POLICIES AND PROCEDURES

Safeguarding Children

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Registered Charity No. 1167802

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## Safeguarding Statement

The Cart Shed Charity recognise our moral and statutory responsibility to safeguard and promote the welfare of all children. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice. Child protection forms part of the charities safeguarding responsibilities.

# Key Personnel:

**The Designated Safeguarding Lead (DSL) is**: Katie Eastaugh Contact details:

email: katie@thecartshed.co.uk Telephone: 07796 421373

## The deputy DSL(s) are:

Susie Gibbs - susiegibbs@thecartshed.co.uk Tel: 07787 022944

Carly Day – carly@thecartshed.co.uk Tel: 07827 700015

Ian Pearmain – ianpearmain@thecartshed.co.uk Tel: 07795 492528

## The nominated safeguarding trustee is:

Patrick Wrixon - patrick@thecartshed.co.uk Tel: 07855 890077

Status & Review Cycle: Statutory Annual Next Review Date: January 2025

# Terminology

Safeguarding and promoting the welfare of children is defined as:

* protecting children from maltreatment
* preventing impairment of children's health or development
* ensuring that children grow up in circumstances consistent with the provision of safe and effective care
* taking action to enable all children to have the best outcomes.

**Child Protection** is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

**Staff** refers to all those working for or on behalf of the charity, full or part time, temporary or permanent, in either a paid or voluntary capacity.

**Child** includes everyone under the age of 18.

**Parents** refers to birth parents and other adults who are in a parenting role, for example step- parents, foster carers and adoptive parents.

# Safeguarding is everyone’s responsibility:

Child protection is a part of safeguarding and promoting welfare. This refers to the activity which is undertaken to protect specific children who are suffering or are at risk of suffering significant harm. As adults and/or professionals or volunteers, everyone has a responsibility to safeguard children and promote their welfare.

Safeguarding and promoting the welfare of children – and in particular protecting them from significant harm - depends upon effective joint working between agencies and professionals that have different roles and expertise.

Individual children, especially some of the most vulnerable children and those at greatest risk of social exclusion, will need co-ordinated help from health, education, children’s social care, and quite possibly the voluntary sector and other agencies, including youth justice services.

For those children who are suffering, or at risk of suffering significant harm, joint working is essential, to safeguard and promote welfare of the child(ren) and – where necessary – to help bring to justice the perpetrators of crimes against children.

All agencies and professionals should:

* be alert to potential indicators of abuse or neglect
* be alert to the risks which individual abusers, or potential abusers, may pose to children
* share and help to analyse information so that an assessment can be made of the child’s needs and circumstances
* contribute to whatever actions are needed to safeguard and promote the child’s welfare
* take part in regularly reviewing the outcomes for the child against specific plans; and
* work co-operatively with parents unless this is inconsistent with ensuring the child’s safety.

# Definitions of abuse and neglect:

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a

family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

## 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 fabricates the symptoms of, or deliberately induces illness in a child.

## Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child,

though it may occur alone.

## Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (*e.g.:* rape, buggery or oral sex) or non-penetrative acts.

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

## Neglect

Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or

treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

The Cart Shed Charity fully recognises the contribution it can make to protect and support children. The aim of this policy is to safeguard and promote children’s welfare, safety, health and well-being by creating an honest, open, caring and supportive environment. The child’s welfare is of paramount importance.

This policy is informed by the following legislation:

* The Children Act 1989 (and 2004 amendment), which provides a framework for the care and protection of children
* Statutory guidance on FGM, which sets out responsibilities with regards to safeguarding and supporting girls affected by FGM
* The Rehabilitation of Offenders Act 1974, which outlines when people with criminal convictions can work with children
* Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, which defines what ‘regulated activity’ is in relation to children
* Statutory guidance on the Prevent duty, which explains organisations duties under the Counter-Terrorism and Security Act 2015 with respect to protecting people from the risk of radicalisation and extremism

# Staff awareness

This policy applies to all staff, trustees, volunteers and visitors to the charity. Child protection is the responsibility of all staff. All staff will be made aware of this policy as part of their initial induction process and there will be regular briefings and updates for all staff.

Where necessary or possible, staff will be encouraged to attend appropriate training courses.

Disclosure and Barring checks will be undertaken every 3 years at The Cart Shed Charity’s cost and there is a contractual requirement for all staff and volunteers to sign an annual self declaration to confirm their DBS status remains unchanged. If, however staff have a change in their circumstances at any time that affects their DBS status they **must inform the CEO as soon as possible**. If the change in circumstances affects their status to continue to support service users, they may be reassigned to other duties or removed from those duties until additional background checks and have been completed and returned in order to ensure the safeguarding of both service users and staff alike.

# Reviewing the Policy and Procedure

This policy and procedure will be reviewed every year, this will include checking telephone numbers, accuracy of personnel details, and any updates required by a change in local or national policy.

# Procedures

## What to do if you have concerns about a child:

You may have concerns about a child because of something you have seen or heard, or a child may choose to disclose something to you. If a child discloses information to you:

* + Do not promise confidentiality, you have a duty to share this information and refer to Multi-Agency Safeguarding Hub (MASH) / Children’s Social Care Services.
	+ Listen to what is being said, without displaying shock or disbelief.
	+ Accept what is said.
	+ Reassure the child, but only as far as is honest, don’t make promises you may not be able to keep *e.g.: ‘Everything will be alright now’*, *‘You’ll never have to see that person again’*.
	+ Do reassure and alleviate guilt, if the child refers to it. For example, you could say,

*‘You’re not to blame’*.

* + Do not interrogate the child; it is not your responsibility to investigate.
	+ Do not ask leading questions (*e.g.:* Did they touch your private parts?), ask open questions such as *‘Anything else to tell me?’*
	+ Do not ask the child to repeat the information for another member of staff.
	+ Explain what you must do next and who you have to talk to.
	+ Take notes if possible or write up your conversation as soon as possible afterwards.
	+ Record the date, time, place any non-verbal behaviour and the words used by the child (do not paraphrase).
	+ Record statements and observable things rather than interpretations or assumptions.

Whatever the nature of your concerns, discuss them with your manager or designated safeguard member of staff. See the diagram on the next page for the process to follow.

If you still have concerns, you or your manager should refer to:

<https://herefordshiresafeguardingboards.org.uk/>

If you think that a child has been harmed or is being neglected, contact the MASH (Multi-Agency Safeguarding Hub) or the Police on the contact numbers listed below:

**The MASH** Click the link below to download: [Multi Agency Referral Form](http://westmidlands.procedures.org.uk/local-content/zgjN/multi-agency-referral-reporting-concerns-marf) (MARF)

If you need to speak to the team - (01432) 260800

**Emergency Duty Team**

(01905) 768020 (out of hours number for when MASH are unavailable)

**Contacting the Police when you think a child is in immediate danger:**

999 (in an emergency)

# What information will you need when making a referral?

You will be asked to provide as much information as possible. Such as the child’s full name, date of birth, address, school, GP, languages spoken, any disabilities the child may have, details of the parents. Do not be concerned if you do not have all these details, you should still make the call.

You should follow up the verbal referral in writing, within 48hrs

**Information Sharing Considerations prior to making a referral**

Sharing confidential information may be a breach of an individual’s Article 8 right (Human Rights act). A decision will need to be made prior to completing a safeguarding referral as to whether the sharing would be justified and proportionate.

The right to a private life can be legitimately interfered with where it is in accordance with the

law and it is necessary.

If a child or young person is at risk of significant harm, or an adult is at risk of serious harm, or

sharing is necessary to prevent crime or disorder, interference with the individual’s right may be

justified under Article 8.

**Data Protection and Safeguarding:**

Where personal data is required to be processed in conjunction with safeguarding action according to this policy, the processing activity must be undertaken in accordance with our data protection policy.

Data protection is not a barrier to sharing concerns about a child or an individual at risk. The Cart Shed should make a note in the safeguarding report of any express wish not to share the information but not let this prevent from sharing such data. If you have any concerns about information sharing, contact the NSPCC helpline for advice.

For guidance on information sharing, see: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721581/Information_sharing_advice_practitioners_safeguarding_services.pdf>

The reliance on consent is not always appropriate for the following reasons:

* consent to the processing cannot be given by the data subject;
* the controller cannot reasonably be expected to obtain the consent of the data subject to the processing:
* the processing must be carried out without the consent of the data subject because obtaining the consent of the data subject would prejudice the provision of the protection mentioned (safeguarding if children and individual at risk; safeguarding of economic well-being of certain individuals)

In the circumstances mentioned above, in order to comply with our duty of care and safeguarding, we would process information raising safeguarding concerns and share them with relevant authorities when required, under the following lawful basis:

* 1. Where an individual’s life may be at risk we may processing the data according to the UK GDPR Article 6(d) and GDPR Article 9 (c) where such processing is vital to the individual’s life
	2. Where an individuals or child is at risk – UK GDPR Article 6(f) legitimate interest, Article 9(g), substantial public interest, DPA 2018 Schedule 1, Part 2 paragraph 18 Safeguarding of children and of individuals at risk
	3. Where an individuals is at economic risk – UK GDPR Article 6(f) legitimate interest, Article 9(g), substantial public interest, DPA 2018 Schedule 1, Part 2 paragraph 18 Safeguarding of economic well-being of certain individuals

Where the lawful basis is either b or c above, an Appropriate Policy Document is required, which has been completed by the Cart Shed.

Data subjects’ rights and other UK GDPR provisions may be restricted when concerning personal data processed in the circumstances described above. Restrictions on the data subjects’ rights may be permitted by the exceptions included in the articles of the individual rights (UK GDPR) or by one of the exemptions included between Schedule 2 and 4 of the DPA 2018. Examples of exemptions that might apply in the circumstances of safeguarding are the following:

* Schedule 2, Part 1, paragraph 2 (crime and taxation)
* Schedule 2, Part 3 (right of others)
* Schedule 3 – Part 5 (child abuse data)

Exceptions and exemptions are applied on a case by case basis.

Records of such processing are kept to account for the action taken. The principles of the UK GDPR will be observed at all times.

**Caldicott guidance**

Caldicott covers Health and Social Care related information and must be taken into consideration when proposing to share information of this type.

6 Caldicott Principles

• Justify the purpose before sharing information;

• Only use patient identifiable when absolutely necessary;

• Use only the minimum that is required, do not share more data than is necessary, ie do

not send the whole patient record when the request only relates to a recent event;

• Access to the data should be on a strict need to know basis;

• Be aware of your responsibilities in complying with organisational policies relating to

confidentiality;

• Understand the law, if uncertain speak to your line manager, your Data Protection

Officer or the Information Governance Team.

 a further Caldicott principle was introduced in 2013:

• The duty to share information can be as important as the duty to protect patient

Confidentiality

Refer to Safeguarding Adults and Children legal basis for sharing guidance document for clarification if necessary.

# Process Chart Where There Are Concerns About A Child's Welfare

Person has concerns

about a

n child’s

welfare

Person discusses with

Manager. Legal basis to share is identified

Still has concerns. Legal basis established

No longer has

concerns

Person refers to

Initial Response

Service and follows

up in writing within

48

hrs

No further action,

although may

consider other

agencies which could

offer

support

Social worker and

manager decide on

next course of action

within one working

day

**Allegations Involving a Members of Staff / Volunteer**

The Cart Shed Charity is committed to having effective recruitment and human resources procedures, including checking all staff and volunteers to make sure they are safe to work with children. Where appropriate, key staff involved in recruitment processes will undertake Safer Recruitment Training.

However, there may still be occasions when there is an allegation against a member of staff or volunteer. In the first instance any allegation against a member of staff or volunteer must be reported to the CEO, Katie Eastaugh. If the allegation is against

the CEO or a trustee this must be reported to the Chair of Trustees, Patrick Wrixon.

Allegations against those who work with children, whether in a paid or unpaid capacity, cover a wide range of circumstances. All allegations of abuse of children by those who work with children or care for them must be taken seriously. All reports of allegations must be submitted within one working day to the MASH.

The following procedure should be applied in all situations where it is alleged that a person who works with children has:

* Behaved in a way which has harmed a child, or may have harmed a child
* Possibly committed a criminal offence against or related to a child
* Behaved towards a child or children in a way which indicates that he/she is unsuitable to work with children.

The allegations may relate to the persons behaviour at work, at home or in another setting.

The MASH will discuss the matter to determine what steps should be taken and where necessary obtain further details of the allegation and the circumstances in which it was made. The discussion should also consider whether there is

evidence/information that establishes that the allegation is false or unfounded, and/or whether disciplinary action is appropriate.

Some allegations will be so serious as to require immediate referral to the MASH and the Police, but common sense and judgement must be applied in reaching a decision about what action to take.

If the allegation is not patently false and there is cause to suspect that a child is suffering or is likely to suffer Significant Harm, the MASH will immediately refer the matter to senior team members and ask for a Strategy Discussion/Meeting to be convened straight away.

Some allegations may be less serious and at first sight might not seem to warrant consideration of a police investigation or enquiries by the MASH. However, it is important to ensure that even apparently less serious allegations are followed up and examined objectively by someone independent of the organisation. Consequently, the MASH should be informed of all allegations that come to the employer's attention and appear to come within the scope of this procedure so that he or she can consult Police and social care colleagues as appropriate.

Where such allegations are made, consideration must be given to the following three strands:

1. The police investigation of a possible criminal offence
2. Enquiries and assessment by Children’s Social Care Services as to whether the child is need of protection or in need of services
3. Consideration by an employer of disciplinary action in respect of the individual.

# Change Record

|  |  |  |
| --- | --- | --- |
| **Date of Change:**  | **Changed By:**  | **Comments:**  |
| 14/02/2020  | Trish Dowling  | Approved by Trustees  |
| 11/2/2022  | Katie Eastaugh  | Approved by Trustees |
| 02/01/2024  | Katie Eastaugh  | Hope May consultants |
|   |   |   |