

# SPENNYMOOR TOWN COUNCIL



## CHILD PROTECTION, SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY

<b>Author of Policy:</b>	Town Clerk
<b>Date Effective From:</b>	24 <sup>th</sup> May 2022
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In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website [www.spennymoor-tc.gov.uk](http://www.spennymoor-tc.gov.uk) and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the publication scheme.

# 1. Child Protection Policy

Spennymoor Town Council recognises its responsibilities for child protection. This policy applies to all staff that work or come into contact with children or vulnerable adults during the course of their duties with the Council.

There are five main elements to this policy:

1. The practice of safe recruitment in checking the suitability of staff and volunteers who work with children and vulnerable adults.
2. The welfare of the child/vulnerable adult is paramount.
3. All children/vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity, have the right to protection from abuse.
4. All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.
5. All staff (paid/unpaid) working for the Council have a responsibility to report concerns to the appropriate officer.

# 2. Child Protection Policy Statement

The Council has a duty of care to safeguard all children involved in activities managed by the Council. All children have a right to protection, and the needs of disabled children and others who may be particularly vulnerable must be taken into account. The Council will ensure the safety and protection of all children through adherence to the Child Protection guidelines contained within this policy.

A child is defined as a person under the age of 18 (The Children Act 1989).

# 3. Policy Aims

The aim of the Council's Child and Vulnerable Adult Protection Policy is to promote good practice by:

- Providing children, young people and vulnerable adults with appropriate safety and protection whilst in the care of the Council.
- Allowing all staff/volunteers to make informed and confident responses to specific child protection issues.

## 4. Promoting Good Practice

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with your judgement about the appropriate action to take.

Abuse can occur in many situations. Some individuals will actively seek employment or voluntary work with young people in order to harm them. All suspicious cases of poor practice should be reported following the guidelines in this document.

## 5. Good Practice Guidelines

All employees of the Council should be encouraged to demonstrate exemplary behaviour in order to protect themselves from false allegations. The following are common sense examples of how to create a positive culture and climate.

Good practice means:

- Always working in an open environment avoiding private or unobserved situations and encouraging open communication.
- Treating all young people/disabled adults with respect and dignity.
- Always putting the welfare of each young person first.
- Maintaining a safe and appropriate distance with children (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child).
- Involving parents/carers wherever possible. For example, encouraging them to take responsibility for their children.
- Being an excellent role model – this includes not smoking, swearing or drinking alcohol in the company of young people.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.

## 6. Practices to be Avoided

The following should be avoided except in emergencies. If a case arises where these situations are unavoidable (e.g. the child sustains an injury and

needs to go to hospital), it should be with the full knowledge and consent of someone in charge or the child's parents.

Otherwise, avoid:

- Spending excessive amounts of time alone with children away from others.

## 7. Practices Never to be Sanctioned

The following should never be sanctioned. You should never:

- Engage in rough physical or sexually provocative games, including horseplay.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children or disabled adults that they can do for themselves.
- Transport a young person or vulnerable adult in a vehicle (Council or personal) on their own.

## 8. Recruitment and Training of Staff and Volunteers

The Council recognises that anyone may have the potential to abuse children in some way and that all reasonable steps will be taken to ensure unsuitable people are prevented from working with children.

Pre-selection checks must include the following:

- All staff/volunteers should complete an application form. The application form will elicit information about an applicant's past and a self-disclosure about any criminal record.
- Consent should be obtained from an applicant to seek information from the Disclosure and Barring Service.

- The Council will seek an enhanced Disclosure and Barring Service check where required/appropriate.
- Two confidential references must be taken up and confirmed through telephone contact.
- Evidence of identity should be provided (e.g. passport or driving licence with photo).

## 9. Training

Training should be offered after recruitment to help staff and volunteers to:

- Analyse their own performance against good practice, and to ensure their practice is likely to protect them from false allegations.
- Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.
- Respond to concerns expressed by a child or young person.
- Work safely and effectively with children.

## 10. Responding to Allegations of Suspicious

It is not the responsibility of anyone working for the Council, in a paid or unpaid capacity, to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns through contact with the appropriate authorities.

The Council will assure all staff/volunteers that it will fully support and protect anyone who in good faith reports his/her concern that a colleague is, or may be, abusing a child.

Where there is a complaint against a member of staff there may be three types of investigation:

- A criminal investigation.
- A child protection investigation.
- A disciplinary or misconduct investigation.

The results of the police and child protection investigation may well influence the disciplinary investigation, but not necessarily.

## 11. Action

- 1) Concerns about poor practice:
  - 1.1) If, following consideration, the allegation is clearly about poor practice, the Town Clerk will deal with it as a misconduct issue.
- 2) Concerns about suspected abuse:
  - 2.1) Any suspicion that a child has been abused by either a member of staff or a volunteer should be reported to the Town Clerk, who will take such steps as considered necessary to ensure the safety of the child in question and any other child who may be at risk.
  - 2.2) The Town Clerk will refer the allegation to the social services department which may involve the police, or go directly to the police if out-of-hours.
  - 2.3) The parents or carers of the child will be contacted as soon as possible following advice from the social services department.
  - 2.4) If the Town Clerk is the subject of the suspicion/allegation, the report must be made to the Lead Member for Council Policy and Infrastructure who will refer the allegation to social services.

## 12. Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only.

This includes the following people:

- The Town Clerk
- The parents of the person who is alleged to have been abused
- The person making the allegation
- Social Services/Police
- The Spokes Person for the Majority of the Council
- The alleged abuser

Seek social services advice on who should approach the alleged abuser. Information should be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

## 13. Internal Enquiries and Suspension

- The Town Clerk will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.
- Irrespective of the findings of the social services or police enquiries the Council's disciplinary procedure will be used to assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to uphold any action by the police. In such cases, the disciplinary panel must reach a decision based upon the available information, which could suggest that on a balance of probability, it is more likely than not that the allegation is true. The welfare of the child should remain of paramount importance throughout.

## 14. Allegations of Previous Abuse

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is currently working with children).

Where such an allegation is made, the Council should follow the procedures as detailed above and report the matter to the social services or the police. This is because other children may be at risk from this person. Anyone who has a previous criminal conviction for offences related to child abuse is automatically excluded from working with children. This is reinforced by the details of the Protection of Children Act 1999.

## 15. Information for Social Services or the Police about Suspected Abuse

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern, which should include the following:

- The child's name, age and date of birth.
- The child's home address and telephone number.
- Whether or not the person making the report is expressing their own concerns or those of someone else.
- The nature of the allegation. Include dates, times, any special factors and other relevant information.
- Make a clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes.
- Details of witnesses to the incidents.
- The child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
- Have the parents been contacted?
- If so, what has been said?
- Has anyone else been consulted? If so, record details.
- If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- Has anyone been alleged to be the abuser? Record details.
- Where possible, referrals to the police or social services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

## 16. Information Retention

Any information retained following an allegation/investigation etc. must be handled in accordance with the General Data Protection Regulations 2018.