

Child Protection / Safeguarding

REGULATIONS AND STANDARDS

Quality Care Standards 2015

RELEVANT GUIDANCE/DOCUMENTS

This chapter must be read in conjunction with the Local Safeguarding Children Board(LSCB) in the area where the home is located.

Introduction and Definitions of Significant Harm

Safeguarding and promoting the welfare of children and young people and in particular protecting them from abuse and harm is a shared responsibility and depends on effective joint working between all staff, with all relevant agencies and professionals. All Local Authorities have a duty to promote and safeguard the welfare of children in their area and to investigate and take necessary action to protect children and young people from abuse and harm.

All staff have a responsibility to report any suspicions they have, that a child has or may be mistreated or harmed; and to take all allegations seriously, and report them to their manager or an independent person - such as the child's social worker, Police, Regulatory Authority or the NSPCC.

The procedures in this Chapter are mandatory and any failure to comply with them will be addressed through appropriate procedures.

There are 4 types of abuse that are commonly used:

Physical Abuse;

Emotional Abuse;

Neglect;

Sexual Abuse.

However, the wider term that is used in this Chapter, is Significant Harm, which encompasses the four common forms of abuse and has a wider meaning.

Reporting Suspicions or Allegations of Significant Harm

The following actions should be taken when there is any concern, disclosure, suspicion or allegation about the welfare of a child or young person, which is causing or likely to cause Significant Harm*. This includes 'historical abuse' that may have occurred at some time in the past and may not have been reported or investigated. It includes harm perpetrated by any person, including harm perpetrated by another child, a visitor, a person in the community, teacher, social worker, parent, other carer including colleagues within the business.

* Disclosures made as part of a therapeutic intervention or counselling session should also be reported, unless there is clear, written evidence in the child's file that the matter has been formally dealt with.

Staff should firstly make their report to the manager, unless the manager is implicated. In which case staff must notify one of the following:

A manager who is not implicated;

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Policies & Procedures

The Responsible individual;

The Local Authority Children's Social Care Services in whose area the Home is located;

Police;

NSPCC;

The Regulatory Authority;

The Placing Authority.

Emergency

In an emergency, where there is an immediate risk to the child, staff must take necessary action. This will involve contacting the on call manager for guidance who may suggest involving the Police or seeking emergency medical assistance e.g. taking the child to hospital or contacting the emergency services via 999. If the child is taken to hospital or the Police are called, staff must inform them that there is a suspicion of significant harm.

Once notified, the manager will be responsible for following the Local Safeguarding Children Board procedures and making contact with the Local Authority Children's Social Care Services.

The manager must inform his/her line manager or other senior manager. The manager must inform the Regulatory Authority of the instigation and outcome of any subsequent Child Protection Enquiry.

At this stage any action taken must not alert the person(s) who may have caused or be implicated in causing the abuse or harm.

Non-Emergency

The following summarises the steps to be taken by staff if they suspect or it is reported to them that a child has suffered or is likely to suffer Significant Harm.

Any member of staff who receives a report or has any suspicions that a child has been or could be subject to Significant Harm must immediately notify the Manager of the home (unless there is a concern that the Manager is implicated, then staff must inform another manager or alternative agency as listed above).

Non-action is not an option in the protection of children and all staff have a duty to act. Failure to do so may be considered to be gross misconduct and appropriate disciplinary action will be taken.

NB: If the concerns relate to a member of staff or carer, it will be necessary to take account of the Allegations against Staff Procedure. As soon as practicable, the On Call Manager must be notified, they in turn will notify the relevant Director.

Principles of Good Practice

The following are principles of good practice which must be adhered to.

Receiving Comments/concerns

Staff may ask questions or seek clarification about concerns raised with them, but they may not take any actions to investigate or in any way make judgements about what is reported to them. Investigations, is necessary, must be undertaken by properly trained, independent, professionals.

Policies & Procedures

Staff must not give absolute guarantees of confidentiality to those who report possible Significant Harm to them, but they should guarantee that the information will only be passed to the minimum number of people who need to know to ensure proper action is taken to sort the problem out.

Staff must make a written record as soon as possible of what they have been told, detailing the questions they asked and the replies given and the actions taken and by whom. They must then give the report to the Manager.

The record should be placed on the child's file except where a colleague is implicated or there is any risk to the child as a result, in which case notes/records should be given to the manager dealing with the matter.

Action by the Manager

After receiving a report of a suspicion or allegation of Significant Harm the Manager must firstly take any steps needed to protect any child involved from risk of immediate harm.

The Manager should ensure the following people are notified:

The Line Manager for the Home and On-call Manager (Child Protection Manager);

Children's Social Care in the area where the Home is located;

If the suspicion/allegation relates to a member of staff/professional, the Manager should ensure the Local Authority Designated Officer (LADO) (England) and Head of the Local Safeguarding Children Board (Wales) - in the area where the Home is located - is also notified*;

The Placing Authority/Child's Social Worker;

The Manager will be responsible for informing Regulatory Authority of the allegation and of the actions taken as soon as possible thereafter.

Director of the company

Responsible Person

For Allegations Against Staff see Allegations against Staff Procedure

The Manager must not interview or investigate the suspicion or allegation further.

It will be for the Children's Social Care and the Placing Authority, probably after discussing the matter with the child's social worker and conducting a Strategy Meeting, to decide whether to initiate a Child Protection Enquiry and, if so, to agree the following with the Manager:

Who should inform the child's social worker and parent(s);

Arrangements for any medical examination of the child;

Any immediate arrangements for protection of the suspected victim;

Any immediate arrangements for protection of other children involved or at risk (including any alleged perpetrator);

Whether it is necessary to inform staff within the home and if so who will do it;

Who should inform/update the person making the initial allegation of the steps/actions taken.

Policies & Procedures

The Manager should ascertain from the Child Protection Team how the investigation will proceed and should ensure that all staff co-operate fully.

Where it is necessary for any child to be interviewed by the Police, the Manager must ensure s/he is accompanied by a supportive and independent member of staff or other appropriate adult of his/her own choice.

Allegations Made Against Young People

The procedures apply equally where an allegation is made against a child in the home.

In such circumstances the manager, in consultation with the Child Protection Team and relevant social workers, should consider the need to protect the rights of both victim and alleged perpetrator.

Immediately it will be necessary to separate the alleged perpetrator and victim but it may not be possible to explain why this is necessary to the perpetrator - until the Child Protection Team have been consulted.

Throughout the process thereafter it will be necessary to ensure that children with allegations made against them are properly supported, by an independent person if appropriate or required, as well as their social worker and parent(s).

Once the investigation is complete consideration will then need to be given to the needs and interests of both alleged victim and perpetrator, and whether counselling and/or other support should be given.

Complaints or Allegations Made Against Staff

See Allegations Against Staff Procedure

Manager Responsibilities

Each manager is responsible for:

Ensuring a copy of the Local Safeguarding Children Board (LSCB) Procedures for the area where the home is located are in the home, and for ensuring all staff are fully conversant with these procedures. In Wales, this is the All Wales Child Protection Procedures;

Holding and being conversant with the most up-to-date copy of 'Working Together to Safeguard Children.'

Holding and being conversant with the most up to date Children's Homes Regulations and Minimum Care Standards for Children's Homes; and relevant parts of Volume 4 of the Children Act Regulations & Guidance: "Residential Care";

Ensuring staff are briefed on the contents of the above regulations and guidelines and on the procedures in this chapter and elsewhere in the manual in regard to the identification and reporting of Significant Harm;

Ensuring that the appropriate procedures are followed within the centre and liaising with relevant officers within the Children's Services and elsewhere over protection issues;

Receiving reports of any suspicions or allegations of Significant Harm, contacting the Children's Services and taking appropriate other actions as set out below.

Organisational Responsibilities

We have a clear understanding that our first duty is to promote children's rights, to protect them from harm or injury and safeguard their welfare. This overall duty permeates all our policies and procedures.

Given that we are looking after children on behalf of others we understand that our standards of protection must be higher than may be expected from parents or even from carers in the public sector.

However we derive our policies and procedures from regulations and guidance provided by the DoH, from others and from recognised good practice. To achieve a high level of protection overall we undertake the following:

We gather as much relevant information as possible about children to help us decide whether to admit them and, if we do, to ensure we are sensitive to their needs and take all reasonable steps to protect them from harm and injury;

We provide high levels of supervision balanced by appropriate opportunities for privacy and security;

However we will not allow children to place themselves at risk and we will take all reasonable steps to prevent them from harming themselves and others to the extent of using physical interventions, including restraint as a last resort;

We will provide plenty of opportunities for children to express their feelings, wishes and fears in terms of their day-to-day living, education and in regard to planning for the future;

We will provide information, advice and education to children designed to help them protect their own rights and lead a healthy lifestyle;

We will carefully select, vet, train and supervise staff and we will take all reasonable steps to ensure those who we do employ remain committed to the principles contained in this and all other of our policies;

We will provide staff with clear procedures for identifying and responding to suspicions or allegations of Significant Harm;

If at any time we are suspicious that children are being or are likely to be subject to Significant Harm or otherwise placed at risk we will act swiftly to prevent it. All suspicions of Significant Harm will be openly discussed with the Child Protection and other appropriate agencies;

We will not continue to employ staff who engage in abusive relationships with children or who have a propensity to place them at risk of injury or harm. As necessary we will advise the Disclosure and Barring Service and the Local Authority Designated Officer (LADO) (England) of staff whose employment has ceased as a result of abusive behaviour. We will also ensure that such decisions are communicated to potential future employers.

Safeguarding Children and Young people from Child Sexual Exploitation

Developing an understanding of government guidance, the legislative framework and local protocols relating to child sexual abuse

- CSE and the law
- Research and government guidance regarding CSE-Including Appendix C of Working Together to Safeguard Children (revised 2013) and Safeguarding Children and Young People from Sexual Exploitation: Supplementary Guidance to Working Together to Safeguard Children (2009)

Building Bridges service model includes an induction, supervision, appraisal, training and development programme, which ensures all staff, have the skills and knowledge required to fully support young people in staying safe.

A key principle which underlies the work we do with young people is that we will be proactive at all times, focusing our attention on

- prevention,
- early identification and
- intervention to disrupt the activity of perpetrators.

The homes are also part of the local community and relationships with local police, shops and neighbours are important in early warning of activities that are of potential risk. Staff are expected to nurture such relationships.

Young people who are Looked After are at high risk of child sexual exploitation. Ensuring that we have a workforce that is competent in this area is a continuing priority for the organisation. Training explicitly focuses on providing staff with the necessary skills to identify young people at risks of sexual exploitation, to recognise the indicators of sexual abuse and potential perpetrators and their roles and responsibilities in protecting young people and keeping them safe. This includes understanding new technologies around social networking and smart mobile phones.

Preventing Child Sexual Exploitation

How we work with young people minimise the risk of CSE

- Reduce vulnerability
- Improve resilience
- Disrupting and preventing activities of perpetrators
- Reducing tolerance of exploitative behaviour
- Prosecuting perpetrators
- Familiarisation with each child's file and permitted contact.
- Identifying Young people at risk of child exploitation
- Direct work with young people in children's homes ultimately focuses on the strength of relationships we build. The work we do in developing resilience, building trust, developing self-confidence and, self esteem will assist young people to make positive choices and stay safe.
- It is important that all staff are clear that children and young people do not always acknowledge that they may be in exploitative and abusive situations. It can take a considerable period of time for workers to develop trusting relationships with young people in helping them recognise that they are being sexually exploited by challenging their perceptions.

Indicators of child sexual abuse

Policies & Procedures

- A young person regularly coming home late or going missing. Inappropriate sexualised behaviour and/or risk taking behaviour, including suffering for STDs
- Unaccounted explanation for monies or goods, such as mobiles, drugs or alcohol.
- Associating with unknown adults or other sexually exploited children, older boyfriends and girlfriends.
- Experimenting with drugs / alcohol
- Poor self-image, eating disorders or self-harm
- Young people getting into cars with unknown adults
- Reduced contact with family friends and other support networks
- Disclosure of physical or sexual assault.
- Reports of involvement in CSE (critically this will often be provided by other residents and may initially be soft information).
- Deterioration in behaviour.
- Not attending school/college

The different stages of grooming

Targeting the victim

Gaining the victims trust

Filling a need

Isolating the child

Sexualising the relationship

Maintaining control

Link between CSE and young people who are missing or absent from care

Research has shown that children and young people who are missing or continually absent from care are at greater risk of child sexual exportation. All staff are aware that young people who fit into this category may well be involved in child sexual exploitation and that reducing episodes where young people go missing from care is a significant preventative factor. Staff working directly with young people minimise the risk of young people going missing and potentially placing themselves at risk of CSE by:

- Understanding young people's patterns of absconding and triggers for absconding.
- Developing as much understanding as possible regarding networks of friends and families and contact details.
- Maintaining regular contact to establish safety and welfare when young people are missing – including ensuring young people have mobile phones.
- Continually addressing the importance of staying safe in key work sessions and young people's meetings.
- Ensure that return to care questionnaires are completed and that issues raised by young people are addressed.

Staff's role is to safeguard young people at risk of sexual exploitation and continually address the issue and highlight the importance of staying safe with young people. Staff need to be alert to the indicators of abuse and fully understand the procedure to deal with this appropriately. Registered Managers and Residential child care officers will often be the first point of contact in identifying the following:

Any concerns are shared with the Registered Manager, the organisations CSE champion and the Responsible Person, the placing authority and the missing from care co-ordinator. If agreed that the young person is at risk of CSE a referral is made to the local safeguarding board.

The homes are also part of the local community and relationships with local police, shops and neighbours are important in early warning of activities that are of potential risk. We are mindful of our responsibility to gather evidence that ultimately supports prosecution.

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Where incident occur these are recorded and shared with the team around each child, internally we identify and learning through the staff meeting and update risk assessments according and share that information with other professionals.

The CSE champion takes a lead role in ensuring that the issue of CSE is continually addressed in team meetings and development programmes throughout the year. New information and research relating to the subject is continually disseminated and shared with all staff. Feedback is also given relating to local activity of perpetrators. Practical strategies to manage these issues will continually be addressed.