



Child Protection Procedure

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1.0 Introduction

Local authorities have a statutory obligation to publish inter-agency child protection procedures which are accessible online via each authority's Child Protection Committee (CPC). The National Guidance for Child Protection in Scotland (Scottish Government, 2014), plus the inter-agency CPC procedures, creates the framework for responding to child protection concerns.

All staff must be able to access a copy of the relevant local authority's inter-agency child protection procedures, the duty social work phone number and social work out-of-hours number. These are all available online.

1.1 Relevant policies and procedures

This procedure is aligned with **G36 Keeping People Safe**

It should be read and understood in conjunction with:

- HR15 Whistleblowing

2.0 General

2.1 Who is a child?

Legally, this is any person who has not reached the age of 16. However, the provisions of the Children and Young People (Scotland) Act 2014 include any person who has not reached the age of 18.

Guidance from the local authority duty social work office should be sought if staff are unsure whether a young person aged 16 or 17 requires statutory intervention to keep them safe.

A person aged 16 and above who meets the 'three-point test' of the Adult Support & Protection (Scotland) Act 2007 is entitled to statutory intervention; see **G57b Adult Support & Protection**

2.2 What is harm or abuse of a child?

Harm refers to the ill-treatment or impairment of the health or development of a child

Abuse includes physical, sexual, emotional and financial harm. It also includes exploitation, trafficking and gender-based violence like honour crime and domestic abuse.

Neglect means persistently failing to meet a child's needs.

2.3 Scope of contact with children during working time

ARK does not provide children's services. Therefore, it is expected that staff will only come into contact with a child who lives with or visits the home of a supported person or tenant.

ARK does not expect children to visit local offices or the Priory, although understands that this may sometimes happen. While ARK is responsible for the health & safety of our offices, this does not include making them suitable for children, or being responsible for supervising any visiting child.

2.4 Children visiting supported people

The people we support have a right to a private and family life. This includes maintaining family relationships. We will support people to do so, including through facilitating family time together if required. This will be agreed in partnership with the supported person and any other relevant person.

Unless there is a specific reason detailed in the individual's Good Life plan, staff will not be present during family visits. It is expected that family visits will usually take place outside of support times. See **CS02 Personal Planning** and **CS04 Risk & Vulnerability**

Children visiting must be the responsibility of an appropriate adult – this cannot be the Care & Support staff member. Where a supported person is incapable of appropriately supervising the child, for example due to a lack of capacity, the child may not visit unaccompanied.

We are not responsible for deciding whether a supported person has capacity to appropriately supervise the visiting child. This will be detailed in the individual's Good Life plan and have been agreed with any relevant stakeholder.

Customers may be under multi-agency public protection arrangements (MAPPA) or subject to bail conditions relating to offences against children ('schedule 1 offences'). It is the responsibility of the team's manager to ensure that staff are aware of any specific obligations should these apply.

2.5 Accidents and injuries

If a child has an accident or injury while visiting a supported person, you must:

- Immediately inform the parent
- Seek medical attention if required
- Advise the Care & Support Manager / Registered Operations Manager within 24hrs
- Follow **HS04 Incident Reporting**

2.6 Children in immediate danger

If a child is in immediate danger, you must call 999. Only the police have the authority to remove a child without a court order.

The staff member must then notify their line manager, or Manager On-Call if out-of-hours.

The parent must be notified unless this will place the child at greater risk. The line manager should make this decision.

The line manager or Manager On-Call must then advise the duty social work team and inform them that the police have been notified.

3.0 Child protection

3.1 Potential child protection concerns

There are a number of instances that may raise suspicion and require action, for example:

- A child visitor is noticeably neglected or displays behaviours which concern staff
- A child makes an allegation to a supported person, who then tells staff
- A child makes an allegation to a staff member
- A staff member or supported person observes harm or abuse of a child
- A parent is under the influence of alcohol or drugs while responsible for a child
- A parent makes an admission of harm or abuse of a child
- Allegation made against a supported person
- Allegation made against a staff member
- A supported person babysits child and does not have capacity to do so
- An customer breaches their bail conditions / MAPPA
- A child is living in ARK property where domestic abuse is suspected

3.2 Child sexual exploitation

This is when children or young people are convinced to, or coerced into, taking part in sexual activities. Children receive money, gifts or affection for this and may believe they are in a consensual relationship with the adult. Children may be given drugs or alcohol, or blackmailed into taking part in sexual activities; this can also include acquaintances of the person the child is in the “relationship” with.

Grooming is the process of an adult convincing a child that they are in a relationship together, or that they have to do as the adult tells them. This may include taking explicit photos or live-streaming. Abusers can then use this to further exploit the child. Some or all of this exploitation may happen online. Children and young people may not realise they are being exploited, or may depend on the person abusing them for their day-to-day care.

It is an offence for a young person under the age of 18 to send or receive sexually-explicit material. This includes nude or partially nude photos, explicit text messages or requests to do any of these things.

If staff are aware of a person under the age of 18 sending or receiving sexually-explicit material, through texts, social media or any other means this must be reported as a child protection issue.

If staff are aware of a child in an inappropriate relationship with a tenant or supported person they must report this as a child protection issue.

If a child or young person is at risk online through grooming or being sent explicit material, it is also advisable to report this through CEOP (Child Exploitation and Online Protection) who are available at: www.ceop.police.uk

4.0 Recording and reporting

4.1 Confidentiality

The welfare of the child is paramount (Children (Scotland) Act 1995) and therefore reporting child protection issues overrides confidentiality. We will share information and collaborate with partner agencies as required. See **G24 Privacy & Data Protection** and **G13 Openness & Confidentiality**.

A written record of any incident, accident or allegation relating to a child must be made in order to properly act. Information will be stored securely and accessible by only those who require it.

Any communication books, diaries or any other recording methods kept in a supported person's home should **not** be used to record details of child protection concerns.

4.2 Recording

The written records must include:

- Name of staff member
- Details of concern; this should be objective and factual. It is not our role to analyse.
- Details of child (and adult where relevant), to include name, age, address if known
- It must be dated
- Name of duty social worker and their contact details
- Details of social work response

4.3 Reporting

Note that it is **never** acceptable to leave a voicemail or other message to advise of a child protection concern. You must make contact with the duty social worker.

The staff member must inform their line manager and complete an incident form within 24hrs and the duty social work team contacted within the same 24hr period.

The parent must be informed unless this will place the child at greater risk. The line manager will make this decision – with advice from senior management or the Quality & Compliance Officer if required.

The phone call to social work must be followed up with a child protection referral form. An ARK incident form can be used for this purpose – seek clarification from the duty social worker if required.

The referral form should be emailed to the duty social worker via encrypted email. If this is not possible, confirm with the duty social worker how to proceed.

This is a notifiable incident for Care & Support. The Care & Support Manager / Registered Operations Manager must notify the Care Inspectorate via eForms.

5.0 Allegations

5.1 Allegations made by a child

If a child makes an allegation of harm or abuse to an employee:

- **Do not** promise confidentiality
- Explain who you will tell and why
- Listen – do not pass judgement, make excuses or seek to minimise the child’s experience
- **Do not** ask leading questions or ask for further details
- Make an accurate recording of the discussion. This must be objective and factual

5.2 Allegations made against an employee

This will be managed through **G12 Complaints**, **HR15 Whistleblowing** and **HR18 Disciplinary**

Allegations against a Care & Support staff or other registered employee will be reported to the SSSC and Care Inspectorate

We will cooperate fully with the police and social work.

5.3 Training and support

All staff will complete mandatory ‘Protection of People at-risk’ training during induction and thereafter every three years. Although this is largely directed towards Adult Support & Protection, it will cover types and signs of abuse and reporting procedures. This is in line with the National Guidance for Child Protection in Scotland which states there are common principles in adult and child protection, understood through joint training (Scottish Government, 2014)

The staff member should have an incident debrief with their line manager at the earliest opportunity, and thereafter offered support through supervision, or referred to the Employee Assistance Programme.

ARK customers may be directed to independent advocacy, their GP or other relevant agency.

6.0 Implementation and Review

6.1 Implementation

ARK Managers are responsible for ensuring their teams are aware of this procedure and implement it accordingly.

6.2 Review

ARK Area Managers' group is responsible for the review of this procedure, at least every 3 years. Any changes to the associated policy (**G36 Keeping People Safe**) as a result must be submitted to the Board of Management for approval.