

Child Protection and Safeguarding Children Policy Luton Roma Trust

1. Statement of intent on safeguarding children and young people

Luton Roma Trust is committed to safeguard the wholeness and the wellbeing of every person in our community, of whatever age. It is the responsibility of each one of us to prevent the physical, sexual, emotional abuse or neglect of every member of our community, and particularly the abuse of those most vulnerable among us, including children and young people. The welfare of the child is paramount. All children without exception have the right to protection from abuse regardless of gender, ethnicity, disability, sexuality or belief.

All those who work or volunteer with **Luton Roma Trust** will be made aware of this policy and of what to do if they have any concerns. There is guidance for those responding to concerns so that they are properly dealt with, including sharing information about concerns with agencies that need to know and involve children, young people and families appropriately.

It is our policy that no-one shall work with children and young people within **Luton Roma Trust** who:

- Has been convicted of or has received a formal police caution concerning an offence against children as listed in the First Schedule of the Children and Young People's Act 1933; or
- Has been convicted of or has received a formal police caution concerning sexual offences against children and young people.
- Is registered on the protection of Children Act, protection of Vulnerable Adults Act and List 99

This means that:

- All who work with children & young people under the auspices of **Luton Roma Trust** will be required to be checked through the Criminal Records Bureau, and are expected at all times to conform with good practice in their work; and undertake safeguarding & child protection courses and common assessment framework training as identified by the MK Safeguarding Children's Board.
- Those responsible for the appointment of such workers must take all reasonable steps, including obtaining Disclosures from the Criminal Records Bureau, to ensure that persons who have been convicted or have received a formal police caution concerning sexual offences against children or young people shall not undertake work with children and young people under the auspices of **Luton Roma Trust**.

If you have any questions about our policies and procedures please contact our child protection representative, Zoe Moran 07732 559405.

2. What is Child Abuse?

A basic definition of abuse is that it is abuse of power by a person who is developmentally and/or stronger than another, resulting in some distress, harm or neglect of necessary attention for the victim.

Child abuse is a term which describes all the ways in which a child's development and health are damaged by the actions or in-actions of others, usually adults. Children may be abused in a family or an institutional or community setting: by those known to them or, more rarely, by a stranger. Although different terms are used to describe particular types of abuse, these often overlap and many children suffer effects of a range of destructive forms of behaviour. It is generally accepted that there are four main types of abuse. The following definitions are based on those from Working Together to Safeguard Children (DoH, HO, DfEE, 2010). Below the definitions are listed signs and symptoms which *may* indicate abuse, but do not jump to conclusions as there may be other explanations:

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 feigns the symptoms of, or deliberately causes, ill health to a child whom they are looking after. A person might do this because they enjoy or need the attention they get through having a sick child. Physical abuse, as well as being the result of an act of commission can also be caused through omission or the failure to act to protect.

Signs of physical abuse *may* include:

Unexplained or hidden injuries, lack of medical attention

Emotional Abuse

Emotional Abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve making a child feel or believe that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may involve causing children to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment to a child, though it may occur alone.

Signs of emotional abuse *may* include:

Reverting to younger behaviour, nervousness, sudden underachievement, attention-seeking, running away from home, stealing, lying.

Sexual Abuse

Sexual abuse involved forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of, or consents to, what is

happening. The activities may involve physical contact, including penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling.

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

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

Signs of sexual abuse *may* include:

Pre-occupation with sexual matters evident in words, play, drawings, being sexually provocative with adults, disturbed sleep, nightmares, bed wetting, secretive relationships with adults and children, stomach pains with no apparent cause.

Neglect

Neglect is the persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter or clothing, failing to protect the child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of a child's basic emotional needs.

Signs of neglect *may* include:

Looking ill-cared for and unhappy, being withdrawn or aggressive, lingering injuries or health problems.

3. Bullying

Bullying is not always easy to define, it can take many forms and is usually repeated over a period of time. The three types are physical (e.g. hitting, kicking, theft), verbal (e.g. racism or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from activities).

Bullying *will* include:

- Deliberate hostility and aggression towards a victim
- A victim who is weaker and less powerful than the bully or bullies
- An outcome which is always painful and distressing for the victim.

Bullying *may* include:

- Other forms of violence
- Sarcasm, spreading rumours, persistent teasing
- Tormenting, ridiculing, humiliation
- Racial taunts, graffiti, gestures
- Unwanted physical contact or abusive or offensive comments of a sexual nature.

Emotional and verbal bullying is more common than physical violence, it can also be difficult to cope with or prove.

Bullying can result in children or young people becoming vulnerable and isolated. These particular children or young people could then become an easy target for adult abusers. Concerns about bullying should be dealt with in the same way as concerns about child abuse.

Safeguarding & Promoting the Welfare of Children

'Safeguarding and promoting the welfare of children' is defined in *Working Together to Safeguard Children 2010* 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

Undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

4. What the Law Says

There is a considerable body of legislation, government guidance and standards, which are designed to ensure that children are protected from harm. This includes:

The Children Act 1989 (England & Wales) and s.31 (9 and 10) as amended by the Adoption & Children Act 2002

The intention of the Children Act 1989 is to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm.

Children's Act 1989 Section 17

The Children's Act places a general duty on local authorities to safeguard and promote the welfare of children in their area and, subject to that duty, to promote the upbringing of such children by their families. The new emphasis in Section 17 is for local authorities to work with the child and family in the family home and for local authorities to work with or facilitate the work of others.

Section 17 requires local authorities to:

- Ascertain the extent of need
- Work with other agencies
- Establish priorities for services
- Provide services

Section 17 states that a child is in need if:

- S/he is unlikely to achieve or maintain, or to have the opportunities of achieving or maintaining a reasonable standard of health or development without the provision for him/her of services by a local authority.

- His/her health or development is likely to be significantly impaired or further impaired without the provision for him/her of such services.
- S/he is disabled

Significant Harm

Under s.31 (9) of the Children Act 1989 as amended by the Adoption and Children Act 2002 The Act defines harm as ill treatment or the impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill treatment of another

Development means physical, intellectual, emotional, social or behavioural development

Health includes physical and mental health

Ill treatment includes sexual abuse and forms of ill treatment, which are not physical.

As for 'significant', s.31 (10) of the Act says that, where the harm refers to the child's health or development, the question as to whether it is significant harm should not be answered by comparing this child's health or development with what 'could be reasonably be expected by a similar child'.

Section 47

This outlines the circumstances in which a local authority has a duty to investigate. These circumstances include:

- Where they have reasonable cause to suspect that a child who lives or is found in their area is suffering or is likely to suffer significant harm.
- Where they have obtained emergency protection order in respect of a child.
- Where they are informed that a child who lives or is found in their area is subject to an emergency protection order or is in police protection.
- Where a court in family proceeding directs them to investigate a child's circumstances
- Where a local education authority notifies them that a child is persistently failing to comply with directions given under an education supervision order.

Criminal Justice and Court Services Act 2000

Part II of this Act related to "Public Bodies" responsibilities within child protection and is integral to child protection systems in the UK designed to prevent unsuitable people from working with children.

This links to other laws including the **Protection of Children Act 1999** and **The Police Act 1997** that, together build a system that makes it a criminal offence if an employer does not take sufficient steps to check an employee working with children and/or knowingly gives someone a job who is inappropriate to work with children.

Protection of Children Act 1999 and The Police Act 1997

These Acts change the routes by which employers can check whether a potential or actual employee has criminal offences against children or whether there has been reason for that person to be considered inappropriate to work with children.

The Police Act 1997 contains the provision to set up the DBS for England and Wales to improve access to criminal record checks for employment related purposes. It is aimed at providing protection for children and other vulnerable people against those who might wish to harm them.

Criminal Records Bureau (DBS)

This organisation will give employers and voluntary organisations access to information about criminal records and other relevant information about people they intend to appoint in paid or unpaid posts working with children and young people under 18. It will provide a 'one-stop-shop' service across England and Wales.

Rehabilitation of offenders Act (NI order) 1974 (UK wide)

People who are involved in situations where they have prolonged or sustained access to children are exempt from the Rehabilitation of Offenders legislation

Sexual offences Amendment Act 2000

This Act reduces the age at which, or certain circumstances in which, sexual acts are lawful. It introduces a new offence of abuse of trust, which covers ostensibly consensual behaviour within certain relationships of trust. It is an offence for a person aged 18 or over to engage in sexual intercourse or other sexual activity with someone under that age where they are in a 'position of trust' in relation to the younger person.

5. What to do if a child or adult discloses harm to you

Receive

- Listen to the child
- If you are shocked by what they are saying, try not to show it
- Take what they say seriously
- Accept what the child says
- DO NOT ask for (other) information

Reassure

- Stay Calm and reassure the child that they have done the right thing in talking to you
- Be honest with the child so do not make promises you can't keep
- Do not promise confidentiality – you have a duty to refer the child who is at risk
- Acknowledge how hard it must have been for the child to tell you what happened

React

- React to the child only as far as is necessary for you to establish whether or not you need to refer this matter, but do not interrogate them for details
- Do not ask leading questions
- Explain what you have to do next and to whom you have to talk
- Explain and if possible seek agreement that you will have to discuss the situation with someone else and will do so on a 'need to know' basis.

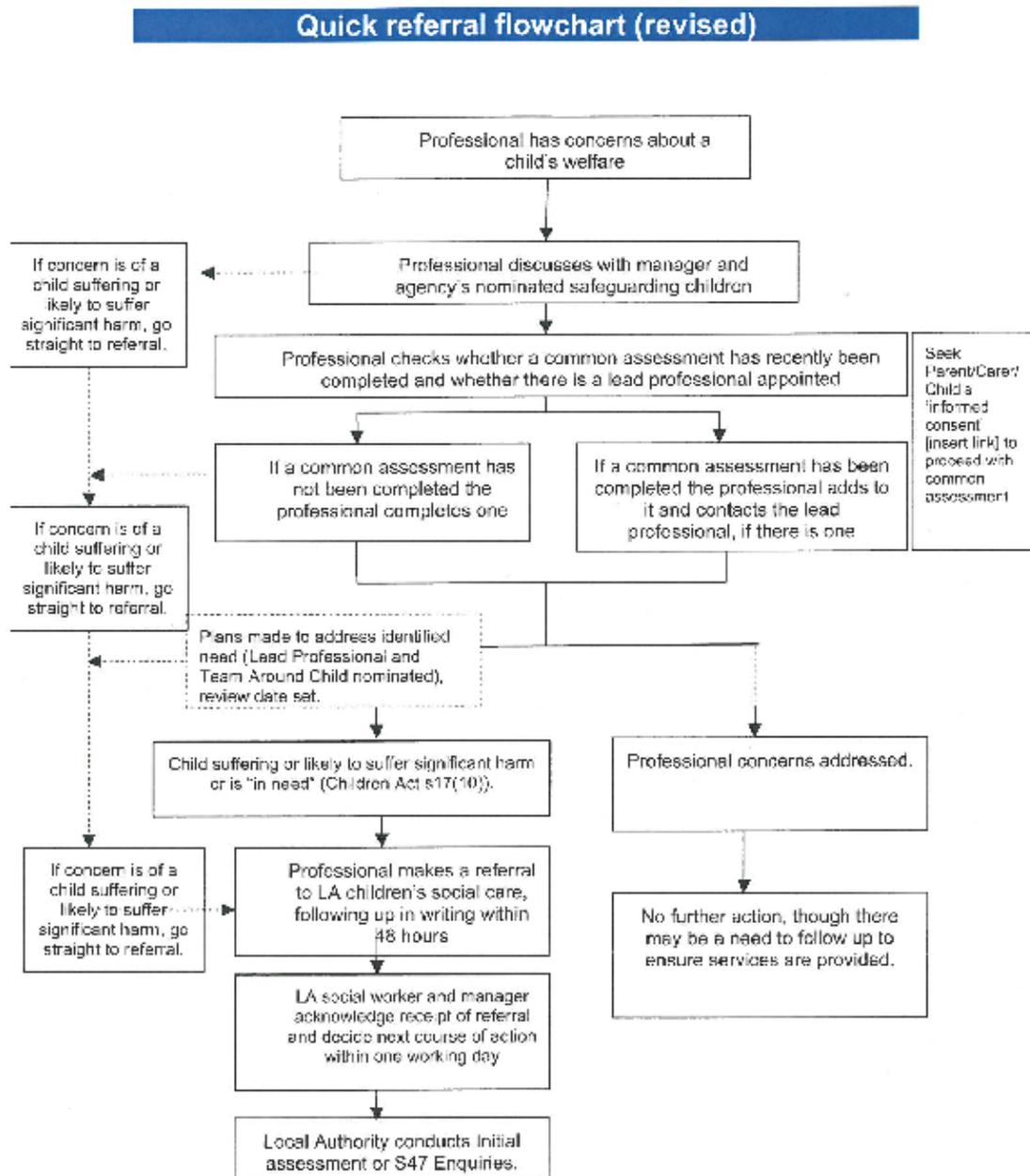
Record

- Make some brief notes at the time and write them up more fully as soon as possible – use the Record of Concerns Template attached
- Take care to record timing, setting and personnel as well as what was said
- Be objective in your recording – include statements and observable things rather than your interpretations or assumptions

Act Now

- Discuss the matter with the Child Protection representative immediately – see Section 6 below which sets out the referral flow chart.

6. What to do if you think a child is being harmed – referral flowchart



Social Services Referral and Assessment Team (RAAT) can be contacted on 01908 253169 or out of hours 01908 265545

7. Record of Concerns Template

- 1 Name of Child
- 2 Address
- 3 Telephone
- 4 Parent/Carer details
- 5 What is said to have happened or what was seen
- 6 When and where did it occur
- 7 Who else, if anyone, was involved and how?
- 8 What was said by those involved – questions, answers etc?
- 9 Where there any obvious signs e.g. bruising, bleeding, changed behaviour?
- 10 Was the child able to say what happened, if so, how did they describe it?
- 11 Who has been told about it and when?
- 12 Do the parents know?

Signature: _____

Date: _____

8. Role of the Child Protection Representatives

The named staff Child Protection Representative for **Luton Roma Trust** is:
Zoe Moran

These person(s) will take on the responsibility for:

- Ensuring the policy is being put into practice
- Being the first point of contact for child protection issues
- Keeping a record of any concern expressed about child protection issues
- Where necessary, taking further steps, such as referring concerns to other agencies
- Bringing any child protection concerns to the notice of the Chief Executive and the Board.
- Ensuring that paid staff and volunteers are given appropriate training, support and supervision on safeguarding children and young people.
- Ensuring that everyone involved with the organisations is aware of the identity of the Child protection representatives.
- Liaise with MK Safeguarding Children's Board on adopted policies and procedures

9. Safe Recruitment and Selection

Determined abusers have often managed to gain access to children and young people. We recognise therefore, that the most effective point at which an organisation can use good management to minimise the possibility of abuse is when new paid staff or volunteers are appointed, although it is important to ensure that vigilance is maintained thereafter.

Recruitment

It is our policy that all staff and volunteers, temporary personnel and helpers who have contact with children and young people will be subject to a careful and rigorous selection and vetting process with the elements listed below. We hope these will be understood by good applicants and will put off ill intentioned people off.

- Completion of an application form and checking the person's identity by their birth certificate or passport, something with a photograph if possible.
- Taking up two references, one of whom has experience of their work or contact with children
- An interview by at least two people
- Identifying reasons for gaps in employment or inconsistencies
- Carrying out police checks and checks with the Criminal Record bureau
- Allowing no unsupervised access to children and young people until this has been completed.
- Advice is sought about recruiting someone with a criminal record

- A supervised probationary period for new people to the project and a comprehensive induction period that includes our child protection policy and procedures.

Criminal Record Checks and Vetting:

Checks will be carried out via an appropriate local umbrella agency for police checks - on all people applying to work with children and young people, including volunteers. Criminal Record Bureau is able to provide checks on the following:

- Police criminal records via the Police National Computer
- The protection of Children Act List, Protection of Vulnerable Adults and List 99 – list of people who are disqualified from working with children and young people. Information on this can be obtained from the CRB at www.crb.gov.uk or tel: 0870 9090811 or Independent Safeguarding Authority which was established under section 1 of the Safeguarding Vulnerable Groups Act 2006 www.isahomeoffice.gov.uk

10. Code of Conduct for Staff and Volunteers

Luton Roma Trust staff and volunteers should organise all their activities to reduce to a minimum those situations within which it may be possible for children and young people to be abused. Staff and volunteers are required to abide by this Code of Practice to safeguard children and young people.

- DO treat all children and young people with the respect they deserve
- DO make sure any suspicions or allegations are recorded and reported to the Child Protection Representative.
- DO NOT get personally involved – leave it to the professionals.

Physical Contact

Adults should ensure that the touch and physical contact they use is not exploitative and is not open to misunderstanding. Children and young people should be encouraged to say what they find acceptable and unacceptable in the way they are approached by adults or their colleagues in the group. DO NOT:

- Subject young people to constant criticism, bullying or unrealistic pressure
- engage in rough physical games or horse play
- Touch a young person in an intrusive or sexual manner
- Make sexually suggestive comments, even in jest
- Do things of a personal nature that young people can do for themselves
- Restrain a child using physical force

Working with individual CYP

- You should plan never to be alone in a building, car or a closed room with a child / young person.
- In exceptional circumstances where an adult may be alone with a child for a short period, the adults should ensure that other staff or volunteers are aware of the situation and that they support this action and that it takes place in clear view of

the rest of the group e.g. designated office or room with a clear glass window. The door must always be left open.

Running Activities

- any group of children should be supervised by at least two responsible adults on all activities.
- for some groups this will mean parents staying with children they have brought to the group activity until named leaders for that activity have arrived.
- It is important to know who the leaders are on all activities.

Outside of work

- Children should not be expected to make their way to an activity through poorly lit areas.
- Adults/leaders should know the safe arrangements for children to get home after the activity.
- Adults should be discouraged from meeting individually with children outside work related activities and should not take a child or young person to their home.
- If a child or young person is not collected from an activity you should not give lifts home in your car.
- If some of these situations are unavoidable, get parental permission first. If that is not possible make certain that **Luton Roma Trust** staff or volunteers and the parents or carers know what you intend to do and inform parents/guardians know what has happened as soon as you can.

Privacy & Photographs

- If ever the situation were to arise, particular care must be taken to ensure the privacy of CYP is respected in places like swimming pools, showers, toilets and changing rooms.
- Never take photographs of CYP while they are in changing areas or bathing areas.
- Consent must be sought from the CYP and/or their parent guardian to publish photographs

Resources & Equipment

- Minimise the prospect of injury by checking all equipment and playing surfaces
- Do not employ excessive or inappropriate training methods, use only age appropriate language, media products and activities in working with CYP. Sexually explicit materials are never appropriate.
- Under no circumstances give medication, alcohol, tobacco, alcohol or other drugs to CYP.
- Do not lend or borrow personal money or property to or from CYP
- Do not give or receive personal gifts from CYP

Internet use

- Always supervise the use of your computer, e-mail and internet by CYP or adults.

- Place the computer where everyone can use it and see it, rather than out of sight in another room
- Suggest sites that could be visited by CYP e.g. those you have already researched and judges to be appropriate and/or those connected to children's TV programmes
- Talk to the CYP about what sort of sites then can and cannot visit
- Ensure that children do not give out personal details over the internet e.g. surname, address, phone number or e-mail address and never arrange a face to face meeting with anyone they come into contact with on the internet.
- Encourage CYP to report anything they come across which they feel is abusive or offensive.
- Limit the amount of time CYP spend online
- Explore the use of filters which block access to certain sites (although remember these are unlikely to be foolproof and cannot replace supervision)
- Do not send, seek or store pornographic, explicit, racist, homophobic or other material which may be considered inappropriate or offensive from your computer. Any received should be deleted immediately and the recycling bin emptied. Any found on your computer should be reported to your line manager.

11. Whistleblowing Procedure – (The Public Interest Disclosure Act 1998) Allegations against Trustees, Staff and Volunteers

[Name of group] Assurances to Employees

The Chief Executive Officer and Trustee's of Luton Roma Trust are committed to maintaining the highest standards of honesty, openness and accountability and recognise that you, the employee, have an important role to play in achieving this goal.

Employees will usually be the first to know when someone inside or connected with an organisation is doing something illegal or improper, but often they feel apprehensive about voicing their concerns. This may be because they feel that speaking up would be disloyal to their colleagues or the organisation itself. Or it may be because they do not think that their concerns will be taken seriously, because they are afraid that they will be bullied or dismissed. However, **Luton Roma Trust** does not believe that it is in anyone's interests for employees with knowledge of wrongdoing to remain silent.

Luton Roma Trust takes all malpractice very seriously, whether it is committed by senior managers, staff, volunteers, members, suppliers or contractors; this document sets out the Procedure by which you can report your concerns to us.

What should I report under this Procedure?

It is impossible to give an exhaustive list of the activities that constitute misconduct or malpractice but, broadly speaking, **Luton Roma Trust** would expect you to report the following: -

- Criminal offences;

- Failure to comply with legal obligations;
- Miscarriages of justice;
- Actions which endanger the health or safety of staff, volunteers or public;
- Actions which cause damage to the environment;
- Actions which are intended to conceal any of the above.

It will not always be clear that a particular action falls within one of these categories and you will need to use your own judgement. However **Luton Roma Trust** would prefer you to report your concerns rather than keep them to yourself. If you make a report in good faith then, even if it is not confirmed by an investigation, your concern will be valued and appreciated and you will not be liable to disciplinary action. However, if you make a false report, maliciously or for personal gain, then you may face disciplinary action.

How do I make a Report?

You can make a report orally or in writing. Standard report forms (attached) are available from the office. Luton Roma Trust would normally expect you to raise your concerns internally to either:

- your line manager, or
- the Chief Executive

Which of these individuals is the more appropriate will depend on the seriousness of the malpractice and who you think is involved in it. If, under the circumstances, you do not feel comfortable about making a report directly to management, then you can report instead to:

- the Chairperson of the Trustees

Please say if you wish to raise the matter in confidence so that appropriate arrangements can be made.

Independent Advice

If you are unsure whether to use this Procedure, or you want independent advice at any stage, you may contact the independent charity Public Concern at Work on Telephone 020 7404 6609.

External Contacts

While we hope that this policy will give you reassurance you need to raise such matters internally, Luton Roma Trust recognises that there may be circumstances (for example, where the wrongdoing is extremely serious) where it may be appropriate for you to report your concerns to an outside body, such as the police, Public Concern at Work will be able to advise you on such an opinion and the circumstances in which you may be able to contact an outside body safely.

Do I need proof of wrongdoing to make my Report?

Luton Roma Trust does not expect you to have absolute proof of any misconduct or malpractice that you report. However, you will need to be able to show the reasons for your concern.

Will Luton Roma Trust protect my identity if I make a Report?

[Name of group] will do everything possible to keep your identity secret, if you so wish. However, there may be circumstances (for example, if your report becomes the subject of criminal investigation) wherein you may be needed as a witness. Should this be the case we will discuss the matter with you at the earliest opportunity.

How will my report be investigated?

Once you have made a report, Luton Roma Trust will acknowledge receipt of it within five working days.

There are, of course, two sides to every story and Luton Roma Trust will need to make preliminary enquiries to decide whether a full investigation is necessary. If such an investigation is necessary then, depending on the nature of the misconduct, your concerns will be either:

- investigated internally (by management) or
- referred to the appropriate external person (for example the police) for investigation.

Subject to any legal constraints, Luton Roma Trust will inform you of the outcome of the preliminary enquiries, full investigation and any further action that has been taken.

What if I am unhappy with the way Luton Roma Trust has dealt with my Report?

If you are unhappy with the outcome of an investigation Luton Roma Trust would prefer that you submit another report explaining why this is the case. Your concern will be investigated again if there is good reason to do so.

However, it may be that you do not think that this is appropriate and wish to raise your concern with an external organisation, such as a regulator. It is, of course, open to you to do so provided you have sufficient evidence to support your concern.

Luton Roma Trust strongly advises that before reporting your concern externally, you seek advice from:

- Public Concern at Work, 3rd Floor, Bank Chambers, 6-10 Borough High Street, London, SE19QQ Tel 020 7404 6609 email whistle@pcaw.co.uk

While Luton Roma Trust cannot guarantee that we will respond to your report in the way that you might wish, we will try to handle the matter fairly and properly. By using this Procedure, you will help us to achieve this.

Whistleblowing Standard Report Form

Please complete this form, sign and date at the bottom.

All information is treated in the Strictest Confidence.

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NAME..... **SIGNATURE**.....

DATE.....

12. Outside contact for advice and information

ACPC
NSPCC
TVP
MKC - Social Services
CRB
ACAS
MKSCB
Independent Safeguarding Authority

Reviewing the policy

This policy will be reviewed on an annual basis to ensure that it is meeting its aims by the Child Protection Representative. They will consult on any amendments with the Chief Executive and the Executive Sub Committee.

This is the current copy of this policy

Name: _____

Signature: _____

Date _____