

C01a

# Safeguarding and child protection policy (England)

This document is provided to Carers Trust Mid Yorkshire (now referred to as ‘the organisation’) as a Network Partner of Carers Trust.

## Table of Contents

SCOPE .....	1
LEGISLATION .....	2
POLICY STATEMENT .....	2
RESPONSIBILITIES OF TRUSTEES .....	3
RECOGNISING ABUSE AND RAISING SAFEGUARDING CONCERNS .....	4
ALLEGATIONS OF ABUSE AGAINST STAFF OR VOLUNTEERS .....	4
LEARNING AND DEVELOPMENT .....	4
REVIEW AND ADOPTION.....	5
<b>APPENDIX 1</b> Definitions .....	6

## 1.0 SCOPE

1.1 The children’s safeguarding suite of documents comprises this policy (C01a), an accompanying procedure for managers (C01b), guidance for staff (C01c), guidance for volunteers (C01d) and a separate document detailing the factors, types and indicators of abuse (C01e). Together they outline the organisation’s approach to safeguarding children and young people aged 17 and under. **Their content is relevant to all staff throughout the organisation and to its volunteers.** Please note: in the remainder of this policy, the term ‘staff’ includes volunteers.

1.2 There is a separate suite of documents ([B05](#)) for safeguarding people aged 18 and over.

1.3 The intended outcome of these documents is to safeguard and protect **ALL children and young people with whom staff come into contact** from abuse and harm, to promote their wellbeing and **to respond effectively if concerns are raised**. This includes (**but is not limited to**):

- children and young people who have an illness or a disability
- young carers
- children or young people in challenging family circumstances (including issues such as substance abuse, adult mental health, domestic violence)
- any child or young person who is showing early signs of abuse and /or neglect.

1.4 Providers of both regulated and non-regulated services to children and young people will read this policy alongside their organisation’s policies concerning:

- confidentiality and disclosure (providers of regulated services see [D11](#))
- whistleblowing
- diversity and equality

1.5 Organisations that provide regulated care and support services and have full access to the care practice Operational Policy Framework (OPF) will also read:

- children's personal care ([C02](#))
- children's medication ([C03](#))
- behaviour management ([D03](#))
- autonomy and independence (including the Mental Capacity Act) ([D08](#)).

## 2.0 LEGISLATION

2.1 The organisation seeks to comply with:

- Children Act 1989
- Human Rights Act 1998
- Protection of Children Act 1999
- Sexual Offences Act 2003
- Female Genital Mutilation Act 2003
- Children Act 2004
- Health and Social Care Act 2008
- Equality Act 2010
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Counter-Terrorism and Security Act 2015 (in relation to the [Prevent Agenda](#)).
- General Data Protection Regulation (GDPR) 2018

2.2 This policy is written in accordance with:

- ['Working Together to Safeguard Children'](#)<sup>1</sup> (DFE 2015)
- [Information sharing advice for safeguarding practitioners](#) 2015

2.3 Under the [United Nations Convention on the Rights of the Child](#) (UNCRC), all children and young people have the right to:

- survive and grow
- participate and be heard
- fulfil their potential
- receive an education
- be healthy
- be treated fairly
- have a childhood.

## 3.0 POLICY STATEMENT

3.1 The organisation recognises that:

- the welfare of the child or young person is paramount
- all children and young people have the right to live in safety, free from abuse and neglect
- children and young people in receipt of services are at risk from various forms of abuse
- abuse may be committed by anyone, including those in a trusting relationship with the child or young person
- there is a duty to do everything possible to prevent, report and tackle abuse
- all staff have a role to play in protecting the welfare of children and young people.

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<sup>1</sup> To be updated April 2018

## 4.0 RESPONSIBILITIES OF TRUSTEES

4.1 Safeguarding is a key governance concern for all charities. [The Charity Commission](#) states that 'by law, trustees of charities working with children and other vulnerable groups must promote their welfare and protect them from harm'.

4.2 All Trustees have a personal responsibility to familiarise themselves with the children and young persons' safeguarding policy, and to be aware of the associated procedure and guidance documents. The responsibility for having detailed knowledge of the procedure and guidance, and the monitoring of compliance to these documents within the organisation may be carried out by a nominated member of the board or may be delegated by them to an appropriate member of the management team.

4.3 Trustees are responsible for ensuring managers have safe and effective systems in place whereby staff at all levels of the organisation:

- work according to the safeguarding and child protection policy documents
- receive all necessary supervision, support and training that is relevant to and at a suitable level for their role, including following a safeguarding or child protection incident
- are clear about their responsibilities and accountability in relation to preventing, identifying and reporting the abuse of children and young people
- have a culture of listening to children and young people.

4.4 Specifically, trustees have a responsibility to:

- oversee performance and risk in relation to safeguarding children and young people
- ensure senior managers are committed to safeguarding children and young people
- provide an adequate level of scrutiny of the operational practice within their organisation
- ensure their organisation operates a zero tolerance to abuse, unlawful discrimination and unnecessary or inappropriate use of restraint
- promote a culture that fosters autonomy and respect
- ensure their organisation is open, honest and transparent with those who use its services (and their representatives), including when things go wrong.

Regulated providers see:

- behaviour management ([D03](#)) for information on restraint
- autonomy and independence policy ([D08](#))
- children's personal care ([C02b](#)) for information on the Duty of Candour.

4.5 In addition, trustees will ensure managers have established and operate robust systems to:

- liaise with and report safeguarding issues to the appropriate local authority (LA) within the geographical area in which they operate
- work in accordance with local safeguarding and child protection arrangements as set out by the relevant local Safeguarding Children Board/s (SCB)
- implement LA inter-agency agreements, including protocols on information sharing
- work with other agencies in the statutory, voluntary and independent sectors
- select, recruit and vet staff in compliance with legal requirements and good practice
- make checks against and referrals to the [Disclosure and Barring Service](#) in accordance with Department of Health guidance
- deal with allegations against and concerns about staff who may have harmed a child or behaved in a way that indicates they may pose a risk of harm to children

4.6 Trustees are responsible for ensuring that:

- a senior staff member (suitably trained and competent to handle safeguarding and child protection issues) is appointed as designated safeguarding and child protection officer
- the designated person maintains an up to date knowledge of national changes and developments in children's safeguarding policy.

4.7 It is also recommended good practice to appoint a suitably trained / experienced member of the board of trustees to act as safeguarding and child protection lead. Their role is to:

- work with the designated safeguarding and child protection officer to ensure all necessary safeguarding protocols are in place
- bring to the board's attention where safeguarding protocols need revision following any issue / incident that identifies weaknesses or has policy implications.

In the absence of such an appointment, these duties fall by default to the chair of the board who will require appropriate training to carry out this role.

## 5.0 RECOGNISING ABUSE AND RAISING SAFEGUARDING CONCERNS

5.1 Early Intervention is paramount in reducing the risk of significant harm. Local Safeguarding Children Boards are required to have pathways in place documenting the process for early help and assessment, including the 'Common Assessment Framework' which brings together parent, carer and multi-agency plans for interventions to improve the circumstances for the child or young person. Staff are required to be familiar with and follow these local arrangements.

5.2 Staff will be trained to be vigilant regarding the welfare of all children and young people with whom their work brings them in to contact. Staff involved in any way with service provision (including staff working solely with adults), will be trained to recognise the early signs of abuse (see [C01e](#)) in relation to children and young people and the importance of taking speedy action to prevent problems escalating.

## 6.0 ALLEGATIONS OF ABUSE AGAINST STAFF

6.1 Managers will ensure that allegations of abuse or neglect are listened to and taken seriously and are reported, as necessary, to the following:

- the Local Authority Designated Officer (LADO) within Children's Services
- the Care Quality Commission
- the Office for Standards in Education (Ofsted) where a play organisation or service for children out of their own home is registered with Ofsted
- the police if a crime has or is suspected of having been committed
- the organisation's board of trustees (details anonymised)
- the organisation's insurers.

See the accompanying safeguarding and child protection procedure ([C01b](#)) for further details.

## 7.0 LEARNING AND DEVELOPMENT

7.1 Managers are responsible for assessing the roles undertaken by:

- staff **not** directly involved in the provision of care and support to children and young people with care needs
- volunteers within their organisation

to determine the level of briefing / induction / training they require in relation to children's safeguarding.

7.2 For staff involved in the provision of regulated care and support services, general learning and development requirements relating to children's safeguarding are contained in the learning and development policy documents ([E13](#)).

7.3 Managers will make sure that **all** staff involved in the planning and provision of services have mandatory induction and ongoing training in safeguarding and child protection. Please note: this **includes** those staff who work solely with adults, as their role may bring them into contact with children or young people who are, for example, living or regularly visiting service users' homes<sup>2</sup>.

## 8.0 REVIEW AND ADOPTION

8.1 To formally adopt this policy, the organisation's board of trustees will document in the minutes of the appropriate board meeting its name and reference number and the date it was adopted. The minutes will be signed by the chair of the trustees on behalf of the board.

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<sup>2</sup> As well as being good practice, this is an insurance requirement for those organisations insured with Ecclesiastical Insurance

## **APPENDIX 1 DEFINITIONS**

### **Abuse**

Abuse is any form of maltreatment of a child or young person. Somebody may abuse or neglect a child or young person by inflicting harm, or by failing to act to prevent harm.

### **The abuser**

Children or young people may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others and via the internet. They may be abused by an adult or adults, or another child or children.

### **Safeguarding and promoting the welfare of children**

This is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
- taking action to enable all children to have the best life chances.

### **Child protection**

This is part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children or young people who are suffering, or are likely to suffer, significant harm.

### **Significant harm**

Significant harm is assessed in relation to:

- the nature of harm in terms of maltreatment or failure to provide adequate care
- the impact on the child or young person's health and development
- the child or young person's development within the context of their family and wider environment
- any special needs such as a medical condition, communication impairment or disability that may affect the child or young person's development and care within a family
- the capacity of parents to adequately meet the child or young person's needs, and
- the wider and environmental family context.

Some children or young people are in need because they are suffering or likely to suffer significant harm. This threshold gives a legal justification for compulsory intervention in a child or young person's life and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child.