

## **ILPA SAFEGUARDING CHILDREN AND YOUNG PEOPLE**

**1st June 2021**

### **1. Policy Statement**

The Association is committed to protecting all the children and young people that come into contact with ILPA. We believe that everyone working for ILPA has a responsibility to promote the welfare of all children and young people, to keep them safe and to practise in a way that prioritises their protection.

We will make sure that all children and young people have the same protection regardless of immigration status, age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation.

We recognise the additional needs of children and young people with uncertain immigration status, minority ethnic groups and disabilities and the barriers they may face, especially around communication.

### **2. The Implementation of this Policy**

The Board of Trustees of ILPA is ultimately accountable for ensuring that ILPA abides in full with its legal and regulatory safeguarding obligations.

It discharges that responsibility by:

- ensuring this policy is legally compliant and consonant with best safeguarding practice at all times,
- regarding safeguarding as a governance and risk management priority for the organisation,
- delegating operational responsibility for the implementation and periodic, external, review of this policy to the Senior Management Team and Designated Safeguarding Officer of the charity,
- requiring regular reports from the DSO to the Board on all key safeguarding risks.

### **3. The Aims of this Policy**

This policy is relevant for staff in a work context and for us all as we go about our daily lives as members of the community. With increased use of social media and digital spaces we recognise that the risk may be through online channels as much as face to face contacts. It is the responsibility of all of us to act if we have concerns about the safety of any child.

This policy has been written to provide easily accessible and practical advice for ILPA staff who have concerns about children they come across in their work.

ILPA is not a statutory childcare agency and it is not appropriate for staff to carry out investigations into suspicions of child abuse themselves. However, under the Children Act 2004, there is a duty placed on organisations to take appropriate action and to make referrals to the police and social services. This 'Duty of Care' to take appropriate action and to make referrals to those agencies specialising in this area applies to all staff carrying out any activity on behalf of

ILPA and this includes the Board of Trustees and staff. ILPA's role is to identify, refer and follow up child protection concerns and ensure that they are being responded to.

This policy should be read in conjunction with the Safeguarding Vulnerable Adults Policy and the Office Manual.

#### **4. Context**

The contexts and situations in which ILPA staff may come across children at work are very limited. ILPA does not undertake any direct service provision but we may for example host an event which young people may attend. The law defines a child as being under 18.

#### **5. How we will keep children safe.**

**We will seek to keep children and young people safe by:**

- Appointing a nominated safeguarding lead.
- Develop child protection and safeguarding policies and procedures which reflect best practice.
- Use our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately.
- Recruiting staff safely, ensuring all necessary checks are made.
- Provide effective management for staff through supervision, support, and training.
- Manage any allegations against staff appropriately.
- Ensure that we have effective complaints procedure.
- Ensuring that we provide a safe physical environment for young people and staff by applying health and safety measures in accordance with the law and regulatory guidance.
- Record and store information professionally and securely.
- Publicise our Safeguarding Policy on the web site.

#### **6. Understanding safeguarding terms**

##### **What is safeguarding?**

'Safeguarding' is the term used to describe the responsibilities and activities undertaken, by statutory bodies and organisations working with children, to prevent or stop children being abused or ill-treated. The agencies with a statutory duty to protect children in this way are the local authority children's social care departments of local authorities (referred to in this document as social services), and the police. The key piece of legislation relating to safeguarding is the Children Act 1989. Section 47 of this Act states that social services departments have a legal duty to investigate any situation where there are concerns about the welfare of a child or young person up to the age of 18

years. Social services may choose to do this with the help of specialist police officers.

An investigation focuses on the safety of the child and will usually involve the following:

- talking to the person who has expressed concern, i.e. the referrer;
- talking to the child;
- talking to the parents/carers of the child;
- liaising with other agencies who have knowledge of the child and his/her family and circumstances

Safeguarding is about protecting children from harm, abuse or ill-treatment by those who are supposed to be caring for them or who are in a position of trust and authority towards them. Some children may be harmed by older children who are, usually on a temporary basis, caring for them. This would still be treated as a safeguarding issue for both children. Assaults or violence by adults (or other children) unknown to the child are dealt with by ordinary criminal law.

### **What is child abuse?**

Child abuse is a term used in situations where a child or young person under the age of 18 experiences ill-treatment or impairment of development through a failure on the part of the parent or carer to ensure a reasonable standard of care and protection.

This may include things that a parent or carer does (such as hitting the child) or things that the parent or carer fails to do (such as starving or neglecting the child). Sometimes children are abused by adults who are trusted by the child or placed in a supervisory position in relation to the child, eg a teacher, foster carer, staff member at a children's home, detention or other residential setting. A 'carer' could be any of these or a member of the extended family, or the child's refugee community or a neighbour with whom the child is living in an informal arrangement.

The policy acknowledges that it is not only adults who abuse children and that children may abuse children through bullying, physical and sexual abuse, exploitation and humiliation.

The following are brief descriptions of the four main categories as used by social services:

### **Physical injury**

The actual or likely physical injury to a child, or a failure to prevent physical injury or suffering to a child.

### **Neglect**

Neglect is defined as the persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold or

starvation. It can also mean an extreme failure to carry out important aspects of care, resulting in a significant impairment of the child's health or development, including 'non-organic failure to thrive' (the failure to develop physically, emotionally or mentally for reasons other than disability).

### **Sexual abuse**

Sexual abuse is the actual or likely sexual exploitation of a child or young person under 18. This means involving them in sexual activities they do not truly comprehend and to which they are unable to give informed consent. Sexual abuse includes incest, and all forms of sexual activity involving children under 16, including pornography.

### **Emotional abuse**

Emotional abuse is the actual or likely severe adverse effect on the emotional and behavioural development of a child caused by persistent or severe emotional ill-treatment or rejection.

The task of the child protection social worker or police officer is to try to make an assessment of whether a child has been or is likely to be abused or not. This is often a very difficult task. Within the Children Act 1989, the term 'significant harm' is used when considering how seriously to take concerns about the safety or welfare of a child. 'Significant harm' usually refers to a series of acute and long standing harmful events that can interrupt, alter or impair the physical and emotional development of a child. However, one serious but isolated incident could also result in significant harm.

A child who has suffered or is likely to suffer 'significant harm' is considered to be a child in need of protection.

### **Online and social media abuse**

Many young people will use the internet and social networking sites as a matter of routine, but may not realise the risks and dangers associated with them.

People who suffer in an online environment may suffer from one of more of the following:

- Online bullying and harassment
- Sexual exploitation and grooming online
- Sexual harassment
- Racist, hate and homophobic abuse
- Sharing of illegal and inappropriate imagery
- Cyberstalking
- Impersonation and hacking
- Misinformation and disinformation
- The oversharing of personal information

This covers any communications or video sharing via a social media platform such as Facebook, Instagram, Twitter, WhatsApp, TikTok or similar. It can be on a mobile phone, iPad, tablet or computer.

### **The Children Act 1989**

This is a wide-ranging piece of legislation covering many aspects of the state's duties towards children.

It is Section 47 of the Children Act which places a duty on social services to investigate if 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... (T)he authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.' This might involve close monitoring of the parent or carer's ability to care for the child or it might involve placing the child in emergency police protection and possibly 'in care' over a lengthy period.

### **7. The Designated Safeguarding Officer**

The Designated Officer (DO) in ILPA will be the Chief Executive and in that person's absence, should an issue arise it will be the Legal Director. Note that concerns about the safety of children must be raised immediately and you should not wait to consult with the DO if they are not available. The role of the Designated Officer is to:

- Offer, when required, consultation and advice to staff should a child protection issue arise.
- Assess the information promptly and carefully, clarifying or obtaining more information about the matter as appropriate.
- Ensure the statutory child protection agencies have been contacted should they need to be contacted and a written record kept.
- Keep the written policy and procedures up to date.
- Record incidents and review policy and procedures.
- Report on safeguarding risks to the board.

### **8. What to do when you have concerns about the welfare of a child**

#### **Safeguarding concerns**

Circumstances giving rise to safeguarding concerns may include the following:

- A young person may disclose that he/she is being abused by a member of staff, another young person or another adult.
- A young person may disclose a past history of abuse.
- A member of staff may become suspicious that a young person is being abused due to their behaviour, conduct or physical signs.
- A member of staff may receive information that makes them suspicious that a young person is being abused.

- A member of staff may become concerned about the conduct, behaviour or actions of another young person or member of staff.
- A parent or other adult may disclose a past history of abuse and there is a likelihood that children and young people could continue to be at risk of abuse.

### **How to contact Social Services and the Police**

At various points throughout these guidelines, you will be advised to make a referral to social services when you have concerns about a child. You can put your post code in to find out who to report to in your area: [gov.uk's service finder](#)

Discuss your concerns with your Chief Executive immediately and if that is not possible then as soon after as possible. If the Chief Executive is unavailable, then please talk to the Legal Director, if the Legal Director is unavailable find another colleague to discuss the issue with. If your concerns require immediate attention and no-one is available to you, then contact social services or the police.

Every local authority social services department will have a specialist designated team dealing with child protection and safeguarding concerns; the team is often called the MASH team (Multi Agency Safeguarding Hub). Call the local team and or complete their specific form for referral. It is important that you are clear with the social workers you speak to that you are making a child protection referral because you have concerns about the welfare of a child. They must then treat the referral as they would any other referral concerning suspected abuse.

Their contact details should be on the local authority web site. Each local authority has a Safeguarding Children Board, and a named person, with clear policies and practices available online

A referral should be made to the social services' department for the area where the child is living, if this is known. If this is not known or if, for example, the child is homeless, then the referral should be made to the authority where the particular need of the child comes to light.

Outside working hours, every social services department has an Out-of-Hours or Emergency Duty Team to contact, often by calling the main social services' switchboard number. The normal procedure is for staff on emergency duty to call back the referrer. Unless it is an emergency, this may take some time, depending on how busy the team is on that evening or weekend.

Sometimes confusion arises when a referral of an asylum-seeking child or family is made to social services for child protection purposes. Some social services' staff may try to refer the matter on to other teams within their local authority or elsewhere. It is important that you insist that your referral is a child protection concern which needs to be dealt with by the MASH team. The exception to this is in relation to separated children, who should have an

allocated social worker.

When you are making your referral, if you are referring a child you know through your work within ILPA you must give your name and role, and full contact details. You cannot remain anonymous within your professional role. Outline your concerns fully and completely and take the details of the person you are giving your information to.

You should ask whether and when you will hear back from social services, and statutory guidance advises referrers to chase up a referral after three days if they have not heard back. It may be the case that you do not receive any further information as details of future actions may be confidential. However, it may be the case that you are involved in future plans to protect the child, for example you may be invited to a child protection conference.

It is essential that you confirm your telephone conversation in writing and save the information on your own personal drive in a confidential folder, notify the Chief Executive of where it is saved and send a transcript to social services.

If you have any concerns that your referral will not be followed up or about the person taking the referral, speak immediately with your Chief Executive, who should raise the issue immediately with the appropriate manager within social services. In cases of extreme concern, and when you believe that the child is in imminent danger, call the police.

## **9. The importance of recording**

The keeping of prompt and accurate notes about safeguarding concerns is vital. If staff are dealing with a *critical incident* that involves child protection concerns, then a Safeguarding Report must be completed and passed to the Chief Executive for action. The report can be found in Appendix 1 of this policy or use the local authority MASH referral form. The Chief Executive will then ensure that the local form is sent to a local authority, for recording monitoring and ensuring all appropriate action has been taken.

Records need to cover the following areas:

- Everything and everyone that was seen and observed at the time of any incident that has raised concerns – including injuries and notes on the behaviour of children, parents and carers. Records must be factual information only.
  - Any allegations or disclosures made by children, parents, carers or others. If possible, it is best practice to write down the actual words used in disclosures or allegations.
  - Any explanations given for injuries to the child.
  - All action taken by staff including discussions with the Chief Executive, contact with social services or the police, including the names and contact details of those spoken to.

Social services have strict deadlines about when they should take action following a referral. If ILPA staff are careful about recording exact times, it may help to follow up on the referral later on.

Safeguarding is one of the few areas of work when usual strict guidelines regarding confidentiality can be broken in the interests of protecting a child. It is always best to discuss this with your Chief Executive.

### **10. If you hear allegations against a member of staff**

In the event of an allegation against a current member of staff relating to child protection concerns, or that this policy has been breached, this will be dealt with according to ILPA's disciplinary policy and procedure.

### **11. Staff Recruitment, Training and Development**

- ILPA's Recruitment and Selection policy will be used when employing new staff. This includes measures around safeguarding, such as seeking references.
- Staff may attend relevant training depending on the activities they are involved in. The Chief Executive will maintain a central training record for safeguarding and this will be reported annually to the Board.

### **12. Conclusion**

The area of safeguarding is a complicated and emotive one. It is very difficult at times to deal with these issues, but we have a responsibility to follow through any concerns. There are often no right and wrong answers. What is important is that you keep the safety and welfare of the child paramount at all times, regardless of other factors you are faced with in the situation.

**If you are ever in doubt about the safety of a child, you must discuss your concerns as soon as practically possible.**

NSPCC Helpline 0808 800 5000 - ChildLine Number: 0800 1111

**ILPA Safeguarding Report**

1. Complete form after a child protection or safeguarding incident and pass to the Chief Executive who is also the Designated Officer (DO)

**Details of child and parents/carers**

Name of child:			
Gender:	Age and date of birth:	Nationality:	
Ethnicity:	Language:	Additional needs:	
Name(s) of parent(s)/carer(s):			
Child's home address and address(es) of parents, if known:			

**Your Details**

Your name:	Your position:	Date and time of incident (if applicable):
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<p>Are you reporting your own concerns or responding to concerns raised by someone else?</p> <p>Reporting own concerns</p> <p>Responding to concerns raised by someone else</p>
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<p>If you are responding to concerns raised by someone else, please provide their name, position and contact details:</p>
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Please provide details of the incident or concerns you have, including times, dates, description of any injuries, whether information is first hand or on the account of others, including any other relevant details:

Please detail the child's account/perspective, if possible:

Provide details of anyone who witnessed the incident and/or who shares the concerns:

Has the situation been discussed with the Designated Officer?

Yes / No (delete as appropriate)

If yes, please summarise the discussion:

Have you informed the statutory child protection authorities:

**Police:** Yes / No (delete as appropriate)

Date and time:

Name and phone number of the person you spoke to:

**Local authority children's social care:** Yes / No (delete as appropriate)

Date and time:

Name and phone number of the person you spoke to:

Action agreed with Child Protection Authorities:

What has happened since referring to statutory agency(ies)? Include the date and nature of feedback from referral, outcome and relevant dates:

Name ..... Position .....

Date ..... Signed .....

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