issues

4.3 Legal

Compliance with the general and transitional LDF Regulations

4.4 Personnel

See paragraphs 5.13 & 5.14

4.5 Other Services

There is a need to ensure that there continues to be close working between planning policy and development control

4.6 Diversity
No significant issues

4.7 Risk
Limited risk to the District Council

4.8 Crime and Disorder
No significant issues

4.9 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation and the appendices attached are accurate, timely, consistent and comprehensive. The council's Data Quality Policy has been complied with in producing this report.

4.10 Other Implications
None

5. Background ,Position Statement and Option Appraisal

5.1 All eight LPAs in County Durham have embarked on LDF production in accordance with CLG's existing guidance. Each have presented the content and timetable for production in their respective Local Development Schemes (LDS) and agreed such schemes with GONE.

5.2 LDF production across County Durham is proposed to consist of the following key components:

- Core Strategies – District wide based core strategies proposed by all seven District authorities (although Durham City will be relying on their recently adopted Local Plan in the short to medium term) and two topic based core strategies by the County Council relating to waste and minerals planning.
- Development Control (DC) Policy Development Plan Documents (DPDs) (proposed by all 7 district authorities although some have combined the DC DPDs and the Core Strategy). The Minerals and Waste Core Strategy DPDs also include development control policies.
- Major allocations DPD (proposed by 6 District and County Council (x2)).
- In addition there is proposed a number of area action plans and topic based Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs).

5.3 These LDF documents are supported by:

- Local Development Schemes which describe the LDF proposed activity by individual authorities and agreed with GONE;

- Statements of Community Involvement (SCI) now agreed by seven of the eight authorities (Durham City's has not yet been adopted);
 - Sustainability Appraisal, Sustainability Environment Assessment (SEA) and Appropriate Assessment Frameworks against which all LDF documents are assessed;
 - A robust evidence base; and
 - Annual Monitoring Reports submitted to GONE by end of December each year.
- 5.4 None of the key components of LDF production, by either District or County, have reached the 'formal' stage of plan production, ie submission stage, although for Sedgefield and Easington submission stage was originally planned for March and May 2008 respectively. The vast majority of Core Strategy production was expected to reach Preferred Options stage during 2008 (7 of the 9 plans being prepared). Only the core strategies for Durham City LDF (April 2010) and the Waste Strategy (June/July 2009) lie outside this time framework. The latest date for a Core Strategy to reach Preferred Option stage was anticipated to be April 2010.
- 5.5 Progress on plan making is also a requirement for the allocation of the Housing and Delivery Grant in 2008/09. Guidance is awaited from the Government to determine the impact of production of a single LDS and single AMR. In addition individual authorities will need to advise on what is to happen with currently unallocated Planning Delivery Grant funds.
- 5.6.1 A significant amount of joint working on data/evidence collection, particularly on housing and flood risk, employment, retail and renewable energy has already been undertaken which can support a more collective approach. In addition economic appraisal work undertaken to support County and Regional strategies provides further collective support to planning evidence base.

DRAFT LOCAL GOVERNMENT (STRUCTURAL CHANGES) (TRANSITIONAL ARRANGEMENTS) REGULATIONS 2008 – TOWN AND COUNTRY PLANNING

- 5.7 CLG published the above regulations in June. In essence the regulations propose that in areas affected by local government restructuring the Implementation Executive or Shadow Council leading the transition to unitary status (ie Durham County Council) becomes the local planning authority except in relation to development control (ie. decisions relating to planning applications will continue to be undertaken by existing districts). The County Council will continue to have responsibility for waste and minerals planning. Predecessor councils, such as Chester-le-Street, will be consulted on, and receive copies of, relevant documents that are produced up to vesting day.
- 5.8 The County Council will be required to submit a Local Development Scheme to the Secretary of State six months before the reorganisation date (ie. 30

September 2008). It is open to a transitional council to include in the LDS a DPD, which is being prepared by a predecessor council and will be adopted over the coming months. Any Local Development Documents must be prepared in accordance with the SCIs of predecessor councils until a new unitary-wide SCI is adopted.

BENEFITS OF EARLY INTEGRATION

- 5.9 Early integration could have significant benefits for the new unitary authority. These include:
- It will help the District Councils to influence the transitional responsibilities given to the County Council by the new Regulations as outlined in paragraph 5.7 of this report.
 - A single collective and strategic approach to spatial planning would be beneficial to present County Durham's perspective for work on the proposed Integrated Regional Strategy.
 - It would enable early consideration and alignment of strategic economic, transport and housing policy, and collective alignment of evidence gathering and research.
 - It would provide for continuity and momentum in development planning activity, which is currently 'stalling' in some authorities.
 - It would enable current resources, which are deployed (and currently declining in some Councils) to development planning to be re-focused giving potential additional staff stability.

RESOURCES/MANAGEMENT/STRUCTURE

- 5.10 Facilitation of early integration will require further consideration of the resource, management/supervisory and operational implications, and the need to continue 'other' forward planning activity, including the policy input to decision making through development control, the production of site development briefs and input into other 'corporate' policies and activities.
- 5.11 It is also important to facilitate this process without conveying advantage or disadvantage on existing staff by establishing structures/operational arrangements that could also prejudice future staffing arrangements coming forward for the new council. It is considered essential that arrangements are seen as temporary pending decisions to be taken by the new council.
- 5.12 The preferred option would involve:
- The Planning workstream being given responsibility for overseeing all LDF activity, managing work programmes, priority setting and reporting to individual councils through respective departmental arrangements;
 - An Interim manager being 'appointed' or seconded (preferably external) in accordance with job profile to be agreed, responsible to Workstream for day to day management and supervision of collective LDF activity;

- An Interim team being formed with individuals being seconded/nominated by district and county, working virtually or centrally. It is likely that the interim team will be located at the Civic Centre in Chester-le-Street

Resources Specific to Chester-le-Street

- 5.13 There are two policy planners working on the LDF within the Regeneration & Strategic Planning team, the regeneration & strategic planning manager and a planning assistant. It is anticipated that approximately 50% of their time (2 or 3 days per week) will be taken up the interim team work, and 50% will remain on District Council functions as outlined in paragraph 5.17., such as the town centre master plan and implementation of the Regeneration Strategy.
- 5.14.1 The other officers in the team, the economic development & tourism officer, the GIS officer and the sustainability officer, will continue to work on general regeneration projects.

DESCRIPTION OF FUNCTIONS

- 5.15 The first task of the new interim team structure would be the production of the new LDS by the 30th September. The LDS will need to have reference to district based priorities developed through district issues/preferred options reports and the assessment/collation of district commissioned and compiled LDF evidence base. The Planning Advisory Service, which is currently working with Northumberland authorities, has offered to assist in facilitating the production of a single LDS, if required.
- 5.16 Other duties of the Interim Team are likely to include the following but will be dependent on the priorities identified by the new County Council Members:
- Production of single SCI (to replace existing).
 - Consultation/negotiation with GONE;
 - Commencement on the production of a LDF Core Strategy and Development Management DPD, which may or may not include Waste and Minerals;
 - If the Core Strategy does not include Waste or Minerals then separate DPDs will be needed;
 - Preparation and implementation of LDF Sustainability Appraisal and Appropriate Assessment activity;
 - Production of a Housing Allocations DPD (PSA20 requires adoption of this document by April 2011);
 - Supporting Supplementary Planning Documents on issues such as Affordable Housing and S106 agreements;
 - Input into the County Durham Sustainable Community Strategy;

- Liaison with other emerging strategic housing, economic development and transport functions of new authority;
 - Input to other strategy production, including Integrated Regional Plan, LTP, County and Regional Economic Strategies;
 - Appraisal and compilation of comprehensive evidence base;
 - Development of comprehensive monitoring systems and facilitating the transfer of data to single system; and
- 5.17 The functions that will continue to be undertaken by District Councils until vesting day would include:
- Providing policy input into Development Control,
 - Policy input to other District based plans and strategies;
 - Production of site development briefs and other development guidance including regeneration projects;
 - Continued work on existing action area/master planning priorities, in consultation with new authority;
 - Day to day forward planning enquiries;
 - District based monitoring and facilitating the transfer of data to single system;
- 5.18 Development Plans Managers will continue to manage the other non-planning staff within their teams until their future within the new unitary authority has been agreed.
- 5.19 In exploring the opportunity to integrate forward planning activities it will be essential to understand and maintain the critical functional and operational links with Development and Building Control to ensure no fall in service delivery and performance.

IMPACTS OF EARLY INTEGRATION

- 5.20 There are important issues relating to the immediate transfer of functions. These include:
- financial costs of relocation of staff for part of the working week including IT support (e.g. laptops etc.), accommodation rental, mileage and subsistence;
 - the immediate cessation of district based activity, other than that outlined in paragraph 5.17;
 - the impact on already agreed production/consultation processes planned for implementation by District authorities;
 - how to capture evidence building already undertaken and achieve consistency across all District areas in timescale for integration;
 - need to merge/amalgamate IT and district based systems; potential public/consultee confusion;;
 - potential political resistance to early transfer;

- direct immediate impact on staff currently employed in the Forward Planning sections of District Councils; and
- indirect immediate impact on staff in both District and County Councils who have wider management responsibility (often covering all aspects of Planning Workstream functions).

Impacts specific to Chester-le-Street

- 5.21 The Chester-le-Street LDF timetable anticipated consultation on the core strategy and development control policy preferred options, plus site allocation issues and options, by the end of May. However, this work has been delayed largely because the planning assistant post was vacant for 5 months.
- 5.22 New LDF Regulations mean that it is now discretionary and no longer a statutory requirement to publish preferred option documents. Given the new Regulations and that fact that there will now be a single core strategy and development policies for the whole County, it is probably not prudent for the District Council to formally consult on its preferred options at this late stage.
- 5.23 However, your officers could still undertake District based background work which could be adapted and influence emerging work on the countywide core strategy and development policies. Consultation will still take place on potential housing site options within the District, within the context of a Strategic Housing Land Availability Assessment (SHLAA), The SHLAA is expected to be completed by the end of September.

CONCLUSIONS

- 5.24 It is clear that early integration of LDF activity will ensure best use of resources and enable work on the single LDF for County Durham to progress as quickly as possible. CLG also favour the initiation of early integration and feel that this can be legally undertaken. Indeed the demands of the new Regulations mean that early integration is in practice the only credible option.
- 5.25 Given the content of the Draft Regulations published by CLG and the urgency and number of tasks to be undertaken by the new integrated Interim Team will start to meet from early August.

6. Recommendations

- 6.1 The Executive is recommended to:
- i) agree to the formal cessation of work on the Chester-le-Street Local Development Framework, and
 - ii) Note and support the early integration of the Local Development Framework (LDF) function and the creation of an Interim Team and the

interim appointment of a Strategic Planning Manager as outlined above.

7. Background Papers/ Documents referred to

7.1 None


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DESIGNATION; Regeneration & Strategic Planning Manager

DATE OF REPORT; 5th September 2008

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|  Chester-le-Street District Council | |
| Report to: | FULL COUNCIL |
| Date of Meeting: | 18/09/2008 |
| Report from: | Director of Development Services |
| Title of Report: | Children and Young People Policies |

1. Purpose and Summary

1.1.1 To seek Members approval for the introduction of a suite of Children and Young People policies and related guidance. These will enable the Council to have in place policies and procedures relevant to the latest legislation (Children's Act 2004). They will also ensure that relevant staff are fully prepared to join the Children Services Authority.

1.1.2 It is recommended that Members approve the proposed suite of Children and Young People policies and related guidance.

2. Consultation

2.1 The concept of introducing children and young people safeguarding policies in chester-le-street has been discussed with and supported by the Leader, Deputy Leader, the Director of Development Services, senior officers of the Council, senior officers of the Children Services authority and the Chair of the Local Children's Board. Detailed consultation as to the content of the policy has taken place with all relevant senior officers of the Council who are working directly or indirectly with children and young people, the Health and Safety Manager, the Head of Legal and Democratic Services and the senior HR Officer. There was unanimous support from relevant officers to introduce these policies. Some officers have already updated some of their forms/procedures to comply with latest guidance.

3. Transition Plan and People and Place Priority

3.1.1 The proposed policies support the Council's Transition Plan and People and Place priority. There are a number of young people related activities and events over the last few months of this authority, promoted under the banner of Young People and Place. Therefore the introduction of policies reflecting the most up to date legislative framework will be beneficial to both officers delivering Young People and Place and to service users.

4. Implications

4.1 Financial Implications and Value for Money Statement

The only financial implication relates to a cost of approx. £600 for some basic training for relevant officers through the Durham Local Safeguarding Children's Board. However, we have begun negotiations on the LSCB potentially waiving the training fee.

4.2 Local Government Re-organisation Issues

There are no LGR issues affecting the introduction of these policies. They are in accordance with those of the Children Services Authority and the Durham LSCB guidance. This means that when children and young people related officers transfer to the new authority, they will be fully up to date with new legislation.

4.3 Legal

The introduction of children and young people policies ensures that the Council will be complying to new legislation around children safeguarding and will be better equipped to deal with relevant incidents.

4.4 Personnel

As mentioned above there is a need for some basic training for officers. However, relevant staff and managers need to be aware that from October 2009 all personnel working with children and young people need to be registered with the Independent Safeguarding Authority (ISA).

4.5 Other Services

A number of Council services will be positively affected by the policy framework presented in the report. These include the youth development team, Leisure officers, Selby Cottage and regeneration/community development.

4.6 Diversity

A special Children and Young People equality and Diversity Statement is included as part of the Safeguarding Policy Guidance.

4.7 Risk

The Children and Young People Safeguarding Policy minimises risks arising from working with children and young people. New legislation has been introduced and the proposed policies mean that the Council

has the most up to date procedures to deal with children safeguarding issues.

4.8 Crime and Disorder

The policies proposed support the Crime and Disorder agenda through special guidance statements on anti-bullying and drugs disposal.

4.9 Data Quality

Every care has been taken in the development of this report to ensure that it complies with the council's Data Quality Policy.

4.10 Other Implications

There are no other implications from this report.

5. Background, Position Statement and Option Appraisal

5.1 In terms of child protection the Council has to date followed practices similar to other authorities i.e. those officers working with children and young people followed the standards of the County Council (the main education and other children services provider).

5.2 This meant that although every care was taken to ensure the safety of children there was no corporate framework to deal with child protection/safeguarding issues in a holistic and proactive manner, since District Councils were not viewed as Children Services providers.

5.3 The New Children's Act (2004) changed the term Child Protection to Safeguarding and replaced the local Child Protection Committees with Local Safeguarding Children's Boards (one has been set up for Durham). These are designed to have a much more proactive approach and ensure that all partner agencies are proactive in safeguarding issues rather than simply acting as an examining board for child protection cases.

5.4 One of the other main changes introduced by the Children's Act (2004) is that it places a statutory duty on District Councils and a number of other partners to co-operate in children's services provision and safeguarding. District Councils are therefore now viewed as main providers and as equal partners to the County Council, the Police, PCT Probation, etc. when it comes to providing services to children.

5.5 In this context, there is a need for this Council, albeit in its last few months, to engage more proactively in this agenda and most importantly comply fully with new legislation. This will ensure that we have the right framework in place to deliver our Young people and

Place programme. It also means that our relevant staff will be fully aware of the new legislation when they join the new authority and will be in a better position to capitalise on potential promotion opportunities.

- 5.6 In the above context, we propose two main actions. Firstly, to introduce a suite of the most up to date policies and procedures relating to safeguarding and provide basic training to relevant staff. This will complement the Common Assessment Framework (CAF) training to be shortly delivered by the Children Services Authority. Secondly, we propose to join the Local Safeguarding Children's Board, since the Act specifies that District Councils should be members of the LSCB.
- 5.7 This report deals mainly with the introduction of a suite of Children and Young People policies and related guidance. Joining the local Safeguarding Children's Board is also in progress through communications between the Assistant Director of Development Services and the Durham LSCB.
- 5.8 The policies¹ attached to this report for approval by members are the following:
- **Safeguarding Children Policy** – it reflects new legislation and replaces child protection arrangements with the safeguarding framework proposed by the Durham Local Safeguarding Children's Board (LSCB).
 - **Children and Young People Anti-bullying Policy and Guidelines** – this is to be used in conjunction with the above Safeguarding policy but provides more detailed guidelines and focus on anti-bullying which is a major issue for children and young people in general.
 - **Children and Young People Detached and Outreach Work Policy** – a policy adapted from the original County Council document for use by outreach/detached workers
 - **Children and Young People Drugs Misuse Guidelines for Drugs disposal** – the County Council guidance to be used in the event of a need to dispose of drugs.
 - **Children and Young People Equality and Diversity statement** – this will be used in conjunction with the Council's Equal Opportunities Policy but will provide a focus on young people.

¹ The policies have been adapted from approved policies of Derwentside District Council and Durham County Council based on recent legislation and Durham LSCB guidance

- **Sexual Health Policy** – it will be used in conjunction with the Safeguarding Children Policy to provide a focus on sexual health issues.

As part of implementing the proposed suite of policies, the Council needs to designate a named Officer for Safeguarding Children within the District Council to be the primary point of contact and advice in any Child Protection matters pertaining to the District Council and its activities. This person may also be the main contact to Durham's Local Safeguarding Children Board (LSCB), the statutory body for the co-ordination of promoting and safeguarding children's welfare in the area. It is proposed that the Assistant Director of Development Services undertakes this role over the last few months of our authority.

6. Recommendations

6.1.1 It is recommended that Members approve the proposed suite of Children and Young People Policies and related guidance.

7. Background Papers/ Documents referred to

7.1 www.opsi.gov.uk/acts/acts2004/ukpga_20040031_en_1

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Chester-le-Street
District Council

Chester-le-Street District Council's Safeguarding Children Policy



August 2008

Chester-le-Street District Council

Safeguarding Children Policy

1. Introduction

1.1 General Attitude towards Children and Young People

Children should be involved in any decisions that affect them because they often know best when they feel safe and what can be done to prevent harm. However, it should be remembered that there are occasions when this is not the case and it is the responsibility of the adults and professionals involved to make sure that children are kept safe.

Involving children will help to promote an environment where their welfare is paramount and begin to establish a culture of honesty and openness. It will also help a child recognise that their voice and views are important and valued which, in turn, will mean they are more likely to feel able to raise any worries or concerns with adults.

The involvement of children is a core principle of this policy document. Chester-le-street District Council is therefore committed to setting up a formal Youth Forum as a legacy for local young people and their involvement in future decision making of the new Unitary authority.

1.2 Policy Statement

The term 'safeguarding' describes the broader preventive and precautionary approach to planning and procedures that need to be in place to protect children and young people¹ (aged 0-18) from any potential harm or abuse. It is more than Child Protection, although Child Protection is one important aspect of Safeguarding Children. Safeguarding Children is everybody's business.

- **Child Protection** involves recognising signs of physical, sexual or emotional abuse or neglect and acting on it to protect children.
- **Safeguarding Children** involves keeping children safe from a much wider range of potential harm and looks at preventive action, not just reaction. This will include safe staff recruitment, risk assessments, safer caring practices, etc.

It is the policy of Chester-le-street District Council to promote and safeguard the welfare of children and young people with whom we come into contact, and to ensure we contact the appropriate services when concerned they may be suffering harm as a result of physical, sexual or emotional abuse or neglect.

Chester-le-street District Council is a statutory member of Durham's Local Safeguarding Children Board (LSCB) and a partner with Durham's Children's Services Authority.

This policy is split into three parts:

1. ***Working with Children and Young People***
2. ***Child Protection Procedures***
3. ***Safer Caring Practices***

¹ To avoid repetition, all children and young people aged 0-18 are referred to as children in this document

2. Working with Children and Young People

2.1 Contact with Children and Young People

The District Council will adhere to safeguarding practices and this will be reflected in Council recruitment policies. All Members, Officers and Volunteers (aged 16 and over) having contact with children or access to sensitive data about children and their families as part of their work / volunteering are required to:

- Apply for a CRB (Criminal Records Bureau) Enhanced Disclosure through Chester-le-street District Council's Human Resources team. These CRB Disclosures need to be renewed every two years by Human Resources.
- Provide at least two references specific to their work with children, OR one character reference in relation to their suitability to working with children and one work-related reference. This will be undertaken by Human Resources as part of the recruitment process.

Set up by the Government, the Independent Safeguarding Authority (ISA) will have an impact upon everyone working with children and other vulnerable groups. From October 2009, the Council (and other employers) will be required to check employees' ISA status. All employees, both new and existing will need to register with ISA.

ISA Registrations will start in the near future, but certainly before October 2009. Both relevant staff and HR need to be checking the ISA website www.isa.gov.org.uk/Default.aspx?page=332 for more information.

Basically from October 2009:

- It will be an offence for an employer to take on an individual in a controlled activity if they fail to check that person's status.
- We will have a legal obligation to refer relevant information about an individual to the ISA

2.2 Interviews

Children should be involved in all face-to-face interviews for posts with the District Council if contact with children will feature as part of their work. This also applies to volunteers and outside contractors.

The Council's Youth Development Team at the Civic Centre will be able to support with preparing children for their involvement in staff interviews and formulating their own questions. Interviewers should arrange interviews so that they do not clash with children's school attendance. If they need support from the Youth Development team they should allow at least four weeks for the Team to arrange and support a group of children to be involved in interviewing.

2.3 Induction

All new Members, Officers and Volunteers having contact with children as part of their work should be made aware of this policy as part of their induction and have access to Safeguarding Children training relevant to their work.

2.4 Allegations against People who Work with Children and Young People

Working Together to Safeguard Children (HMSO: 2006) provides clear guidance as to what steps should be taken by organisations in the event of allegations against Members,

Officers and Volunteers. The remainder of this section explains what do to in these instances, and the next section (Child Protection Procedures) explains how to respond to Child Protection concerns to keep children safe.

The procedures within this section should be applied when there is an allegation or concern that any person who works with children, in connection with his / her employment or voluntary activity, has:

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

There may be up to three strands in the consideration of an allegation:

- **a police investigation of a possible criminal offence;**
- **enquiries and assessment by children's social care about whether a child is in need of protection or in need of services;**
- **consideration by an employer of disciplinary action in respect of the individual.**

These behaviours should be considered within the context of the four categories of abuse i.e. physical, sexual and emotional abuse and neglect. These include concerns relating to inappropriate relationships between members of staff and children, e.g.:

- **having a sexual relationship with a child under 18 if in a position of trust² in respect of that child, even if consensual**
- **'grooming', i.e. meeting a child under 16 with intent to commit a relevant offence**
- **other 'grooming' behaviour giving rise to concerns of a broader child protection nature, e.g. Inappropriate text / email messages or images, gifts, socialising, etc.**
- **possession of indecent photographs/pseudo-photographs of children**

All references in this document to 'members of staff' should be interpreted as meaning all staff, whether they are in a paid or unpaid capacity (e.g. carrying OUT voluntary work on behalf of the Council).

2.5 Named Person for Safeguarding Children

Any concerns or allegations against someone working on behalf of Chester-le-street District Council should be reported as a matter of urgency to the Named Person for Safeguarding Children (this is the Assistant Director of Development Services or in their absence, the Director of Development Services).

This procedure will also be applied to concerns for Member's conduct and the Named Person will also liaise with the Legal Services Manager.

The main duties of the Named Person are to:

- **ensure that the organisation deals with allegations in accordance with the procedures of the Durham Local Safeguarding Children Board;**
- **resolve any inter-agency issues;**

² Please refer to the Appendix for further guidance on the 'Abuse of Trust'

- **liaise with the Local Safeguarding Children Board on the subject.**

The procedures for dealing with an allegation against someone working in the Council can be found in the Appendix. The Local Authority's complete range of procedures for dealing with an allegation against someone working in the Council can be found on the Durham Local Safeguarding Children Board website (www.durham-lscb.gov.uk).

2.6 Speak Out Policy

This procedure enables staff to share, in confidence, any concerns they may have about a colleague's behaviour. This may be behaviour not linked to child abuse but one that pushes the boundaries beyond acceptable limits.

If this is consistently ignored a culture may develop within an organisation whereby staff and young people are 'silenced'.

Chester-le-street District Council has a "Speak Out" Policy that supports and will provide protection for whistle-blowers. While it is often difficult to express concerns about colleagues, it is important that these concerns are communicated to the designated person.

Staff should be encouraged to talk to the designated person if they become aware of anything that makes them feel uncomfortable. Please refer to the main policy for more information.

3. Child Protection Procedures

All people working with children should be alert to the needs of children with whom they come into contact and be aware of how to protect a child if needed. Everyone has a responsibility to safeguard children's welfare and this cannot be delegated or ignored.

'What to do if you're worried a child is being abused' (HMSO: 2006) states that:

"All those who come into contact with children and families in their everyday work, including practitioners who do not have a specific role in relation to safeguarding children, have a duty to safeguard and promote the welfare of children."

3.1 Definition of Abuse

Working Together to Safeguard Children (HMSO: 2006) sets out definitions of the four broad categories of abuse which are used for the purposes of making a child subject of a Child Protection Plan. These are set out below and taken from Durham's Local Safeguarding Children Board's website (www.durham-lscb.gov.uk):

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a

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

3.2 Responding to Concerns (also refer to the LSCB procedures)

Any Child Protection allegations or concerns (including an unborn child) must be treated seriously and reported as a matter of urgency to the Named Person for Safeguarding Children for Chester-le-street District Council (this is the Assistant Director of Development Services or in their absence, the Director of Development Services).

Everyone must be aware of the 'no delay' principle, which means that in the event of concern, staff must act straight away to safeguard a child's welfare.

If the child requires **medical attention**, this must be sought in the first instance.

If a child is considered to be in a life endangerment situation requiring immediate protection, contact should be made with the **Police** in the first instance (i.e. by dialing **'999'** and not a non-emergency local number).

It should be borne in mind that it is difficult for children to report abuse or neglect. If they choose to do so, the person who they have trusted to receive this information is in a key position to support and help that child. How that person responds to any disclosure will influence what the child is able to do next, and how that child feels about having disclosed.

Children under 16 cannot give consent (in law) to engage in sexual activity, but they can receive sexual health advice from trained youth workers as part of a proactive approach to tackle teenage pregnancy, STIs, etc. However, children aged 13 and under seeking sexual health advice and contraception must be advised by staff that they have no choice but to pass this information on as a Child Protection referral if they believe that a child (aged 13 and under) is involved in sexual activity.

Any child who reports abuse or neglect either about themselves or another child should be taken seriously and responded to in accordance with the following guidance:

The person receiving the information should:

- React calmly so as not to frighten the child.
- Tell the child he/she is not to blame and that he/she was right to tell someone.
- Take what the child says seriously, recognising the difficulties inherent in interpreting what is said by a child who has a speech disability and/or differences in language.
- Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said.
- Reassure the child, but do not make promises of confidentiality, which might not be feasible in the light of subsequent developments.
- Follow the flow diagram in the Appendix.
- Make a full record of what has been said, heard and / or seen as soon as possible using the Child Protection Report Form in the Appendix.

The person receiving the disclosure should avoid:

- Panicking
- Allowing their shock or distaste to show
- Probing for more information than is offered
- Speculating or make assumptions
- Making negative comments about the alleged abuser
- Approaching the alleged abuser
- Making promises or agreeing to keep secrets
- Non-action is not an option in Child Protection

3.3 Information Sharing

Almost every failing to protect a child from harm or neglect has been the result of individuals not co-operating or sharing relevant information with the people responsible for protecting children. Anyone who is concerned for a child's well-being must pass concerns onto the relevant people. Data Protection and Confidentiality laws do NOT prevent children being kept safe. For more information about this, see the Appendix or visit www.ecm.gov.uk/informationsharing.

3.4 Recording and Confidentiality

All staff must be aware of the importance of record keeping and confidentiality issues. All staff who are involved in any aspect of a child protection enquiry and any subsequent action should ensure that information is recorded in full immediately. This recording should include details of the alleged / suspected abuse, circumstances of the abuse, actions and decisions taken, interviews and discussions, and any other relevant information. Information must be recorded with dates, times, names, designations and signatures. A distinction must be made between fact and opinion.

The records may subsequently be required to inform a Child Protection investigation or Child Protection Conference, in addition to any family or criminal proceedings.

3.5 What Happens Next for the Child and Family?

Children and workers may naturally have concerns as to what will happen once a Child Protection referral is made. Children's Services are concerned with and skilled at keeping families together wherever possible and this may involve additional services being provided to the child and their family. However, it is never an option to do nothing when a child's well-being is threatened.

It may be necessary for a child and their family to be offered a Common Assessment (CAF) to identify any additional needs. Additional information for these assessments are available from the Named Officers for Safeguarding Children.

Detailed Child Protection procedures can be found on Durham's Local Safeguarding Children Board website (www.durham-lscb.gov.uk). These procedures also cover what should happen in specific instances, such as

- **Unborn babies**
- **Adult mental health and child welfare concerns**
- **Parental substance misuse and the effects on children**
- **Allegations against staff, carers and volunteers**
- **Cross boundary issues**
- **Female genital mutilation**
- **Sexual exploitation or risk of sexual exploitation through prostitution**
- **Disabled children**
- **Organised and complex abuse**
- **Forced marriage**
- **Working with young people who sexually abuse**
- **Abuse by children / young people**
- **Working with sexually active children and young people under 18**
- **Sexually Transmitted Infections arising from sexual abuse**
- **Children / young people in custody**
- **Domestic abuse**
- **Fabricated illness in children**
- **Sudden unexpected death of an infant**
- **Child abuse and the Internet**
- **Self harm and suicide**
- **Safeguarding children from abroad**
- **Missing children, young people and pregnant women**
- **Race, ethnicity and culture issues**
- **Race and racism issues**
- **Children living in temporary accommodation**
- **Young carers**
- **Unaccompanied asylum seeking children**

4. Safer Caring Practices

Safer caring practices should not prevent children receiving the care they need. Staff need to find ways of showing care that are not open to misinterpretation or misunderstanding. It is not always possible to provide clear guidance to every situation and it must be recognised that there will always be 'grey areas' when working with children. However, where possible, clear guidance is provided in this next section and staff could consider the principles underpinning this guidance when there is no specific guidance.

4.1 Risk Assessments

Managers should always consider the impact of their work upon children and families (where relevant) and any risks should be carefully assessed through the Health and Safety policy and Risk Assessments Records.

4.2 Parental Consent Forms

Parental Consent Forms should be completed and signed by a child's parent / guardian before participating in any Council's business or activities provided by the Council. Please see the appendix for a sample Parental Consent Form.

4.3 Adult Behaviour

Everyone should be treated with respect, consideration, dignity, and with a caring attitude. Staff should be caring and sensitive to the individual needs of children through both verbal and physical means.

Staff should use language with careful consideration, especially with regards to teasing, bullying, jokes and sexual references. This also applies to staff dress (e.g. T-Shirts with slogans on, etc.).

Staff should act as an excellent role model – this includes not smoking or drinking alcohol in the company of children.

Give enthusiastic and constructive feedback rather than negative criticism.

Staff should not offer to children to keep promises and secrets – they may want you to keep abuse secret and staff would be required to share this information with others (refer to Child Protection Procedures section).

Staff should not develop 'special' relationships with individual children. The giving and receiving of gifts should not be encouraged (also refer to the Code of Conduct for Officers).

All staff will be expected to maintain the highest standards of appropriate and professional behaviour. Failure to do so may result in disciplinary procedures.

4.4 Mobile Phones & the Internet

Advances in technology, such as mobile phones and the Internet, have added a whole new environment to our lives and how we socialise with people. The speed of receiving and sending information can lead us into a false sense of security, which can have devastating consequences for people, especially as this information can be in electronic form and accessible to anyone for ever.

Staff need to be aware that their private lives can have a serious impact upon their work life – in terms of how this new technology enables private lives to become very public and available to anyone (e.g. on the Internet, mobile phones, etc.).

Mobile phones now have the ability to receive, send and save text messages, photographs and video clips. Once again, new technology can be misleading especially in terms of some content which if printed on paper and brought into work would be categorised as sexual, offensive, racist, etc. and would be considered gross misconduct if viewed by children. Staff should ensure that this type of material is not stored on their personal phones if brought into work or ensure that their phones are password protected if they contain personal information.

Websites such as Facebook, MySpace, YouTube, etc. are known as ‘social networking’ sites. Providing children with access to or not blocking access to any such sites that you may be part of naturally invites children into your private life. Staff should understand this technology and be very aware of the information stored about them (including photographs and video footage), which may be available for children to view.

In recent years, the Internet and significant advances in technology, such as digital cameras, have created a new environment for child sexual abuse. While this is commonly referred to as “child pornography” it is an incorrect description and is very misleading as “pornography” implies a level of consent, enjoyment and acceptance. However, the act of producing and / or viewing sexual images of children is still CHILD SEXUAL ABUSE.

The Internet can be deceptive as it is commonly referred to as a virtual world and is therefore not real. However, these images are acts of real child sexual abuse. Child sexual abuse on the Internet brings together the virtual world and the real world. Viewing images of children suffering abuse is a well known crime BUT in a new environment.

Children being ‘groomed’ for sexual activity on the Internet is increasing and is an offence under the Sexual Offences Act 2003. This means that it is a crime to befriend a child on the Internet or by other means with the intention of abusing them. www.thinkuknow.co.uk/ is an on-line protection site for children.

Staff communicating with children via email, text messaging, etc. as part of their work should ensure that the content is appropriate and professional.

4.5 Photos and Video Recording

Photographs and video-recordings of children should only be taken (1) **with the permission of the child**, (2) **when the child is appropriately clothed**, and (3) **in public areas** (i.e. definitely not bathrooms). Staff should be sensitive to how children react to having their photograph taken.

Photographs and video-recordings of children should not be posted on the Internet or used in any publicity, without the written consent of the child and his / her parents and the consent of the District Council.

4.6 Physical Contact

All physical contact with a child should only be (1) **with the child’s consent**, and (2) **in the presence of another member of staff**. **Be aware that if a touch has meant something**

other than affection to a child in the past, they might not understand that when you try to show them physical affection this is not intended as a prelude to sexual activity.

Some normal activities and games can involve physical contact (e.g. swimming, football, tag, etc.). Staff should ensure that such contact is not misunderstood. Staff should assess how much contact is also necessary (e.g. during sports). In the event of competitive based games, for example 'tag', then staff should ensure that a tag is a touch and most definitely not a hit, which could be seen as an abusive act on the part of a staff member or another child.

Avoid tickling and wrestling games that involve touching that can be misinterpreted. Do not do things that place you, as an adult, in a position of physical power over a child and reinforce the child's inability to stay in control.

The Health and Safety of children and staff takes priority but these procedures should be considered in any First Aid, fire safety or transportation issues.

4.7 Managing Children's Behaviour and Use of Discipline

It is well known that encouraging and praising children's behaviour promotes positive behaviour. However, from time to time, children's behaviour can be challenging and can get out of control. Ideally, the children we work with should be known to us and we can plan for any additional needs (e.g. additional staffing, back up activities to distract and occupy, making sure the workplace and activities are safe for them, etc.).

In any situation, the Health and Safety of both staff and the children with whom we work must take priority. Staff should use their verbal and people skills to defuse and calm any situations. If the situation proves impossible to resolve and / or proves dangerous, staff should consider contacting the child's parents and / or the Police.

Staff **MUST NEVER** use physical punishment, withhold food or medication, lock children in rooms, remove or restrict clothing, prevent contact with family, or any other degrading treatment to punish, control or discipline children. These actions would result in a Child Protection investigation.

4.8 Lone Working

There may be times when staff are alone with a child. This is strongly discouraged and managers are responsible for the co-ordination of staffing to minimise this from occurring. However, if this is unavoidable, staff should apply the policy and principles as best as possible and refer to the Lone Working Policy.

4.9 Recording

Any (non-Child Protection) incidents involving children, such as accidents, near misses, drug and alcohol incidents, etc. should be recorded on the Incident Form and a copy passed onto Human Resources within 48 hours (if the incident involves District Council staff).

4.10 Activity Trips and Residentials

Staff need to plan for any trips in advance and consider the needs of children while away from home. Staff need to have a reasonably good understanding of and relationship with the children and ensure that Parental Consent Forms are returned by the deadline given. This is part of good planning and minimising potential problems and risks while away from home and the standard workplace.

Details of the trip / residential, emergency contact details of the children, and contact numbers for the staff must be given to a second person within the Council (e.g. a line manager) who can provide telephone support in the event of difficulties or emergencies. A 'Summary of information about Children and Adults' form can be used for this purpose and is contained in the Appendix. Please note that Parental Consent Forms must accompany the staff on the trip / residential as the Hospital Authorities will need the information from the form in the event of a trip to the hospital (see appendix).

Other issues to consider when taking children away from home are:

- **Transport arrangements and ensuring that children wear seatbelts.**
- **Any special needs or behavioural difficulties that may impact on the trip / residential.**
- **Providing children with the number for a (work) mobile phone in the event that they get lost.**
- **What action you will take if a child goes missing, including a quick search of the area and if unsuccessful, informing the Police and the child's parents.**

Consideration should take place when taking children away from home on residential, particularly around sleeping arrangements which promote gender segregation and staff support to children. The Venue / Activity / Transport Agreement must be completed in advance when using centres, activities (especially 'hazardous activities') or transport (unless the District Council already has a contract with the provider). This activity / residential must also be discussed with the Risk Manager prior to the activity / residential taking place.

The sleeping areas are places of privacy and access by staff should only take place under the following conditions:

- **Staff always enter the sleeping areas in pairs – it is preferable that both are the same gender as the occupant(s), although in emergency one may be of the other gender.**
- **One member of staff should hold open the door to the sleeping area (this should always be the staff member of opposite gender in the event of a mixed staff team) whilst the other staff member enters the sleeping area.**
- **In the event of children requiring staff assistance during the night, two members of staff should always be present.**
- **In the event of the fire alarm sounding, this procedure should be followed as best as possible. However, people's Health and Safety remain the priority and the emphasis is on evacuating the building(s).**

During free time, bedroom doors should be left open.

Children are not permitted access to staff bedrooms. Bedroom sharing by children and staff must be risk assessed by the worker in charge prior to and during the residential.

Children should have privacy when using the bathroom. If a child needs adult help and supervision, this should be undertaken in consultation with the worker in charge by two staff members. Care should be taken that any child who needs such additional support feels comfortable with the arrangement provided.

Where staff and children have to share a bathroom, staff should use the bathroom when children are unlikely to be using them (e.g. shower first thing in the morning or during session times).

Chester-le-Street District Council

Safeguarding Children Policy

Appendix

This section includes useful information and forms to use including:

- A1. *Responding to Child Protection Concerns***
- A2. *Responding to Allegations against Staff***
- A3. *Information Sharing Guidelines***
- A4. *'Abuse of Trust' – Guidance for Staff***
- A5. *Child Protection Report Form***
- A6. *Sample Parental Consent Form***
- A7. *Venue / Activity / Transport Agreement***
- A8. *Summary of Information about Children and Adults (for Trips and Residentials)***

Named Officers for Safeguarding Children (District Council)

Nick Tzamaras, Assistant Director of Development Services x 2494
Tony Galloway, Director of Development Services x 2100

Social Care Direct (County Durham)

To make a 'Children in Need' or a 'Child Protection' referral, contact:

Telephone: 0845 8505010
Fax: 0191 3835752
Minicom: 01429 884124
A text message from your mobile phone: 0778 6027280

When you contact Social Care Direct you will speak to a trained contact officer. They will ask you questions about your situation. Social Care Direct is open from 8.00am until 8.00pm, Monday to Friday and Saturday morning from 9.00am until 1.00pm.

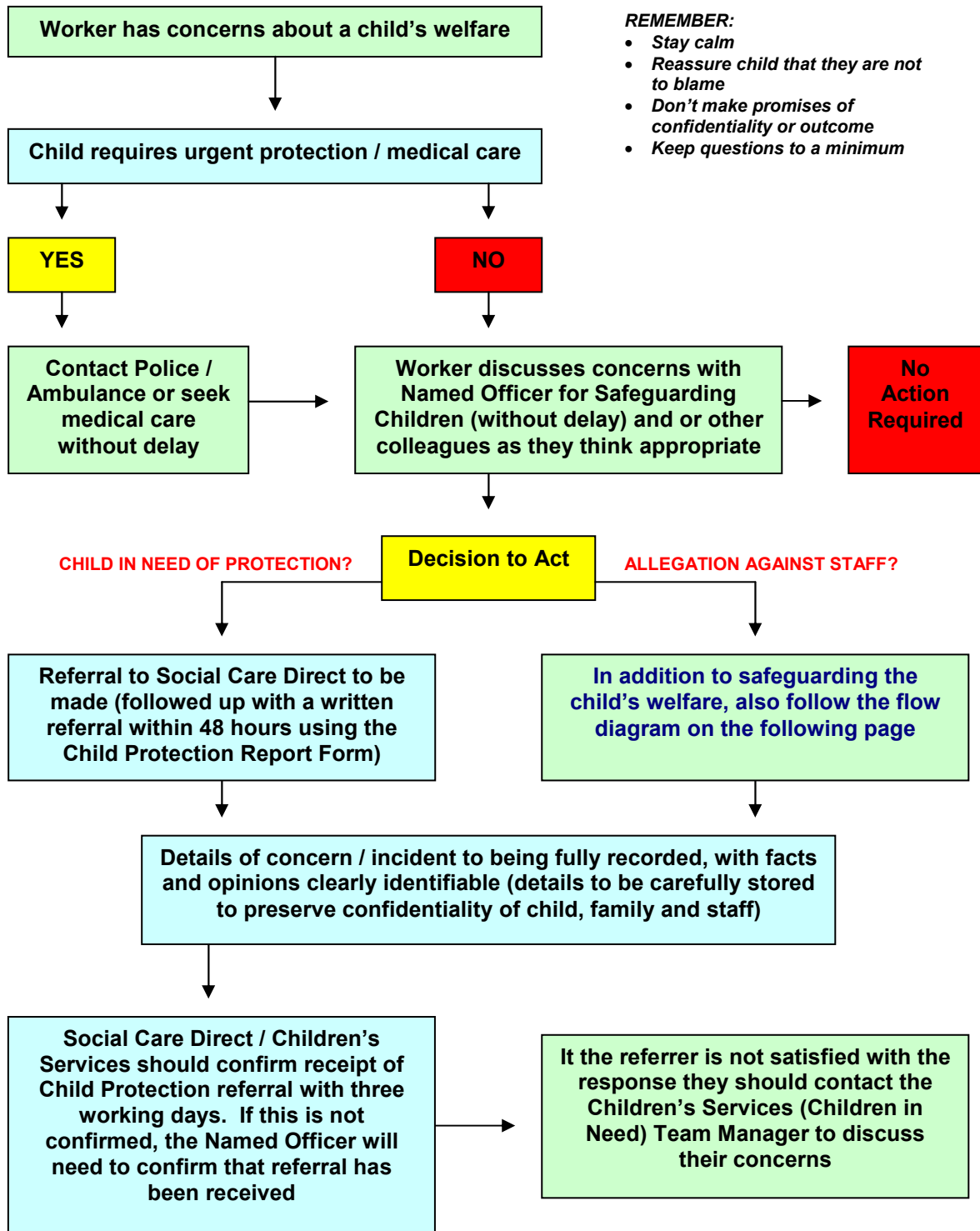
If you wish to contact Social Care Direct in an emergency you should ring Social Care Direct on 0845 8505010.

Acknowledgements

The following documents have been used to inform this policy:

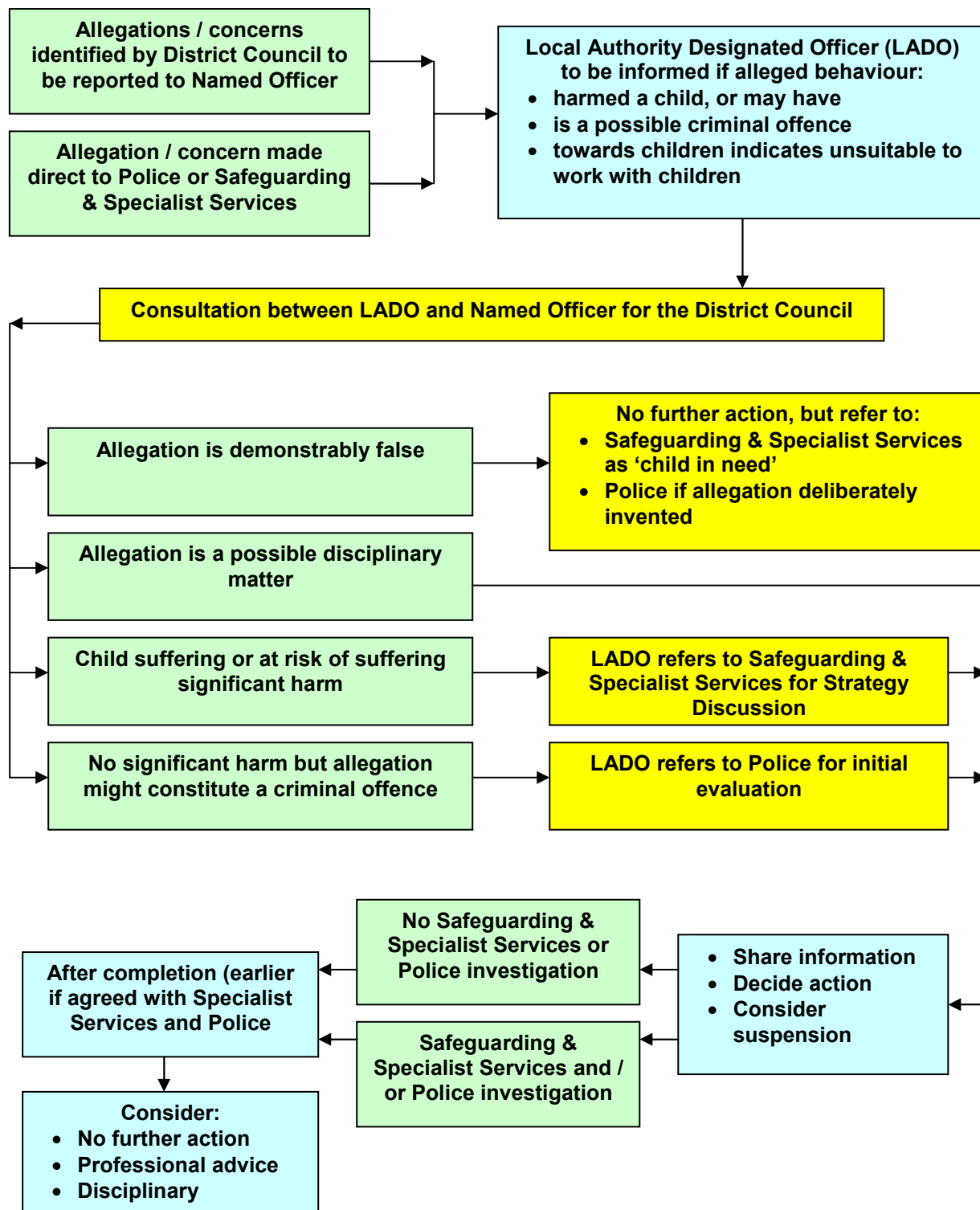
- 'Working within the Sexual Offences Act 2003' Home Office (2004)
- 'What to do if you're worried a child is being abused' HMSO (2006)
- 'Working Together to Safeguard Children' HMSO (2006)
- 'How to Safeguard Children and Young People' Participation Works (2007)
- Durham Local Safeguarding Children Board – Child Protection Procedures (January 2007) www.durham-lscb.gov.uk
- 'Every Child Matters – Change for Children' www.everychildmatters.gov.uk

A1. Responding to Child Protection Concerns



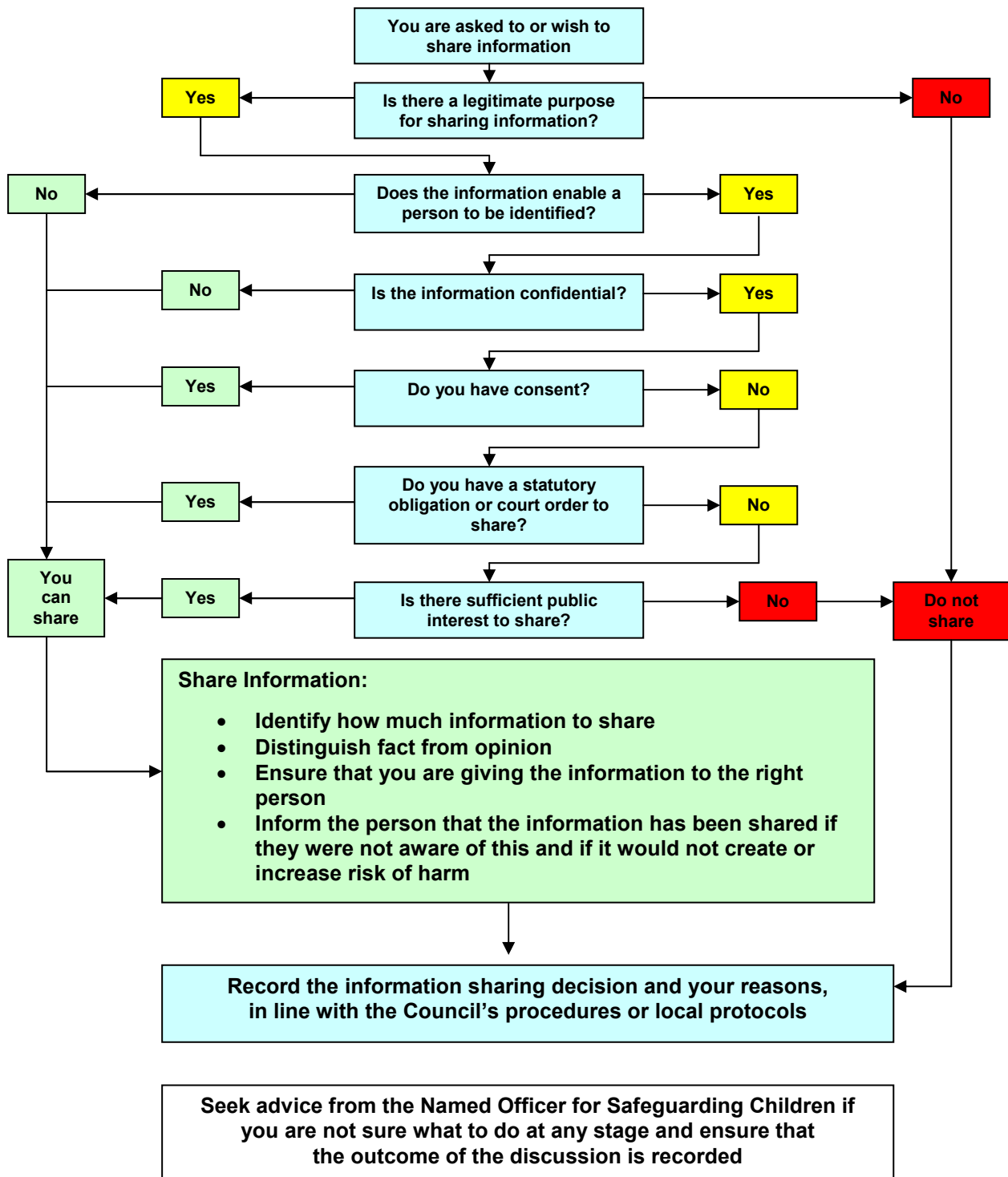
A2. Responding to Allegations against Staff

The flow diagram below shows the actions that will need to be followed in the event of allegations against Elected Members, Officers and Volunteers
(Taken from the Durham Local Safeguarding Children Board – Child Protection Procedures)



A3. Information Sharing Guidelines

*Flowchart of key principles for information sharing
(reproduced from 'Information Sharing: Practitioners Guide' HM Government 2006 page 19)*



A4. 'Abuse of Trust' – Guidance for Staff

The Sexual Offences Act 2003 puts victims first. It reflects the reality of life in the 21st century and sets out clear boundaries about what is, and is not, acceptable. It ensures that men, women and people of all sexual orientations are equally protected from sexual crime. It sets out strong penalties for offenders, and gives the courts and police the clarity they need to do their job and help protect the public from sexual crime. It also sets clear new parameters for people working with children, and with people with mental disorders.

The overwhelming majority of people working with children and vulnerable adults are conscientious and responsible people, intent on providing a good service to them. The law must be able to deal, however, with the minority of individuals who betray the trust placed in them and use their positions to take sexual advantage of those in their care and supervision.

Protecting 16 and 17 year-olds

The position of trust offences in the new Act cover all children **under 18**. They are mainly designed to protect young people aged 16 and 17 who, even though they are over the age of consent, are potentially vulnerable to sexual abuse from people in positions of trust or authority.

Where young people are 12 or under, or between 13 and 15, offences against them are likely to be charged under the general laws in the Act for these age groups. A separate leaflet in this series, *Children and Families: Safer from Sexual Crime*, gives more detail on these offences.

What are 'positions of trust'?

The Act sets down specific positions of trust to which offences relate. People who are in these positions of trust will normally have power and authority in a child's life, and may have a key influence on their future. They will have regular contact with the child, and may be acting in loco parentis.

The offences for those working in positions of trust cover the same kinds of behaviour as offences which apply to the general public – except that, where positions of trust are concerned, the offences apply where the young person is under 18, instead of under 16.

Causing a child to watch a sexual act

This makes it an offence to intentionally cause a child to watch someone else taking part in sexual activity – including looking at images such as videos, photos, or webcams – for the purpose of your own sexual gratification.

Positions of trust: exceptions

There are certain situations in which the position of trust offences do not apply. These are where a person is legally married to the young person, or where a lawful sexual relationship existed before the position of trust arose. This would apply, for instance, where a 17 year-old girl goes to stay in a hospital where her adult boyfriend works as a nurse.

Child sex offences: exceptions

Specific amendments were made to the Act to ensure that people such as teachers, health professionals, social care professionals, sexual health counselors, youth workers, teenage magazine writers, 'agony aunts' and parents are not liable to prosecution when they are acting to protect a child or young person, including those with a mental disorder.

This means that, for instance, a health professional who provides contraception to an under 16 year-old, a teacher who promotes contraception as part of sex education, or a Connexions Personal Adviser who accompanies a young person to a sexual health clinic, would be exempted from these offences, providing they are acting to protect the child.

- Excerpts from 'Working within the Sexual Offences Act 2003' Home Office (May 2004)
www.homeoffice.gov.uk/crime/sexualoffences/legislation/act.html

STRICTLY CONFIDENTIAL



A5. Child Protection Report Form

A referral should be made if there are any signs that a child under the age of 18 years, is experiencing or may already have experienced abuse or neglect or is suffering, or likely to suffer 'significant harm' in the future.

Workers should never delay a referral if there is a concern that a child may be, or is likely to suffer significant harm. If a referral is made verbally, this should be followed up in writing within two working days. Ensure details are completed as fully as possible in capitals using black ink.

REFERRAL'S DETAILS

Name of Referrer: _____

Position: _____

Contact Address: __Chester-le-street District Council, _____

Contact Number(s): _____

CHILD'S DETAILS

Name of Child (one form per child): _____

Gender: _____ Date of Birth: _____ Age: _____

Ethnicity: _____ Religion: _____

Home Address: _____

Contact Number(s): _____

FAMILY COMPOSITION

Include as much detail as possible about the child's family, including parents, siblings and other adults within the household

| Full Name (include any alias or other names used) | Relationship to Child | Date of Birth |
|---|-----------------------|---------------|
| | Mother | |
| | Father | |
| | | |
| | | |
| | | |
| | | |

Are there any known or potential risks to staff? YES / NO (delete as appropriate)

CONCERN / INCIDENT

Date and Time of Initial Concern / Incident: _____

Record in writing all concerns, discussions with and about the child, relevant history, decisions made, and the reasons for those decisions. A distinction between facts and opinions must be made. This section must also include any discussions with Social Care Direct / Children's Services.

| Date / Time | Concise Details | Staff Involved |
|-------------|-----------------|----------------|
| | | |

Use additional sheets if necessary

REFERRAL

Signature of Referrer: _____ Date: _____

Signature of Named Officer: _____ Date: _____

Date referral sent to Social Care Direct: _____

Child Protection referrals should be made to Social Care Direct without delay Fax: 0191 3835752

A6. Sample Parental Consent Form

**INDEMNITY FORM FOR YOUR CHILD TO ATTEND _____ Include Activity Title
WITH CHESTER-LE-STREET DISTRICT COUNCIL From_ Include Date To _____. An accompanying
letter provides further information.**

PERSONAL DETAILS:

CHILD'S FULL NAME: _____

ADDRESS: _____

POST CODE: _____ **TEL NO (INC. MOBILE):** _____

DATE OF BIRTH: _____ **AGE:** _____

NAME OF PARENT/GUARDIAN: _____

DOCTORS NAME AND ADDRESS: _____

**DETAILS OF ALLERGIES, REGULAR MEDICATION TAKEN, SPECIAL DIETARY REQUIREMENTS,
ETC.?** (continue on reverse if necessary)

DETAILS OF ONE OTHER CONTACT IN CASE OF EMERGENCY:

NAME & ADDRESS: _____

TEL NO (INC. MOBILE): _____

I _____, being the legally responsible parent/guardian* of the

above named participant, hereby give my consent for _____
to participate in general activities with Chester-le-street District Council.

I give my full permission for the members of staff to submit the above named participant, in the event of any emergency to any medical treatment necessary and discharge them from any liability other than liability for death or personal injury arising from the negligence of the Council and its staff.

In giving written consent, parents / guardians understand that their child is expected to follow the ground rules and all safety instructions from staff so that Chester-le-street District Council can take all reasonable care of the safety of those participating.

I understand that some meetings / visits may require my child to be transported in a car / minibus / coach while accompanied by a member of staff and I give general consent for this to take place.

Do you give consent for your child to be photographed or videoed for project publicity purposes? **YES / NO**

I indemnify the youth workers of Chester-le-street District Council for any accident, illness, loss, damage or mishap to any person, personal effects and equipment sustained by the above named participant whilst engaged in general activities with Chester-le-street District Council.

SIGNATURE: _____ **DATE:** _____

Personal information gathered on this form will be used only by Chester-le-street District Council for the purposes of managing projects for children and young people.





A7. Venue / Activity / Transport Agreement

Chester-le-street District Council has a duty of care to the young people with whom we work. Therefore, the following standards are brought to the attention of venue managers, activity providers and transport firms (hereafter known as Providers). Please give careful consideration to the statements below and sign to confirm what standards are provided by your organisation (where appropriate).

| |
|---|
| Name & Address of Provider: _____ _____ |
| Date(s) of Proposed Visit / Use: _____ |

| GENERAL | YES | NO |
|--|--------------------------|--------------------------|
| 1. The Provider has current Public Liability Insurance cover of at least £5 million (<i>a copy of your policy is required</i>). | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The Provider's staff have been safely and appropriately recruited, and have current and appropriate Criminal Records Bureau (CRB) Disclosures (see www.crb.gov.uk). | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The Provider complies with relevant health and safety regulations, such as the Health and Safety at Work Act 1974 (<i>copies of any risk assessments are required</i>). | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. All equipment and facilities are fit for purpose and adequately maintained. | <input type="checkbox"/> | <input type="checkbox"/> |
| TRANSPORT | | |
| 5. Vehicles and trailers are kept in a roadworthy condition and comply with existing regulations. | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. All drivers have a clean driving license, appropriate to the vehicle(s) they are driving (<i>please provide us with a copy of your motor insurance certificate</i>). | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Vehicles have seat belts and any necessary booster seats and all passengers are required to wear them, referring to the "Amendment to the Seat Belt Wearing Regulations 1993 Regarding Compulsory Seat Belt and Child Restraint Wearing Requirements in Cars and Goods Vehicles" (see www.thinkroadsafety.gov.uk). | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Evacuation procedures are clearly understood by everyone, luggage is securely stored and emergency exits are kept clear. | <input type="checkbox"/> | <input type="checkbox"/> |
| VENUES | | |
| 9. A Fire Risk Assessment (see www.firesafetylaw.communities.gov.uk) has been undertaken and any required action has been completed. | <input type="checkbox"/> | <input type="checkbox"/> |

Name of assessor: _____ **Date of assessment:** _____

- | | | |
|---|--------------------------|--------------------------|
| 10. The premises are adequately designed / modified to enable people with disabilities access to and participation in all activities. | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Our group's immediate accommodation is exclusively for the group's use. | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. External doors can be made secure against intrusion and windows closed as necessary to prevent intrusion. | <input type="checkbox"/> | <input type="checkbox"/> |

ACTIVITIES

YES **NO**

- | | | |
|--|--------------------------|--------------------------|
| 13. The activities provided require a license under the Adventure Activities Licensing Regulations (see www.aala.org). (A copy of the license is required) | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|

AALA Registration No.: _____

- | | | |
|---|--------------------------|--------------------------|
| 14. The Provider's staff are competent, responsible, experienced and qualified with the appropriate National Governing Body at the instructor level recommended by that organisation for the activities to be undertaken (copies of qualifications are required) . | <input type="checkbox"/> | <input type="checkbox"/> |
| 15. The ratios of staff to young people for the activities conform to those recommended by the appropriate National Governing Body or, in the absence of this, the Provider's own Code of Practice. | <input type="checkbox"/> | <input type="checkbox"/> |
| 16. The Provider is responsible for the health & safety of the group for the duration of the activity / activities. | <input type="checkbox"/> | <input type="checkbox"/> |

Additional Comments: _____

Continue on another sheet if necessary

Signed: _____ **Print Name:** _____

Position in Organisation: _____ **Date:** ___ / ___ / ___

Please return this completed and signed form to _____ at:
Chester-le-street District Council, Civic Centre, Newcastle Road, Chester-le-street, Co. Durham, DH3 3UT

Please remember to provide us with a copy of your insurance policy and any other requested or relevant documentation



Chester-le-Street
District Council

Chester-le-Street District Council

Children and Young People Anti-Bullying Policy

(to be used in conjunction with the Safeguarding Children Policy)



August 2008

Chester-le-Street District Council

CHILDREN AND YOUNG PEOPLE ANTI-BULLYING POLICY

Statement of Principle

Chester-le-street District Council seeks to provide a safe, secure and positive environment in which children and young people can develop and grow making full use of the range of facilities available to them.

Children, young people and the adults involved with them are entitled to be treated with respect and understanding and to participate in any activity free from intimidation.

The council seeks to ensure that those acting on behalf of the council:

- Actively listen to children and young people;
- Act appropriately on information received;

in order to ensure that a safe, secure, positive environment exists.

The Nature of Bullying

Bullying may be defined as the intentional abuse of power by an individual or group with the intent of motivation to cause distress to another individual or group. It may be physical, sexual, verbal or psychological in nature. It may occur frequently or infrequently, regularly or irregularly, but it should be taken seriously even if it has only occurred on one occasion.

Bullying is not a phenomenon that occurs solely between children. The above definition can also be seen to characterise some adult/adult, adult/child and child/adult relationships.

In more serious instances where adults abuse their power over a child or a child does over another child bullying may be viewed as child abuse and should be seen within this context.

Not all aggressive behaviour is bullying. Behaviour, which appears to be bullying, may be exhibited by some children, especially very young children, without the intention or awareness that it causes distress.

Some individuals may feel they are being bullied, even when there is no intention from others to cause them distress. Such perceptions of bullying should be taken seriously.

Why it is important to do something about Bullying

Bullying is always damaging to those involved. The victim, the bully and those who witness or even know about the bullying are affected.

VICTIMS

Victims may spend their lives in fear. They often feel isolated from their peers and may believe that it is something about themselves, which has led the bully to pick on them.

The victim's life may be characterised by unhappiness, a sense of desolation and desperation and exclusion from normal social experiences. These feelings can permeate all aspects of the victim's life and may lead to a strong desire to escape the situation by running away from home, truanting from school and in many cases, self-harming or taking their own life.

The victims of bullying may have reduced self-esteem and self-worth and their performance in school and other areas often deteriorates.

Research evidence has shown that victims of bullying may be more likely to experience mental health problems.

BULLYING BEHAVIOUR

Bullying behaviour is not a natural part of growing up and should not be seen as such.

Children and young people who bully are likely to experience difficult and unhappy relationships with both peers and adults and frequently need help to overcome these difficulties.

Children and young people who bully are unlikely to stop while they can continue unchallenged.

OTHERS

Bullying behaviour does not just affect the victim and the perpetrator. Those who witness or know of bullying may live in fear that it will be their turn next.

Bullying promotes poor models of behaviour and may encourage others to imitate these models. Children and young people who have been bullied in one setting may well become bullies in another.

For children transferring from primary to secondary schools the fear of bullying is widespread.

Evidence has shown that bullying is a major concern for parents and children of all ages.

ORGANISATIONS

Organisations, which encourage or even tolerate bullying are less effective. Where the values and culture of the organisation are dominated by fear and subordination, individuals are less efficient, morale is lower and absenteeism is more frequent.

REQUIREMENTS

The District Council and organisations working on its behalf with children and young people should recognise and state categorically that bullying is unacceptable and will not be tolerated.

The District Council will encourage those organisations working with children and young people on its behalf to:

- Reflect the Statement of Principle in their own Anti-Bullying Policy, or to adopt the District Council's Policies;
- Identify how they will put this policy into practice;
- Involve children and young people in the development of this policy and practice;
- Produce a document which is published and communicated and available for all those who are directly or indirectly, involved with the organisation;
- Have a named member, or group, of staff who will have the responsibility for co-ordinating the implementation of the policy;
- Make clear that everyone has a responsibility for the safety of others;

- Identify and provide appropriate training in relation to bullying behaviour for adults, children and young people;
- Raise awareness of adults, children and young people about bullying;
- Ensure that all staff and volunteers involved with children and young people are able to maintain and develop positive relationships with them;
- Provide and encourage a safe, listening environment in which adults, children and young people feel free to discuss their concerns regarding bullying behaviour.

EXPECTATIONS

- All adults, children and young people should be alert for signs of bullying;
- The issue of bullying should be discussed in schools and relevant settings openly and regularly;
- The Council, and organisations who work with children and young people on behalf of the Council, should develop close links with agencies which might help reduce bullying behaviour;
- All organisations need to make a commitment to take effective and appropriate action in dealing with bullying behaviour;
- Mechanisms should be developed where appropriate for:
 - * Making children and young people who allege they have been bullied immediately safe;
 - * Investigating incidents and clearly stipulating what action will be taken as part of the investigation;
 - * Recording incidents and the subsequent action taken;
 - * Giving consideration to confidentiality issues;
 - * Involving parents and other organisations;
 - * Monitoring and evaluating the actions taken.
- Appropriate training and support should be available for the victims of bullying;
- Appropriate help will be provided to those involved in bullying behaviour;
- An audit will identify **where** and **when** bullying has taken place and to use this to inform the action they take;
- Careful consideration needs to be given as to how the Bullying Policy links with the Child Protection procedures. In particular, issues of frequency, severity and power, differentials need to be taken into account when deciding whether or not a particular incident of bullying should be reported within the Child Protection procedures.



Chester-le-Street
District Council

APPENDIX

Anti-Bullying Policy Guidelines



August 2008

Chester-le-Street District Council

Anti-Bullying Policy Guidelines

1. Introduction

Bullying is a problem for everyone. The victims of bullying are not the only ones damaged by bullying. Those who watch and are aware of bullying are also harmed. Organisations which put up with bullying do not work as well as they could and people within such organisations are often unhappy.

The Anti-Bullying Policy and these guidelines have been written to help people deal with bullying effectively. The guidelines cover the steps which if taken, will make it difficult for bullying to exist.

Organisations may wish to use this guideline, or they may to develop their own. Either position is perfectly acceptable. What is important is that every organisation has guidelines which clearly lay out how bullying will be dealt with.

We know from experience that children and young people who are being bullied often find it difficult to tell someone. Part of this difficulty can stem from their uncertainty about what will happen if they **do** tell. By making available clear guidelines, we can go some way to overcoming this difficulty.

These guidelines are based upon three important points:

- We cannot expect children and young people to draw attention to bullying when it happens – the adults must accept responsibility and take steps to make sure that they are aware of what is going on.
- It is up to all adults within an organisation to take bullying seriously, and to do something about it.
- Adults must be a positive role model in the way they treat other adults, children and young people. Their own behaviour must not be seen to encourage bullying.

2. Signs of Bullying

Some victims of bullying do not appear to reveal any outward signs

The behaviour of children, young people and adults is not always easily understood. Changes in behaviour may have many causes. Being bullied can be one reason why a child or young person's behaviour changes.

There is a need to be alert to the possibility that bullying is occurring. These are some signs which need to be investigated sensitively.

The child or young person may:

- Become withdrawn, clingy, moody, aggressive, uncooperative or non communicative.
- Behave in immature ways, e.g. revert to thumb sucking or tantrums.
- Have sleep or appetite problems.
- Have more difficulty concentrating.

- Show variation in performance.
- Have cuts, bruises or aches and pains without adequate explanation.
- Request extra money or start stealing.
- Have clothes or possessions which are damaged or lost.
- Complain of illness more frequently.
- Show a marked change in a well-established pattern or behaviour e.g.
 - A sudden loss of interest in previously favoured activity.
 - Changing times of coming to and going from the house.
 - A reluctance to (or no longer wishing to) leave the home.
 - A request to change school, youth clubs, etc.
 - A refusal to return to a place or activity.

3. Guidelines for Staff

***Children and Young People have the right to be safe.
All staff have a responsibility to keep them safe.***

It is the responsibility of staff to ensure that their establishment has an Anti-Bullying Policy. All staff should be aware of the need to raise anti-bullying issues regularly. For successful implementation, the Policy must be reflected in the systems and procedures of the organisation. There must also be effective monitoring of the frequency and nature of bullying within the organisation.

The following actions may be taken to ensure that awareness of bullying is raised within an organisation.

- Name of member of staff to be responsible for co-ordinating anti-bullying issues.
- Develop an Anti-Bullying policy with representative young people.
- Review the Anti-Bullying policy regularly.
- Keep staff and young people informed of developments on bullying issues by posters and leaflets.
- Specify clearly those types of behaviour which are considered to be 'bullying' and therefore unacceptable.
- Positively encourage co-operative behaviour.
- Provide support to victims of bullying.
- Reward non-aggressive behaviour.

- Provide support to those alleged to be bullies.
- Provide staff training about bullying.
- Make it possible for children and young people to voice their concerns anonymously e.g. a post box for anonymous comments, letters and notes.
- Maintain supervision in 'trouble spots' in the physical environment.
- Review arrangements for supervising young people, particularly in areas where bullying occurs regularly or is identified.
- Make the environment attractive and 'owned' by the young people.

Ensure that bullying incidents are dealt with promptly

The following actions are appropriate for use with **both** children and young people who are bullied and those who are involved in bullying.

- Ensure the immediate safety and well-being of children and young people.
- Protect and support all parties while the issues are resolved.
- Take necessary steps to stop bullying.
- Listen to and treat children and young people sympathetically and take their concerns seriously.
- Encourage children and young people to discuss the incidents of bullying.
- Involve children and young people in discussion about what action will be taken.
- Ensure that children and young people clearly understand what actions will be taken.
- Consider a range of strategies to ensure that bullying does not occur again.
- Record incidents and actions being taken and bring them to the attention of the named person.
- Inform parents and discuss the situation with them calmly.
- Maintain contact and work with the parents.
- Respond calmly and consistently.

4. Ideas for Children and Young People

***You have the right to be safe.
You have the right to expect others to keep you safe***

Some of the following ideas come from young people themselves, from discussions and elsewhere.

Speak out about bullying

Don't be embarrassed or ashamed about speaking out about bullying and asking for help.

Choose who can help.....think about how:

Your parents can help

Your friends can help

Other adults you trust can help

Speak out about bullying, talk about what is happening and how it makes you feel.

Some people pretend bullying does not exist, this can be hard, but you can still help yourself and can ask others to help you.

Sometimes it is easier to write or draw rather than talk.

Take Action

Get together and talk to friends.

Look for posters and leaflets on bullying

Put up posters and hand out leaflets.

Organise an anti-bullying campaign.

Join activities to stop bullying.

Find out if there is a group for children and young people that you could go to, to talk about bullying. (e.g. Many schools have pupils' support groups)

Do's and Don'ts

Do support and befriend the victims of bullying

Do support friends when they are being bullied

Do help others to have confidence to tell someone

Do think of each other's feelings

Do be aware of bullying and look out for it

Do report it, if you witness bullying

Do find out what your school or other organisation says about bullying – most organisations have ways of dealing with bullying

Don't ignore the problem

Don't join in even if everyone else seems to

Don't join in because you're frightened you might be picked on

Don't pick on others or tease

Don't name call

Don't keep quiet about bullying

Remember

Bullying can make children and young people feel scared and alone.

Bullying might mean:

- * Name calling
- * Hitting
- * Ignoring
- * Scaring
- * Picking on
- * Teasing
- * Slagging off

You should not be silent when you are being bullied

Telling about bullying isn't telling tales or grassing

Bullying is wrong and should be reported

Both adults and children bully

No-one deserves to be bullied

Bullying is everyone's problem

***Nobody should be hurt or upset by bullies
You have the right to expect others to help you***

If you feel there is no-one to talk to, sometimes it can help to talk on the phone to a Helpline:

- Kidscape 02077 303300
- Childline 0800 1111
- Children's Legal Centre 01206 873820
- Samaritans 0845 909090
- Victim Support 0191 383 1515
- NSPCC 0191 239 0820
- Youth Access (Counselling) 020 8772 9900

5. Guidelines for Parents/Families of Children being Bullied

***Your child has the right to be safe.
Your child has the right to expect other people, including
yourselves, to help keep him or her safe***

Children and Young People go to a wide variety of places, ranging from schools, activity groups to youth clubs. It is not possible to list all of these, so the word **organisation** is used to cover all of them. Each organisation should have an Anti-Bullying Policy available for you to seek. ASK.

If you suspect your child is being bullied:

- Talk to your child about what is happening.
 - Be Calm
 - Show Sensitivity
 - Show Concern
 - Reassure your child that he or she is not to blame
- If at all possible, act with your child's agreement.
- Contact someone in the organisation.
- Expect the organisation to take you seriously and take appropriate action.
- Maintain contact and work with the organisation.

Some Do's and Don'ts

Do listen to your children.

Do take their concerns seriously.

Do encourage your children to tell you what has been happening and in particular to report any trouble they have encountered.

Do help them find a solution, wherever possible and safe.

Do talk to the organisation.

Do look for signs of distress shown by your children.

Don't ignore your child if they say they are worried about being with certain people or in certain places.

Don't tell your child: 'Just put up with it' Bullying is never acceptable. Action needs to be taken to stop bullying.

Don't tell your child to fight back. The bully may be stronger. Your child may be beaten up.

Don't immediately rush off and deal with the situation yourself.



Chester-le-Street
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Children and Young People Detached and Outreach Work Policy



August 2008

Chester-le-Street District Council

DETACHED AND OUTREACH YOUTH WORK POLICY

1. Introduction:

1.1 Detached and outreach youth work is an essential element of the wide range of provision offered by Chester-le-street District Council, seeking to meet the needs of young people in ways that make it a complementary provider and partner with other agencies.

1.2 This policy takes account of Durham County Council's Community Education Service Development Plan which highlights detached youth work as an important method of achieving positive work with young people.

1.3 Durham County Council's Community Education Service recognises that there is a significant number of young people who are not attracted to traditional youth club based provision. They include an increasing number of young people who are disadvantaged, disaffected and at risk.

2. Definition:

2.1 **Outreach Youth Work** can be defined as work which involves contacting young people outside the Youth Centre and therefore it is an extension of building based provision. It aims to reach young people in the name of that Centre or project and may in some circumstances encourage them back into that unit, to develop work and to build trusting relationships with them.

2.2 **Detached Youth Work** involves youth workers meeting young people on their terms and their own ground, such as village greens, pubs, bus shelters or street corners. Not having to manage, be responsible for, or be associated with a Centre allows detached youth workers to be much more responsive and flexible to the needs of the young people with whom they meet and work.

3. Aims:

3.1 The aim of detached and outreach work is to make contact with young people who are either reluctant or unable to use existing youth service provision and to work with them to identify and respond to their expressed and perceived needs in line with the aims of the Community Education Service.

3.2 Detached and outreach workers aim to:

- Work with young people irrespective of race, sex and ability who may be socially and economically disadvantaged, at risk from abuse and exploitation, in need of positive relationships and who need avenues of information and support.
- Challenge prejudice and promote equality of opportunity.

3.3 The key inter-related objectives are:

- to form positive and supportive relationships with young people by working in a non-judgmental manner.
- to gain an in-depth understanding of the local community and to help young people to identify their own needs and develop appropriate strategies for action.
- to advise, counsel, inform and befriend young people as appropriate.
- to promote and be an advocate for the youth service and/or other agencies as appropriate.

4. Rationale:

Social education is an integral part of working with young people and detached and outreach work is an informal method of working which aims to promote the all round development of young people. Chester-le-street District Council recognises the value of full cooperation between the voluntary and statutory partners in ensuring quality provision. It believes that this policy and appropriate guidelines

for managers and workers will give purpose and direction to all local organisations involved in the management and delivery of detached and outreach work.

5. Requirements and Expectations

5.1 Durham County Council, through the work of its Community Education Officers, Area Co-ordinators and Area Teams provides advice, support, co-operation and guidance to new and existing detached and outreach projects. Chester-le-street District Council employees who are involved in or leading detached and outreach youth projects will endeavour seek advice from Community Education officers in implementing this policy.

5.2 The Authority expects new projects to be developed in partnership with young people, their communities and other relevant agencies.

6. Scope

6.1 This policy statement relates to all Chester-le-street District Council staff involved or leading detached and outreach youth projects.

6.2 This policy statement should be read in conjunction with other relevant Children and Young people policies of Chester-le-street District Council, especially the Child Protection Policy.



Chester-le-Street
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APPENDIX

Children and Young People Detached and Outreach Work Guidelines



August 2008

Chester-le-Street District Council

GUIDELINES FOR DETACHED AND OUTREACH YOUTH WORK

Introduction

Detached and outreach youth work currently exists within Chester-le-street. However, at present, it forms a small but expanding part of the overall statutory and voluntary youth work provision. Within the detached and outreach work that currently exists there are a range of approaches which reflect the widely different geographical and community needs. This document aims to provide broad based guidelines and good practice for managers and practitioners of Detached Work across Chester-le-street. It is also hoped that these guidelines will provide an introduction to the style of Detached Work for any youth worker or other person interested in gaining an understanding of the work. However, this is not a definitive document and there may be some issues concerning detached and outreach work which are not covered.

Guidance for Managers

To be an effective manager of detached and Outreach work it is necessary to gain clear understanding of the philosophies and practical nature of the work and to keep abreast of current trends some of which can be achieved through training. The role of the manager is to accept managerial responsibilities which include:-

- (a) helping to obtain the resources both physical, financial and human to enable the work to be undertaken. This should not be left entirely to the workers as they are employed to work with young people;
- (b) taking a pro-active interest rather than being re-active, i.e. managers are there to support and facilitate rather than control. In detached work the workers are likely to have, and need, a degree of freedom as to how they work;
- (c) providing regular managerial supervision for workers in-line Managers should also recognise that there are local regional and national support groups through which workers can benefit e.g. *Northern Detached Workers Agency*. It should be recognised that detached and outreach workers can also benefit from non managerial supervision. Time should be allowed within the normal workload to develop these contacts;
- (d) understanding that, in the absence of a management committee, consideration should be given to the setting up of a support system to review the work for the project and to support the workers. Some projects operate with both a management committee and a support group;
- (e) motivating, challenging and assisting the workers, along with supporting the valuation of the work;
- (f) actively advocating and supporting workers in the development and promotion of detached and outreach work. This necessitates an understanding of the confidentiality of some of the work and its implications, and includes communication within the Community Education Service and other Children Services Authority departments, outside agencies and relevant individuals;
- (g) assisting workers to identify their training needs through regular supervision and appraisal in accordance with Chester-le-street District Council personnel policies and procedures
- (h) ensuring that workers and projects are aware of, and implement, existing relevant policies especially in relation to equal opportunities;

Staffing

(a) Teamwork

It is management responsibility to ensure adequate staffing levels. The size and structure of staffing should be appropriate to the aims of the project and to its location. The Community Education Service strongly advises that detached projects should be team based operations. The establishment of a team of workers brings a greater range of experience to a project and enhances the mutual support that colleagues can offer each other. When establishing teams it is recommended that consideration be given to gender balance.

(b) Single Worker Posts

Within limitations some single worker posts can be, and have been, successful. However, because of the demands of work, it is recommended that single worker posts be avoided for the following reasons:-

- Vulnerability
- Isolation
- Lack of immediate support. Due to the nature of the work there may be many dilemmas, tensions and issues for a single worker to resolve on a daily basis.
- Continuity. If the worker leaves the post, all the contacts and the value of the face-to-face work can be lost.
- Safety of the individual (both worker and young person).

Conditions of Work

The following points are important in order to provide the firm foundation on which to develop the work. These systems should, where possible, be in place **BEFORE** workers are employed.

- Base for office work – this requires access to basic office equipment and where possible secretarial help.
 - Access to resources, such as for example a mini-bus, duplicating facilities and any other resources which are suitable and the use of which can be negotiated with or shared with other agencies.
 - Petty cash account for official expenditure.
 - Out of Pocket expenses including traveling expenses, reclaimable through an approved process.
 - A mobile telephone and/or an emergency telephone number i.e. line manager/chairperson.
- Whilst detached youth workers are expected to adhere to these guidelines unforeseen emergency situations may arise.

Detached youth workers need a high degree of autonomy and freedom. They are employed as face-to-face workers and should not be expected to undertake routine office work.

Guidance for Workers

Introduction:

“Good detached work lies in the relationship developed, in informal situations, with young people; relationships which are based on mutual trust and understanding. The worker relates to young people on their own ground, at levels on which they happen to be when first contacted. Making this contact is a skill which requires workers of a special kind:- *This is detached work*. The methods used to develop these relationships also demand great skill on the part of workers.” (*The Management of Detached Work, Alan Rogers et al*).

Before You Start

When a post or project is set up, an in-depth reconnaissance of the area must be made so that future work can be based on the findings and recommendations of the initial survey. First, you must agree the geographical area that you will work in, and the timescale which you are allowing for the reconnaissance.

1. Get to Know the Area

- Spend time during daylight hours to get to know the layout of the area i.e. streets, footpaths, back lanes, shops etc.
- Understand the socio-economics of the area i.e. levels of unemployment, poverty/affluence, number of single parents, truancy rates. (These statistics are usually available from the County and District Councils).
- Discover, what are the lifestyles of the community and of its young people?
- A little observation is needed next – where do young people meet and why do they meet there? When do they meet? Is there a particular time when they meet?

2. Get to Know Relevant Agencies and Key Community Leaders in the Area

- Find out which other agencies are operating in the area, what services they provide and who are the key staff. It is essential to find out how they work and whether you are complementing or duplicating their service. The community also has its own ‘key people’ – the lollipop lady/man, the people in the local chip shop are all members of the community who have a wide local knowledge.
- However, you must also be aware that some people you meet may well be the victims of anti social behaviour. You will need to develop appropriate responses to local people who feel negative towards the young people you are working with.

3. Delivering the Curriculum

(a) **Making contact** – you’ve done all the preparation for making your first contact. There are no set methods of making contact with young people. Work to your strengths but be aware of the following:

- how you present yourself – your body language – personal presentation and verbal communication.
- the need to devise a series of opening dialogue.
- the need to be seen, without standing out.
- the need to take your time – don’t rush into new contacts.

If you work as part of a team never exceed more than two workers in the same location, three is a crowd and can be intimidating to contacts and passers-by.

(b) **Having made the first contact what do you do now? What is it that you can offer young people? Is it:**

- **information?** This must be current, relevant and clearly understood.
- **advocacy?** This is often important in effecting a close understanding and improved co-operation between a young persona and family, school, courts, work, peer groups etc. as well as the community's statutory and voluntary agencies.
- **counselling?** This is of particular importance to young people under stress and personal difficulty.
- **developing social skills?** Young people often need help directly or indirectly when learning how to negotiate the meeting of their needs.
- **acceptance and support?** Acceptance of an individual by the worker regardless of past or present behaviour even when it has to be made clear that the behaviour and its consequences are rejected according to our value system, is a principal part of effective work.
- **activities?** If so, is the programme adequately resourced? You must also follow the Local Education Authority Procedures for Educational Visits (form EV/1/95).

Whatever you offer young people it must be planned and recorded – it is essential that all those involved become clear about the purpose(s) and nature of the work and agree some realistic success indicators. (See Appendix A & B Sample Record Sheet). Time must be allowed for planning, recording and evaluating the work.

4. Personal Safety

An essential skill to develop is the ability to quickly assess a situation, or the mood of a particular individual or group. If they are displaying anti-social behaviour you will need to make a judgement whether to approach them or to make an arrangement to meet them at another time.

You should also be aware that neighbourhood conflicts and family tensions can create difficult working situations which may affect the mood of groups and individuals.

(a) Prepare a weekly diary sheet detailing where you intend to go and make sure that your line manager, someone at home and your chairperson, if appropriate, has a copy.

(b) Carry an ID card at all times.

(c) Consider carrying a personal alarm/mobile telephone.

(d) Clarify with your line manager/organisation if you are insured to do outreach/detached work.

The insurance cover which has been arranged by Chester-le-street District Council in respect of its employees, is as follows:-

(i) **Employers Liability**

Chester-le-street District Council's legal liability towards its employees is covered by an Employer's Liability Insurance.

(ii) **Public Liability**

Chester-le-street District Council indemnifies its employees against claims from third parties for accidental bodily injury or loss/damage to their property, provided that they are acting within the scope of their authority.

(iii) **Risk of Assault**

Chester-le-street District Council indemnifies its employees in the event of death, total or partial disablement through assault in the course of, or as a consequence of their employment.

(iv) Ensure that you have a basic understanding of: The drugs Misuse Act, Police and Criminal Evidence Act (PACE) and the Public Order Act. (You may be in the wrong place at the wrong time). (See Appendix C for detailed risk management). Ensure you ask your employer for training relevant to the work you are undertaking and that this training is refreshed when relevant e.g. when there are changes to law or practice.

(v) Think seriously about the advantages and disadvantages of living and working on the patch. Your decision could affect your private life and personal safety.

5. Get to Know Your Co-worker

Street work can throw up many dilemmas to do with your own personal attitudes and values. Therefore you do need to know each other well enough to respond to certain situations or comments made by young people and adults.

Street work relationships between workers is, by its nature, intense. You are likely to be alongside your co-worker for at least 2½ hours at a time. You do not have the luxury of finding your own space as you can in building based work.

If the relationship is not working the young people you work with will sense this. Get to know each others strengths, skills and weaknesses in order to complement each other. It is also important to clarify the roles and responsibilities which you will each undertake during street work. Confidentiality is also an issue which co-workers need to discuss and agree upon.

6. Monitoring and Evaluating

“So you wander around the streets it’s a good skive isn’t it?”

It is so easy for people to make assumptions, because unlike building based work there is often no visual proof of your effectiveness. It is suggested that you:

- (a) Complete a record sheet/book at the end of each session. (See Appendix A & B). There is no need to record the names and addresses of the street contacts you make, but you may wish to keep them if you are planning further activities;
- (b) Present a written report to the management committee/line manager every 12 weeks outlining the major issues and numbers of young people contacted;
- (c) Prepare an annual report which puts into perspective your achievements over the year;
- (d) Have regular team meetings to discuss what has been achieved, what have been the difficulties and what is the future direction of the work;
- (e) Keep abreast of any changes and agency developments that may affect our work;
- (f) Be familiar with the following Community Education Service documents – ‘A Framework for the inspection of Quality’ and Management Expectations – Units/Projects; which outline the indicators of quality and quality descriptors.

(g) OFSTED have also outlined the information they will require in their document, 'Inspecting Youth Work – A Framework, November, 1994'.

7. **Exit Strategy**

At the appropriate time there is a need to move on to work with other groups and individuals. You may need to plan a strategy which will enable young people to continue their development. This will be easier to achieve if you have built up working relationships with other agencies which can continue the individual/group development or perhaps offer other opportunities.

8. **Dealing with the Media**

Contact with the media on sensitive issues about which the workers need support should be conducted through the Communications & PR Officer Tel. 0191-3872025 (direct line). No response to media enquiries in relation to drug use should be given by any worker without the authorisation of their Director.

9. **Confidentiality**

Although we recognise that confidentiality and its limitations are often influenced by conflicting needs, e.g. of the individual worker, the parents, other agencies or institutions; **Trust based on confidentiality is of paramount importance in workers' relationships with people.** Workers may maintain confidentiality and are **not legally obliged** to inform medical personnel, police, line managers, or parents in the following circumstances:-

- when a worker learns a person has used or is a user of illegal drugs;
- when a worker observes a person in possession of illegal drugs away from Community Education Service premises;
- when a worker learns the source of supply.

However, the worker may choose to inform the line manager of the above, to jointly decide on the best course of action and to ensure advice and support for the person and supervision for themselves. **In every case, the health and safety of person(s) involved must be the primary consideration.** It is this more than anything else which determines whether information needs to be acted on or communicated to others on a 'need to know' basis.

The degree of confidentiality a worker is able to offer is relative to the setting in which she/he operates and the contact negotiated between the worker and the individual concerned. As a general principle it would be unwise for workers to make promises of absolute confidentiality which may be impossible to keep.

At an early stage, workers should establish, clarify and make individuals aware of appropriate levels of confidentiality.

If a person insists upon absolute confidentiality from the outset and this cannot be guaranteed by the worker, then access to a specialised agency which may be able to offer the level of confidentiality needed should be negotiated.

Any amendments to negotiated contracts or referral to external agencies should **wherever possible**, be agreed between the worker and the individual concerned. However, where the worker feels internal or external referral to be essential without the agreement of the person/s concerned, it should **always be with their knowledge.**

On referral to a specialist agency, it is important for the worker to maintain contact and continue to support the individual if this is required.

It must be remembered that workers destroy working relationships with people if they discuss their behaviour, or information given, with any third party WITHOUT DUE CONSIDERATION OF ALL RELEVANT FACTORS INVOLVED.

10. **Non School Attendance**

Good practice for youth workers, including detached and outreach workers is that:

- Children and young people should be actively encouraged to return to school.
- You may offer to contact the school, or the Education Welfare Service, and then support the young person in resolving any specific problems with regard to non attendance at school.
- Attendance at the youth centre or detached/outreach work activity sessions are not a permitted alternative to school.

As with many other issues, in deciding what action to take, the welfare of the child must be the main consideration.

11. **Review Policy**

The Policy and guidelines will be reviewed periodically and updated where necessary.

12. **Source Material**

A wide variety of source material was used in the compilation of this document and includes:

- (1) A Rough Guide to Street Work – Durham City Centre Youth Project.
- (2) Policy into Action – Essex Community Education Service.
- (3) Safety Statement for Detached and Outreach Work – Hull Area Youth Service.
- (4) Detached and Outreach Work – Derbyshire Youth Service.
- (5) Detached Youth Work, Stepping Into the 90's Proposed Policy Document – Hampshire Youth Service.

13. **Further Reading**

- (1) The Management of Detached Work Alan Rogers et al – Youth Clubs U.K. ISBN 0 907095 05 4.
- (2) Starting Out in Detached Work – Alan Rogers, Youth Clubs U.K.
- (3) National Youth Agency, The NYA Library holds a number of annual reports from detached work projects across the country.

14. **This policy and guidelines were adapted from the Children Services Authority relevant policy as compiled by:**

Chris Tennick – Community Education Officer (Youth Work Development) with input from:

- (1) George Stobbart – Youth Development Worker, Spennymoor.
- (2) Keith Dillon – Detached Youth Worker, Darlington
- (3) Andy Whittam – Detached Youth Worker, Darlington

- (4) John Keerie – Detached Youth Worker, Consett Churches Detached Youth Work Project.
- (5) Brian Brookes – Detached Youth Worker, Pride House Youth Project, Peterlee.

Chester-le-Street District Council**RISK MANAGEMENT STATEMENT FOR DETACHED AND OUTREACH WORK****Introduction:**

Work will be carried out in accordance with the guidelines for good practice within detached and outreach work.

It is the responsibility of all workers to ensure their own personal safety whilst undertaking detached and outreach work.

Identification of Risk Areas (places to be extra careful)

N.B. Many of the risk areas may also be where young people gather and therefore can be identified as useful contact work places.

- All open street areas, corners where traffic builds up (traffic lights, cross roads, accident spots, railway and pedestrian crossings).
- Hidden street areas; underpasses, water and rail bridges, shop doorways or alleyways – especially those with corners part way down, walled car parks and garage areas, covered shop precincts, entrance porches of flats, churches, halls or offices, stairways of flats, gardens of empty houses, areas prone to vandalism.
- Parks and open spaces, waste ground, woods and coppices, fields, drains or deep waterways, cut-throughs, school campuses after hours, disused recreation ground buildings.
- Street gathering places for the consumption of alcohol, dealing in drugs, soliciting, dumping of needles, ringing (reconstruction of illegally obtained vehicles), especially when these activities involve older men behaving territorially.
- Neighbourhoods with high incidence of street crime, where workers are not well known to local police.
- Adverse weather conditions.
- Corridors and car parks of premises used as workers' bases when no other occupants are there. Inside private houses or flats.
- All areas after dark.
- Any patch new to worker, where strategic places of safety for workers to withdraw to have yet to be established.

Control of Risks

- When making contact with young people on the streets never work alone. Carry ID cards at all times. Make sure someone knows approximately when you are expected to return to base.
- Have insurance cover, ensure that the police are aware that detached/outreach workers are operating in the area and that they are aware of your role. Liaise with other agency workers. Consider carrying a personal attack alarm and a torch with you.

- Work to an agreed plan of action, responding to the previous session's findings, and make detailed process recordings as soon as possible after each session.
- Open street areas should be avoided as waiting places if there is an obvious risk of obstructing clear traffic views and possibly being struck by a vehicle or increasing the chance of accidents.
- Avoid going into "hidden" street areas unless this is the only way of contacting a particular target group. Always inform colleagues or managers before making this move. When sensing personal danger withdraw at once and re-visit when the time is right.
- For clear vision through angled passage-ways, both in front and behind, one worker should walk slightly ahead.
- Only use equipment such as video, mobile phone or still camera with established contacts to minimise risk of theft with violence.
- Explore open spaces well when busy and with weekend or daylight activities. Get to know nearest residents in case help is ever needed. Assess danger spots, and safety resources, e.g. deep water: rescue float, life belt, rope, pole, steps out. Check any security guard or park attendant's route and office.
- Be wary of treading on "territory" where criminal activity may make offenders suspicious and hostile to unknown adults.
- Where contacts are interacting with the police, try to avoid intervening unless necessary. Only ask what is going on if you feel you have to know, and then offer assistance, show your ID. If you get arrested you are entitled to free advice from the Station's Duty Solicitor. Once released you should contact, via the employing department, the County Council's Secretary and Solicitor's Department which will offer advice to employees on a non emergency basis.
- Great care should be taken if and when handling discarded needles, syringes and substances. Please follow the procedures described in the separate Drugs Disposal Guidelines.
- Introduce yourself to the local police and health centre staff and develop a professional respect with such agencies.
- Wear clothes designed for all weathers keeping an eye on the local weather forecast! Carry a large umbrella when it is really wet. Be cautious on icy streets.
- Always let the site caretaker/centre base staff know when you are in or out of any building.
- Choose well-lit meeting places after dark: under streetlights, outside late opening shops, seats by low walls. Introduce yourself to any local youth centre staff and get to know what evenings they are open.
- Know where all the working call boxes are: garages, pubs, kiosks.
- Always spend sufficient time in researching the patch so it is well known to you before any contact work begins.

Application of Control Measures

- Act within the law. Be aware of the laws which may criminalise young people, e.g. prostitution, homosexuality, drug use, and how they may affect you by association.

Train for all eventualities:

- The core skills of relationship building, advice and advocacy need to be well developed to be effective on young people's own territory.
- Information and training in e.g. aspects of juvenile law enforcement, range and roles of other agencies, relationship skills with holder offenders, will extend the range of work and the safety margins.
- Building trust and working towards empowerment – taking responsible decisions that affect your life and those of others. This is a sound way of gaining a higher degree of personal safety for everyone.
- Work methodically, building up contacts and following a well-recorded plan of developmental work.
- Monitor any significant moments when things may not have gone smoothly. Discuss alternative actions with the staff team and line manager, and work on reducing the danger zone next time.
- Consider first aid training as a useful skill.

Special Needs

- Young people with different abilities can be encouraged to try many challenging approaches towards independent living and use existing integrated leisure provision with enough support from the flexible staff hours of a detached work team.
- Be aware of the range of disabilities that people have – they may not be immediately apparent. Consider training in practical aspects of lifting safely, (being able to assist a young person with a disability to use public amenities if you are asked), signing, informal assessment of care and support needed, plus home liaison, will minimise the risks of injury and awkwardness in embarking on this area of work.



Chester-le-Street
District Council

Chester-le-Street District Council

**Children and Young People
Drugs Misuse
Guidelines for Drugs Disposal**



August 2008

Chester-le-Street District Council

CHILDREN AND YOUNG PEOPLE DRUGS MISUSE GUIDELINES FOR DRUGS DISPOSAL

Disposal of Drugs

Remembering that it is illegal to confiscate any legal drug, the following methods for disposal may be used if a substance is voluntarily given up for disposal or found.

A local pharmacist or hospital may be willing to dispose of over the counter or prescription drugs or even small amounts of controlled drugs. (Make prior contact).

Always ensure that the handing over of drugs has been witnessed by a reliable person.

If you have any distance to travel to the pharmacist or hospital, telephone to say you are on your way and take a witness with you in case you are stopped by the police and charged with possession.

Tablets may be crushed and powders dispersed in water and flushed down the sink or toilet. This action should also be witnessed by a responsible person.

- **Controlled drugs** may be received in order to prevent an offence or to hand over to the police.

Large amounts of controlled drugs should be handed to the constabulary. Again make sure that any action should be witnessed by a reliable person and a written statement made and witnessed

Place drugs in a safe or strong room or locked cabinet until the constabulary arrive.

Under no circumstances should you leave such drugs on premises overnight or keep them on you. "Small amounts" of controlled drugs may be disposed of as above.

Be careful not to burn substances such as cannabis/cocaine/heroin in enclosed areas as the vapours may cause intoxication.

"Small Amounts" is difficult to define as amphetamine sulphate is bought in grams and cannabis in ounces. In general, a "small amount" is sufficient for an individual's personal use only.

- **Alcohol** may be poured down the sink or toilet, again make sure that this action is witnessed by a responsible adult.
- **Hallucinogenic Mushrooms (Magic Mushrooms)** should be burnt preferably in an incinerator. This action should also be witnessed as raw mushrooms are not illegal but those prepared cooked or dried are illegal.
- **Aerosols/Gas Canisters** should not be burnt or punctured, but may be sprayed in an open air area until the can is empty. The empty cans should then be disposed of in the usual manner.

- **Spray Paint** should be sprayed onto a screen or board, in an open area until the can is empty and the empty can disposed of in the usual manner.
- **Hypodermic Syringes** which you suspect of being used to inject drugs **should be handled with great care** – in fact, if they are being handed over by the user, have him/her place the syringe in a strong metal box or can, or a strong plastic or cardboard container.

This procedure should be witnessed by a responsible person signing a written statement. Place the box, can or a strong plastic or cardboard container in a locked safe or cabinet for the short period until arrangements for disposal are made.

There are a number of possible agencies who may be able and willing to dispose of a syringe as outlined below, but it is important that you contact them and arrange for collection/delivery. It is recommended that wherever possible, the syringe is collected from yourself as you may be accused of possession if searched and found to be carrying a used syringe containing traces of illegal drugs.

Obviously, this also reduces the risk of a needle prick, which is possible if transporting a syringe which is not safely contained in a metal box.

WHO TO CONTACT

Drug Squad, Police Headquarters, Aykley Heads, Durham Tel: 0191 386 4929

Needle Exchange Tel: 0191 333 6383

NECA Tel: 01207 581 922

Nearest Hospital

Local Pharmacist

General Practitioner

It is important to note that these services vary widely through out the District and therefore some may not be able to assist in the disposal of syringes in a particular locality.



Chester-le-Street
District Council

Chester-le-Street District Council

Children and Young People Equality and Diversity Statement



August 2008

Chester-le-Street District Council

Children and Young People Equality and Diversity Statement

Introduction

Chester-le-street District Council recognises the valuable contributions made to the community life of the District by its children, young people, children and young people projects and other relevant activity groups.

Chester-le-street has a diverse population that contribute towards the life and culture of the District. The Council has a comprehensive Equal Opportunities and Access to Services Policy stating that the Council is opposed to all forms of unlawful or unfair discrimination. It is also committed to making its services, facilities and resources equally accessible to all.

Equality means that the Council:

- Is committed to providing appropriate, sensitive and accessible services to everyone
- Is committed to working with communities to eradicate prejudice, discrimination, harassment and negative stereotyping
- Supports campaigns for fair laws that treat people equally and protect groups from discrimination

Each Council employee is required to treat everybody with equal respect, whether they are other employees of the council, members of the public or from outside organisations. The Council will not allow anyone to be treated less favourably because of:

- Age
- Colour
- Ethnic or National origin
- Disability
- Marital Status
- Religion
- Responsibility for dependants
- Gender
- Sexual Identity
- Trade Union Activity
- Culture
- Language

Recognising that many people in the above groups can be discriminated against and disadvantaged, the Council's policy covers every aspect from recruitment and selection through to pay and conditions, training and development and to the provision of appropriate services.

Our Commitment to Children and Young People

All of our activities relating to children and young people fully accept and recognise the Council's Equal Opportunities Policy in all aspects of their work, administration, management and support.

Whilst ultimate responsibility for ensuring implementation of the policy lies with the Senior Management team, staff commitment and collective responsibility for the policy is crucial to its success.

Service Delivery to Children and Young People

- We recognise the needs of vulnerable and disadvantaged young people and where possible we target resources to them.
- Every effort is made to ensure that all projects/schemes are welcoming to all young people and this is reflected in the posters, information boards, displays and leaflets. In addition to this, resources used to develop work with young people are chosen for their suitability for working in an anti-oppressive way.
- Young People should be offered the opportunity to try new experiences, which are not those that are traditionally offered to that particular group.
- Attitudes, behaviour and language that are discriminatory will be challenged, but in a positive manner. This not only informs young people but encourages them to appreciate their own and each other's culture, history and religion.
- Where possible, space is given for groups of young people to meet separately to develop their own identity and explore issues specific to them – this is particular important for groups such as young disabled people, young gay men and lesbians and young black people.
- All projects/services relating to children and young people will continue to review the buildings used and the Youth Bus to make sure they meet the requirements of the Disability Discrimination Act. However; there is an understanding that disability issues are not just about physical mobility and programmes should be planned and designed in a way that all members play a full part in all aspects of provision.

Monitoring

All activities relating to children and young people will monitor their involvement in terms of ethnicity and disability. This is to ensure the service is reaching those groups of young people and not creating barriers to participation.

Partnerships

Where Chester-le-street District Council works in partnership with, and especially where it funds services or projects, then the Chester-le-street District Council policy will be used to promote equal opportunities in services provided by that partnership.

Training and Staff Development

It is essential in Youth and Community Work to undergo training programmes that demonstrate rigorous commitment to Equal Opportunities.

The staff will be encouraged to attend courses, seminars and conferences delivered by other agencies and organisations as appropriate and relevant. Equally, there will be monitoring of staff training in diversity issues in order to ensure that services are not creating barriers for staff accessing training.

Where possible we will promote positive opportunities for local young people who are keen to volunteer or apply for training posts relating to youth work. All trainee posts are required to undertake training to become part time qualified.



Chester-le-Street
District Council

Chester-le-Street District Council Sexual Health Policy

(to be used in conjunction with the Safeguarding Children
Policy)



August 2008

CHESTER-LE-STREET DISTRICT COUNCIL

CHILDREN AND YOUNG PEOPLE- SEXUAL HEALTH POLICY

Statement of Principle

Chester-le-street District Council seeks to ensure a safe, positive environment in which they can grow up with age/ability appropriate knowledge around relationships and sexual health making full use of facilities available to them.

Aims of Policy

This Policy aims to:

- Provide guidance around the delivery of sexual health education and the distribution of condoms to young people
- Safeguard children and young people as well as professionals engaging in delivery/distribution

Young People and Sexual Health

The importance of improving children and young people's sexual health has been continuously identified within children's service developments, such as the children and young people's plan (2006). It is important that children and young people have the opportunity to access appropriate information, advice and service to meet their needs.

Appropriately trained and skilled Youth workers/other professionals may offer 'sexual health' education to children and young people who they are working with, this will include;

Sexual Health Advice/Education- A confidential service within which young people can gain information about the methods of contraception and how to use condoms as well as up to date, relevant information about Sexually transmitted Infections (STI's) and teenage pregnancy. Staff delivering services of this kind will be appropriately trained and able to offer appropriate, up to date information and advice making use of specific resources, including that of partner organisations to meet the needs of young people.

Condom Distribution: Youth workers who have undergone relevant training can work within the guidelines of County Durham and Darlington's C-Card Scheme to make condoms more accessible to young people by offering a free, confidential service. (appendix 1- condom distribution guidelines) No member of staff without relevant training/knowledge should be permitted to distribute condoms or offer advice to young people.

Legal framework and confidentiality

Under The Sexual Offences Act (2003) the legal age for young people to consent to sex is 16, whether they are straight, gay or bi-sexual.

Although the age of consent is 16, there is no intention to prosecute young people of a similar age involved in mutually agreed, consensual sex unless it involves abuse or exploitation. However, sexual activity involving children 13 is never acceptable and will lead to child protection referral.

Current framework allows professionals such as youth workers working with young people, including those under the age of 16 to provide accurate information about contraceptive methods and the importance of using condoms to protect against Sexually transmitted infections (STI's) and unwanted pregnancy.

There is no law preventing young people under the age of 16 from buying condoms from pharmacies or vending machines. There is also no law preventing professionals such as youth workers from providing confidential sexual health advice and giving out condoms to young people under 16, including those under the age of 13 in extreme circumstances where they are working to protect the child's safety, protect them from STI's, prevent pregnancy or promote their emotional well being by offering advice.

Parental Consent

Staff will work to the Fraser Guidelines set out in 1985 to inform their decision whether or not to offer services to a young person under the age of 16 without parental consent as well as to ensure that the service offered is appropriate to their age and ability. Staff must ensure the following before offering advice/any sexual health service:

1. The young person understands the information/advice that they are receiving
2. Young people cannot be persuaded to tell their parents/carers or allow the professional to do so on their behalf
3. Young person is like to begin or continue to have unprotected sex
4. The young person's physical or mental health is likely to suffer unless he/she receives advice or treatment.

Staff will aim to offer a range of services/advice sessions ensuring that they deliver appropriately according to the age/ability of the children/young people involved.

Confidentiality

Research has proved that a large number of young people are sexually active before the age of consent; young people of this age may not actively seek advice through fear of breaking the law, this may lead to a delay in them receiving information or treatment.

Under the Sexual Offences Act (2003) Children and young people have a right to confidential advice on contraception, condoms, pregnancy and abortion even if they are under the age of 16. However where there is a child protection issue or concern relating

to the health, safety or welfare of the child/young person this outweighs their right to confidentiality. In these circumstances staff must act in accordance with the child protection policy. Staff have the obligation to inform the young person involved that they need to raise concerns.

When registering young people for the C-Card scheme young people will only be required to provide the first 3 figures from their postcode to ensure that address cannot be found.

Child Protection and Sexual Health

When a young person is under 16 and is sexually active staff should always consider the possibility that the young person may have been or is going to be sexually abused or exploited. In any situation where there is a concern staff should act within the guidelines set out in the child protection policy and discuss with their line manager. Staff have the obligation to tell young people that they need to act in this manner.

Monitoring of the scheme

Staff will continuously monitor their work with young people around sexual health, young people will be involved in evaluating the scheme in order for it to be improved further

Appendix 1

Condom Distribution Guidelines

Staff will operate the Durham and Darlington C-Card Condom Distribution scheme with the aim to make condoms more accessible to young people and to provide them with support about sexual health and how to use condoms correctly.

Process

1. Young Person will have an informal chat with a professional who has undergone training and holds appropriate, up to date knowledge around sexual health who will register young person on the scheme.
2. Professionals will give young people information on how to use a condom, sexual health and where to go for further help and advice.
3. Professionals will provide information on STI's, confidentiality and the law.
4. Young People can be given up to 6 condoms by professionals after advice has been given.

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