



No5 Young People

**Safeguarding Policy
Children & Vulnerable adults**

No 5 Young People
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Registered Charity: 1171313

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1. Introduction

No5 aims to empower and have a positive influence on the lives of the children, young people and vulnerable adults it works with. These positive effects can only take place if the trustees, staff and volunteers within No5 place the welfare of all service users first and adopt practices that support and protect them. Every adult has a legal and moral responsibility to protect children, young people and disabled and/or vulnerable adults from abuse.

No5 is committed to working in partnership with all agencies to ensure that information and training opportunities are available to ensure best practice when working with all children, young people, disabled and/or vulnerable adults. Adopting best practice will help to safeguard clients from potential abuse as well as protect staff and volunteers from potential false allegations of abuse.

No5 expects that all volunteers, staff and trustees adhere to the highest standards and access training accordingly.

2. Policy Statement

Responsibilities

No5 will: -

- accept the moral and legal responsibility to implement procedures to provide a duty of care for young people/vulnerable adults to safeguard their well-being.
- respect and promote the rights, wishes and feelings of young people, disabled and/or vulnerable adults.
- recruit, train and supervise its employees and volunteers to adopt best practice to safeguard and protect young people, disabled and/or vulnerable adults from abuse, and themselves against false allegations.
- require staff/volunteers to adopt and abide by the No5 policies and procedures.
- respond to any allegations appropriately and implement the appropriate disciplinary and appeals procedures.

Principles

The guidance given in the procedures is based on the following principles:

This policy recognises and builds on legal and statutory definitions of a young person. The distinction between ages of consent, civil and criminal liability are recognised but in the pursuit of good practice in the delivery and management of No5 a young person is recognised as being under the age of 18 years (Children's Act 1989 definition).

- an adult has a moral and statutory duty for the care, custody and control of any young person under the age of 16 under their supervision

- the welfare of young people and disabled and/or vulnerable adults is the primary concern
- all young people, disabled and/or vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse
- all incidents of suspicious poor practice and allegations of abuse will be taken seriously and responded to swiftly and appropriately
- all young people, disabled and/or vulnerable adults have a right to participate in the activities of No5 and benefit from the services programmes in an enjoyable and safe climate
- it is the responsibility of the child protection experts to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns
- confidentiality will be upheld in line with the DPA 2018 and the EU General Data Protection Regulation (GDPR) and the Human Rights Act 2000.

These guiding principles will be achieved through a commitment of staff and volunteers involved in the programme to ensure:

- appropriate safer recruitment, employment and deployment procedures are implemented
- individuals involved in the No5 activities and services undertake appropriate training i.e. safeguarding, and equality and disability awareness
- best practice is employed at all times to ensure the safety of young people
- all facilities used by No5 meet the stipulated minimum operating standards
- awareness of good practice is raised with parents and participants.

3. Recruitment, Employment and Deployment of Staff and Volunteers

Introduction

All reasonable steps will be taken to ensure unsuitable people are prevented from working with young people, disabled and/or vulnerable adults. These procedures will be adopted whether staff are paid or voluntary, full or part-time.

Pre-recruitment Checks

The following pre-recruitment checks will always be carried out:

Advertising

If any form of advertising is used to recruit staff, whether paid or voluntary, it will reflect the:

- aims of the No5 and where appropriate, the particular activities involved
- responsibilities of the role
- level of experience or qualifications required (e.g. experience of working with children is an advantage)
- No5's open and positive stance on child protection and safer recruitment

Pre-Application Information

Pre-application information sent to interested or potential applicants will contain:

- a job description including roles and responsibilities
- a person specification (e.g. stating qualifications or experience required)
- an application form

Applications

All applicants whether for paid or voluntary, full- or part-time positions will complete forms which will elicit the following information:

- name, address and National Insurance Number (to confirm identity and right to work)
- relevant experience, qualifications and training undertaken
- listing of past career (to confirm experience and identify any gaps)

- any criminal record
- whether the applicants are known to any social services department as being an actual or potential risk to children or young people, a self-disclosure question to establish whether they have ever had action taken against them in relation to child abuse, sexual offences or violence
- the names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of, and suitability for, working with children and young people/vulnerable adults (previous employer)
- any former involvement with No5 or any other similar organisation
- the applicant's consent to an enhanced criminal record checks being undertaken
- the applicant's consent to abide by No5's policies and procedures

The forms will also state that failure to disclose information or subsequent failure to conform to policies and procedures will result in disciplinary action.

Checks and References

All employees and volunteers working with No5 will undergo a disclosure and barring service to enhanced level as appropriate (DBS).

All staff and volunteers will provide proof of identity as specified on the DBS application; e.g. a passport, driver's license, birth certificate or medical card (please note no photocopied documentation must be accepted as proof – a passport or new edition driving licenses which carry photographs are required).

No5 will carry out enhanced checks with the Disclosure and Barring Service with regard to the information that is maintained on individuals who are deemed to be unsuitable to work with children. The DBS will be renewed every three years, although we are moving to six-month DBS on line checks.

A minimum of two written references will be taken up and at least one will be associated with former work with children/young people. All successful applicants will receive safeguarding training. Written references may be followed up and confirmed by telephone.

Interview and Induction

All members of staff will undergo a formal interview. This will be carried out according to acceptable protocol and recommendations, with written interview questions using a job description and person specification.

All staff, paid or voluntary, will undergo an induction in which:

- their qualifications if applicable are substantiated
- they complete a profile to identify training needs/aspirations

- they agree to uphold No5's Safeguarding guidelines and policies
- the expectations, roles and responsibilities of the job are clarified (e.g. through a formal or informal work programme and/or setting agreed objectives)
- child/vulnerable adult protection policy and procedures are explained and training needs established

Training

Checks are only part of the process to protect children from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concerns of possible abuse. All staff will receive face-to-face Safeguarding training and refresh on-line training every year.

Complaints and Disciplinary Procedures

No5 will ensure that parents and young people/vulnerable adults are aware of the British Association for Counselling & Psychotherapy (BACP) Ethical Framework and Code of Practice.

All complaints will, in the first instance, be referred to the Director of No5. If not resolved to the satisfaction of the person bringing the complaint, the complaint will be referred to a panel from the Trustees and any Appeal resulting from an unsatisfactory outcome for the complainant will be referred to the Chair of the Trustees.

4. Promoting Good Practice with Young People

Introduction

Child abuse will arouse strong emotions in those experiencing such situations. It is important to understand these feelings and not allow them to interfere with judgements about any action to take. Abuse can occur within many situations including the home, school, work and recreation environment. Some individuals will actively seek employment or voluntary work with young people in order to harm them. A staff member or volunteer may have regular contact with young people and be an important link in identifying cases where a young person needs protection. All suspicious cases of poor practice will be reported following the guidelines in this document. When a child becomes involved with No5 having been subjected to child abuse, participation in No5's counselling can play a crucial role in improving the child's self esteem. In such instances the No5 must work with the appropriate agencies to ensure the child receives the required support.

Good Practice Guidelines

All personnel will 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 within No5:

Good practice means:

- treating all young people and disabled and/or vulnerable adults equally, and with respect and dignity
- always putting the welfare of each young person first
- building balanced relationships based on mutual trust which empowers young people to share in the decision-making process
- ensuring that if any form of manual/physical support is required, it will be provided openly and according to guidelines provided by the BACP Ethical Framework and Good Practice. Care is needed, as it is difficult to maintain correct hand positions if the person is constantly moving. Young people will always be consulted and their agreement gained in any support offered.
- being an excellent role model – this includes not smoking or drinking alcohol in No5 premises when young people are likely to be aware of this taking place.
- recognising the developmental needs and capacity of young people and disabled and/or vulnerable adults
- securing parental consent in writing to *act in loco parentis*, if the need arises to give permission for the administration of emergency first aid and/or other medical treatment, having awareness, in terms of confidentiality, of whether the young person consents to the parents' knowledge of his/her attendance at No5
- keeping a written record of any injury or incident that occurs, along with the details of any treatment given

Practice to be avoided

The following will be **avoided** except in emergencies. If cases arise where these situations are unavoidable, they will only occur with the full knowledge and consent of the client and or parents as appropriate. For example, a child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child up at the end of a session:

- Never take a client to your home where they will be alone with you.
- Avoid taking a young person in your car, if you deem it appropriate to the risk never travel alone with the young person.
- Never take a child in your car.

Practices never to be sanctioned

The following will **never** be sanctioned. Individuals will never:

- engage in rough, physical or sexually provocative games, including horseplay
- allow or engage in any form of inappropriate touching of any kind, anywhere on the body
- make sexually suggestive comments to a young person, disabled and/or vulnerable adult or client of any age
- do anything of a personal nature for young people, disabled and/or vulnerable adults, or any client
- invite a young person, disabled and/or vulnerable adult or any client to your home, or give out your address.
- Give any personal details of any kind to a young person, disabled and/or vulnerable adult or any client including your mobile phone number.

6. Responding to Disclosure, Suspicions and Allegation

Introduction

If a young person/vulnerable adult says or indicates that he/she is being abused, or information is obtained which gives concern that a young person is being abused, those involved in No5 will act immediately according to our Safeguarding procedures.

Responding to Disclosure

Actions to Take

The person receiving information concerning disclosure will:

- react calmly so as not to frighten the young person
- tell the young person he/she is not to blame and that he/she was right to tell
- take what the young person says seriously, recognising the difficulties inherent in interpreting what is said by a child who has a speech disability and/or differences in language
- keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said
- reassure the child but do not make promises of confidentiality which might not be feasible in the light of subsequent developments
- make a full record of what had been said, heard and/or seen as soon as possible.

NB: It may not be that all young people are able to express themselves verbally. Communication difficulties may mean that it is hard for them to complain or be understood.

Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions, in relation to the nature of an individual's impairment. However, where there are concerns about the safety of a young/adult disabled person, record what has been observed in detail and follow the procedures to report these concerns.

Actions to Avoid

The person receiving the disclosure will not:

- panic
- allow their shock or distaste to show
- probe for more information than is offered
- speculate or make assumptions
- make negative comments about the alleged abuser
- approach the alleged abuser
- make promises or agree to keep secrets.

Responding to Suspicions

It is not the responsibility of anyone working under the auspices of No5 in a paid or voluntary capacity, to take responsibility or to decide whether or not child/vulnerable adult abuse is taking place.

However, there is a responsibility to protect children in order that appropriate agencies can then make enquiries and take any necessary action to protect the young person.

Social Services

Social services have a statutory duty under **The Children Act 1989**, to ensure the welfare of children and work with the Local Safeguarding Children Board (LSCB) to comply with its procedures. When a child protection referral is made, the social services staff has a legal responsibility to investigate. This may involve talking to the child and family, and gathering information from other people who know the child. Enquiries may be carried out jointly with the police. If action needs to be taken urgently and out of office hours, then the police will deal with the enquiry sensitively and effectively.

Sharing Concerns with Parents

There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents or carers to help clarify any initial concerns. For example, if a child seems

withdrawn, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.

When it is Not Appropriate to Share Concerns with Parents

There are circumstances in which a young person might be placed at even greater risk if concerns are shared (e.g. where a parent or carer may be responsible for the abuse or not able to respond to the situation appropriately). In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the Clinical Lead of No5 as soon as possible and recorded.

It is the responsibility of the Clinical Lead of No5 to inform the social services via the, Multi Agency Safeguarding Hub (MASH). The social services, together with the Clinical Lead of No5, where appropriate, will decide how and when parents or carers will be informed.

Expert Advice

If you are not sure what to do, you can obtain advice by telephoning the local social services department and speak to the duty worker or call the NSPCC 24-hour free phone Helpline on 0800 800 500. The police also have specially trained child protection teams who will give guidance and support, and deal with out-of-office-hours enquiries when social services are not available. You can contact the MASH 24 hour help-line.

Allegations against Staff or Volunteers

This includes anyone working with young people in a paid or voluntary capacity. Child abuse can and does occur outside the family setting. Although it is a sensitive and difficult issue, child abuse has occurred within institutions and may occur within other settings (e.g. sport or other social activities). Recent inquiries indicate that abuse that takes place within a public-setting, is rarely a one-off event. It is crucial that those involved in No5 are aware of this possibility and that all allegations are taken seriously and appropriate action taken. It is important that any concerns for the welfare of the young person, arising from abuse or harassment by a member of staff or volunteers, will be reported immediately to the Clinical Lead and the Director.

Seek Advice

The Clinical Lead of No5 may be informed of situations where there is uncertainty about whether the allegation constitutes abuse or not and therefore is unclear about what action to take. There may be circumstances where allegations are about poor practice rather than abuse.

Support for the Reporter of Suspected Abuse

It is acknowledged that feelings generated by the discovery that a member of staff or volunteer who accused of poor practice, bullying, or abuse etc. will raise concerns among other staff or volunteers. This includes the difficulties inherent in reporting such matters.

The Trustees assures all staff/volunteers that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concern about a colleague's practice or the possibility that a child may be being abused. See Whistle-blower's Policy

Types of Investigation

Where there is a complaint of abuse against a member of staff or volunteer, there may be three types of investigation:

- criminal
- safeguarding
- disciplinary or misconduct

Civil proceedings may also be initiated by the person/family of the person who alleged the abuse.

The results of the police and social services investigation may well influence the No5 Safeguarding Disciplinary investigation, but not necessarily, however it will inform such investigations taking place internally to No5.

Further information on the potential actions of social services etc may be found in the local Area Child Protection Committee guidelines.

Action if there are Concerns

The following action will be taken if there are concerns:

Poor Practice

- If, following consideration, the allegation is clearly about poor practice; the Clinical Lead of No5 will deal with it as a misconduct issue.
- If the allegation is about poor practice or if the matter has been handled inadequately and concerns remain, it will be reported to the Director. The Director in consultation with the Executive Committee will decide how to deal with the allegation and whether to initiate disciplinary proceedings.

Suspected Abuse

- Any suspicion that a young person (or any client) has been abused by either a member of staff or a volunteer, this will be reported to the Clinical Lead, who will take such steps as considered necessary to ensure the safety of the young person in question and any other client who may be at risk.

- The Clinical Lead will refer the allegation to the social services department who may involve the police, or contact the Emergency Duty Team (EDT) if *out-of-hours*.
- The parents or carers of the child will be contacted as soon as possible following advice from the social services department.
- If the Clinical Lead is the subject of the suspicion/allegation, the report must be made to the Director and the appropriate trustee of the Executive Committee of No5 responsible for Safeguarding policy and procedures who will refer the allegation to Social Services.

Confidentiality

Every effort will be made to ensure that confidentiality is maintained for all concerned. Information will be handled and disseminated on a *need to know basis* only. This includes the following people:

- the Clinical Lead and Director of No5
- the trustee of the No5 executive committee responsible for safeguarding policy and procedures
- The parents of the person who is alleged to have been abused – where they are not the accused.
- the person making the allegation
- social services/police
- the alleged abuser (and parents if the alleged abuser is a child). *

*Advice will be sought from social services on who will approach alleged abuser.

Information will 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).

Internal Enquiries and Suspension

In any case of an allegation of poor practice, bullying or abuse the individual accused will be temporarily suspended during investigation of the allegation.

Irrespective of the findings of the social services or police inquiries the Management Team of No5, together with the trustee responsible for Safeguarding procedures and policies, will 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, a decision must be based upon the available information which could suggest that on a balance of probability. The welfare of children will always remain paramount.

Support to Deal with the Aftermath

Consideration will be given about what support may be appropriate to children, parents and members of staff. Use of Helplines, support groups and open meetings will maintain an open culture and help the healing process. The British Association of Counselling & Psychotherapy directory may be a useful resource.

Consideration will be given about what support may be appropriate to the alleged perpetrator of the abuse.

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 still currently working with children). Where such an allegation is made, No5 will follow the procedures as detailed above and report the matter to the social services or the police. This is because other children, either within or outside, may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children. This is reinforced by the details of the Protection of Children Act 1999.

Action if bullying is suspected

The same procedure will be followed as set out above if bullying is suspected. All settings in which children are provided with services or are living away from home will have rigorously enforced anti-bullying strategies in place.

Action to Help the Victim and Prevent Bullying:

- All signs of bullying will be taken very seriously.
- Any concerns will be reported to the Director of No5.

Important

*Please note that the term **parents** is used throughout this document as a generic term to represent parents, carers and guardians.*

*Please note that the term **young people** may also refer to adults with disabilities and vulnerable adults.*

APPENDIX

Child Protection / Safeguarding Process of Breaking of Confidentiality

