

# BALKAN SUPPLEMENTARY EDUCATION PROJECT LTD

### **CHILD PROTECTION AND SAFEGUARDING POLICY**

"EDUCATION IS, MOST OF THE TIMES, THE SURFACE UNDER WHICH QUIETLY, SILENTLY, DEVELOPS ONES TRUE SELF" *Nicolae lorga* 

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#### CHILD PROTECTION AND SAFEGUARDING POLICY

#### 1. INTRODUCTION

- 1.1. The Balkan Supplementary Education Project (BSEP) is committed to providing a safe and secure environment for children, young people, staff and visitors and promoting a climate where children and adults will feel confident about sharing any concerns which they may have about their own safety or the well-being of others.
- 1.2. The Network's Child Protection policy draws upon the principles of "Every Child Matters", duties conferred by the Children Acts 1989 and 2004, S175/157 of the 2002 Education Act, the Education & Inspections Act 2006 and the guidance contained in "Working Together to Safeguard Children", "What To Do If You're Worried A Child Is Being Abused", the current DfES Circular "Safeguarding Children and Safer Recruitment in Education" (2007), the Protection of Freedoms Act (2012)<sup>1</sup> and procedures produced by the London Safeguarding Children Board and the Southwark Safeguarding Children Board.
- **1.3.** The policy is applicable to all on and off-site activities undertaken by pupils whilst they are the responsibility of the BALKAN SUPPLEMENTARY EDUCATION PROJECT.

(a) Regulated Activities is work that a barred person must not do;

- (b) Removes supervised work such as instructing or looking after children, which if unsupervised would be regulated activity;
- (c) Placed Duty on Secretary of State to publish guidance on supervision, which organisations must have regard, to help them decide whether the supervision they plan to provide will take the <a href="mailto:supervised activity">supervised activity out of regulated activity;</a>
- (d) Creation of a new single disclosure and vetting service: *Disclosure and Barring Service (DBS)* which replaces the Criminal records Bureau (CRB) and the Independent Safeguarding Authority (ISA);
- (e) Before an organisation considers asking a person to make an application for a DBS check, they must ensure they are *legally responsible for ensuring that they are entitled to ask* that person to <u>reveal</u> their conviction history (meeting the rules under the ROA 1974 (Exceptions) Order 1975).

<sup>&</sup>lt;sup>1</sup> The Protection of Freedoms Act(2012) provides the most current updated legislative framework on safeguarding. Of particular relevance to the work of BSEP and implication for this policy, the Act makes a distinction between 'regulated' and 'unregulated' activities. In summary:

#### **1.4.** We recognise that:

- The welfare of the child/young person is of primary concern;
- All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all types of harm or abuse;
- Working in partnership with children, young people, their parents, carers and their agencies is essential in promoting children and young people's welfare.
- It is everyone's responsibility to report any concerns about abuse and work with the social care profession and the police services, where appropriate, for instance, to conduct investigations2;
- The need to respond to all incidents of alleged poor practice, misconduct and abuse and to take them seriously and respond swiftly and appropriately.
- **1.5.** This Policy forms part of the Terms and Conditions of service, and applies to all staff, including volunteers (including Management Committee Members) and session workers, whether they work directly with children and young people under 18 years of age or not, as it may be the case that staff come into contact with information of a confidential nature that could put those children and young people at risk<sup>3</sup>.

#### 2. THE PURPOSE OF THE POLICY

- **2.1.** The overall purpose of the policy is:
  - To provide protection for the children and young people who receive our services; and
  - To provide staff and volunteers with guidance on procedures they should adopt in working with children and young people, not just in terms of suspicion of abuse or be at risk of harm, but also in safeguarding their rights of confidentiality and data/information protection.
- **2.2.** We will seek to safeguard children and young people by:
  - valuing, listening to and respecting them
  - adopting child protection guidelines through procedures and a code of conduct for staff and volunteers;
  - recruiting staff and volunteers safely, ensuring all necessary checks are made;
  - sharing information about child protection and good practice with children, parents, staff and volunteers;
  - sharing information about concerns with agencies who need to know, and involving parents and children appropriately;
  - providing effective management for staff and volunteers through supervision, support and training.
  - reviewing our policy and good practice annually.

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<sup>&</sup>lt;sup>2</sup> For the purpose of the policy the definitions of 'abuse' outlined in Appendix 1 shall apply. Additionally, though not exhaustive, we provide some indication of the types of characteristics that BSEP considers as indicative 'tell-tale signs' for all staff and volunteers to be aware of with regards to the respective type of abuse indicated.

<sup>&</sup>lt;sup>3</sup> The definition of a child/ren is contained in the Children Act (2004), which states that "a child, subject to section 9, is a person under the age of 18yrs". This policy has been developed in accordance with this definition.

#### 3. POSITION OF TRUST

- **3.1.** All adults who work with children and young people are in a position of trust which has been invested in them by the parents and the child/ young person. This relationship can be described as one in which the adult is in a position of power and influence by virtue of their position. Sexual intercourse or touching by an adult with a child under the age of 16 years is unlawful, even where there may be apparent consent from the child. A consensual sexual relationship between an adult in a position of trust within BSEP and a child over 16 years of age is contrary to our Child Protection and Safeguarding Policy<sup>4</sup>.
- **3.2.** The relationship, in essence, is no different to that between a teacher and a pupil within the formal school setting with regards to the abuse of trust.
- **3.3.** Adults must not encourage a physical or emotionally dependant relationship to develop between the person in a position of trust and the young person in their care.
- **3.4.** All those within the organisation have a duty to raise concerns about the behaviour of teachers/tutors, volunteers, administrators and sessional workers which may be harmful to the child/children, young people in their care, without prejudice to their own position.

#### 4. DESIGNATED OFFICER(S)

- **4.1.** All staff working in BSEP whether paid or volunteer are required to report instances of actual or suspected child abuse or neglect to the Designated Person (DP), who will liaise with Lead Child Protection Officer (LCPO), who will have responsibility for child protection and safeguarding within BSEP. The designated officers are:
  - 1. The Lead Child Protection Officer (LCPO) is: VICTORIA MARINESCU
  - 2. The Designated Person (DP): ADNANA VIERU
- **4.2.** The Lead Child Protection Officer (LCPO) is a Trustee/Board Member and is the first point of contact for external agencies that are pursuing child protection investigations and will coordinate BSEP's responses at any Child Protection Conferences that may be called, where BSEP's presence is required<sup>5</sup>. In all instances the LCPO will have the ultimate responsibility for signing off all child protection related issues on behalf of BSEP.

<sup>&</sup>lt;sup>4</sup> Though the law recognises 16yrs as the age of consent, and the definition of a child extends to 18yrs, within this policy as it relates to a position of trust, we will treat any sexual relationship as an abuse of that trust and therefore falls within the terms of the policy (See definition and characteristics of abuse as used within this policy attached as Appendix 1)

In the execution of this role, it may be necessary, where this is appropriate and relevant, to delegate this function to the LCPO.

#### 5. **IMPLEMENTATION**

- **5.1.** The Designated Person (DP) is a <u>Senior Officer</u> within BSEP, who will be responsible for all aspects of child protection awareness and the operational implementation of the policy. The DP will report to the LCPO/Chair of the Management

  Committee.
- **5.2.** The LCPO will be responsible to the Management Committee for:
  - (a) ensuring that the policy is implemented throughout the organisation, including compliance with legislative policies and procedures in respect to child protection and safeguarding;
  - (b) ensuring all necessary child protection-related enquiries, procedures and investigations are carried out;
  - (c) reporting results of screening enquiries and for preserving "need to know" levels of confidentiality and access to secure records;
  - (d) ensuring secure and confidential records relating to child protection matters;
  - (e) informing and supporting staff to understand their roles and responsibilities with respect to the implementation of the policy;
  - (f) liaison with social services and the police services at a formal and informal level on child protection matters, where this is necessary, appropriate and relevant;
  - (g) monitoring the implementation of the policy and such issues that may arise from time to time and that requires reporting to the Management Committee on a regular basis;
  - (h) the reporting of allegations and suspicion of abuse to the appropriate authorities;
  - (i) ensuring there is adequate induction and training relating to child protection matters;
  - (j) ensuring that all activities carried out by BSEP, especially where it involves working with children and young people, is sound in terms of child protection as regards personnel, practices and premises;
  - (k) checking all incident reports made by staff and volunteers, countersigning them, and making such reference to the appropriate authorities as is appropriate.
- **5.3.** The DP shall ensure active compliance with this policy by all staff working in BSEP and shall work closely with the LCPO/Chair to ensure this, affording the DP every support to carry out this function. All other officers, staff and voluntary workers within BSEP will actively endeavour to implement this policy.

#### 6. PRE-EMPLOYMENT CHECKS

- **6.1.** BSEP aims to ensure as far as is possible that anyone, paid or voluntary, who seeks to work with children and young people through BSEP's activities and who has substantial access to them (whether within activity hours and/or beyond) is as safe to do so in child protection terms as can be guaranteed.
- **6.2.** The LCPO will ensure that the following checks are carried out on all prospective employees/volunteers whose work may create a situation of substantial access to children and young people as prescribed in the Protection of Freedoms Act (2012)

and guidance provided by the Department for Education (2012), with respect to 'regulated activities'<sup>6</sup>:

- Disclosure and Barring Service (DBS) check at enhanced level;
- Personal referee, nominated by the applicant a person who is not related to the applicant and who preferably knows of the applicant's character, trustworthiness, any previous experience of working with/looking after children and young people
- Self-declaration of any criminal convictions by applicants on BSEP pro forma/application form<sup>7</sup>.
- **6.3.** No applicant will start working with children and young people (or have access to any confidential and personal details) before they have been cleared<sup>8</sup>. This will include checks in accordance with Disclosure and Barring Services (DBS) guidelines on 'identification checks'<sup>9</sup>, which includes:
  - (a) Following the three route ID checking process as outlined in the guidance using the list of Groups 1; 2a and 2b documents;
  - (b) Check and validate the information provided by applicants on the application form/ continuation sheet:
  - (c) Establish the true identity of applicants through the examination of a range of documents as set out in the guidance;
  - (d) Ensure that applicants provide details of all names by which they have been known:
  - (e) Ensure that applicants provide details of all addresses where they have lived in the last five years;
  - (f) Ensure that the application form is fully completed and the information it contains is accurate.
- **6.4.** BSEP's policy is to recheck all Management Committee Members, staff and volunteers, on a tri-annual basis. This will be undertaken by the DP in consultation with the LCPO/Chair.
- **6.5.** At all times the onus is on the applicant/employee/volunteer to reveal any conviction, caution, bind-over, probation order, or pending prosecution, whether imposed prior to/or within the period engaged with BSEP.
- **6.6.** The applicant shall produce proof of identity, preferably passport or photographic identity (e.g. photo drivers' licence), their right of residence and right to work. All evidence shall be maintained on the respective personnel file

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<sup>&</sup>lt;sup>6</sup> Department for Education Statutory guidance: Regulated Activity (children) - supervision of activity with children which is regulated activity when unsupervised, Sept. 2012.

<sup>&</sup>lt;sup>7</sup> Under the Rehabilitation of Offenders Act (1974) there are some convictions that are not spent and therefore all prospective workers will be required to provide information of all convictions.

<sup>&</sup>lt;sup>8</sup> From 28 May 2012, the Disclosure and Barring Service (DBS), formerly known as the Criminal Records Bureau (CRB), introduced new identity (ID) checking guidelines. These new guidelines apply to all applications for a DBS check. Applicant must now provide a range of ID documents as part of the DBS application process.

<sup>&</sup>lt;sup>9</sup> The Disclosure and Barring Service: Identification checking guidelines, May 2012 (updated January 2014)

**6.7.** Any discrepancies revealed as a result of the above checks will be investigated thoroughly with the applicant by the DP, especially as regards dates of residence, employment, voluntary work, past offences and convictions. In particular, the applicant will be advised as to the necessary procedures s/he can take if s/he queries the accuracy of a reference or check.

#### 7. PERSONNEL RECORDS

- **7.1.** In addition to the standard information maintained on each member of staff, each employee will have additional information relating to child protection and safeguarding considerations, which will be kept on record. For example:
  - A progress check form indicating progress of the checks and replies;
  - Notes for file where the DP receives a phone call or other non-written communication, the main points shall be recorded and filed with the applicant's records.
- **7.2.** The file of an unsuccessful applicant shall be kept for six months and then safely destroyed by the LCPO. Staff who leave the employment of BSEP after a period of engagement, however long, their file will remain open for 12mths following their last day of engagement.
- 7.3. Anyone working with BSEP has the right to inspect their own confidential records and may do so on request in writing to the LCPO via the DP, who shall not withhold consent unreasonably and will do so within five working days. The LCPO may only withhold such agreement and access if to do so might jeopardise BSEP's operation or impede police or social services investigation relating to child protection matters or might lead to a child's welfare and safety being compromised. The LCPO does not need to give reasons for such withholding of consent. She will report such a situation to the Chair and the Management Committee, purely on the lines that a request was made and refused for reasons relating to the welfare of children.

#### 8. ACTIVITIES

- **8.1.** Prior to the start of each academic year the DP shall ensure that adequate child protection procedures are in place, including training around the policy and any revisions<sup>10</sup>.
- **8.2.** In consultation with the respective tutor(s), the DP shall ensure that an appropriate risk assessment has been undertaken for all programmes, including induction of

<sup>&</sup>lt;sup>10</sup> BSEP has due regards to, and has adopted the Department for Education's 'Statutory guidance: Regulated Activity (children) - supervision of activity with children which is regulated activity when unsupervised' (Sept 2012) policy. This document fulfils the duty in legislation that the Secretary of State must publish statutory guidance on supervision of activity by workers with children, which when unsupervised is regulated activity. This guidance applies in England, Wales and Northern Ireland. It covers settings including but not limited to schools, childcare establishments, FE colleges, youth groups and sports clubs.

volunteers, which could include the layout of premises/site, helpers and supervision required to achieve adequate personal safety of children and young people. The risk assessment shall be undertaken with a view to recognising any problems in terms of supervision of helpers, extended sites creating communications concerns etc. This will be particularly pertinent in relation to off-site activities for residential programmes (see Appendix 2: Risk Assessment Template)

- **8.3.** As a basic principle, no staff should work with less than three children on their own for any period longer than 10 minutes, and where possible there should be two or more other workers within the immediate vicinity.
- **8.4.** All sessions shall be conducted with the provisions, aims and objective of this policy in mind.
- **8.5.** Every activity shall be undertaken with the possibility in mind that a child may be suffering abuse outside the programme, that a disclosure or symptom relating to this may become apparent within an activity, or that there may be children present who have not as yet revealed they are being abused. It is important that the environment created for programme activities is as conducive to support of a child in such a situation as is possible.
- **8.6.** For their own protection, but mainly as good practice and good manners, staff are advised that they should not initiate any physical contact whatsoever with children this will not apply where a child needs to be removed from a situation threatening its or others' safety.

#### 9. REPORTING CONCERNS<sup>11</sup>

- **9.1.** Those working with children and young people have a particular duty to ensure that any suspicion, incident, allegation or other manifestation relating to child protection is reported immediately.
- 9.2. Disclosure or evidence of concern may occur in any number of ways. This may be by what a child says, about itself or another child or children. It may be through interception of a written item, or through observation of activity or behaviour giving cause for concern. It may be through changes in behaviour or attitude. There may be physical, emotional pointers such as bruising, staining, inappropriate behaviour or knowledge. These and many other signs can be picked up by workers (see Appendix
- **9.3.** It is vital for the successful operation of this policy that all incidents, observations, however insignificant-seeming, are logged by the observer(s) in the appropriate accident and incident report book/forms and brought to the attention of the LCPO

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<sup>&</sup>lt;sup>11</sup> Though this policy is an internal policy framework for the effective delivery of services by BSEP, in line with the legislative framework in place at the time, the LCPO will automatically report any concerns that have been brought to their attention. See summary flow diagram of the process attached as Appendix 4 and 5.

via the DP(See Appendix 3: Recording Incident Pro Forma)<sup>12</sup>

- 9.4. The observing worker, paid or volunteer, will make a verbal report to the Team Manager and also will make a written report outlining in adequate detail what was heard, seen, reported, alleged etc. Verbatim quotes from a child are important, as is the retention of anything which gave cause for concern such as a drawing, painting, writing etc. The observing worker will sign and date the report. Tutors/session worker/volunteer will countersign the report and at the end of the session or, at the latest, the next working morning, will draw to the attention of the DP the report. The DP will read and countersign the report with their comments etc as appropriate and consult with the LCPO.
- **9.5.** If more than one person has an observation on the same incident on the day in question, a separate report is to be made by each person and treated as above.
- 9.6. The DP will afford worker[s] the opportunity to discuss the matter and will note any matters which should be taken forward from the discussion; this is especially the case where an allegation has been made, and/or if there is serious concern evident or raised by a worker(s). Where the matter is serious enough to warrant the LCPO been brought in, the LCPO MUST attend especially where there is a serious level of allegation or evidence of abuse which may endanger a child or children, for which a more formal investigation may be required. Workers should not feel constrained in expressing their concerns on any such matter in such a discussion. The basic principle is that there cannot be too much detail or discussion where the protection of children is concerned
- **9.7.** Tutors will ensure the DP has as much background, supplementary detail about a child or an incident as possible. The DP will keep records in such a way as will enable appropriate cross-referencing of reports. The object is that any persistent pattern is identified as soon as possible.
- 9.8. At such a meeting which the DP will chair (and have minute), the evidence and concerns will be reviewed and consult with the LCPO, who will liaise with the Chair in making a decision on action. Any previous records relevant will also be considered by the LCPO. The LCPO will record the decision and a copy filed in the appropriate restricted file(s).
- **9.9.** The DP will take an appropriate course of action where the incident/disclosure warrants escalation as follows:
  - Immediate reporting to Duty Officer at Social Services and/or Police: this covers any situation where, in the judgement of the DP and LCPO, following investigations, there is perceived to be an immediate danger to a child or detection of criminal offences against a child or other form of obvious, ongoing/future/recent serious harm. Where the Duty Social Worker cannot be located, the Police should be informed and told of the situation in locating the Social Services officer. Where a child seems at imminent harm of danger/ injury

<sup>&</sup>lt;sup>12</sup> Attached as Appendix 6, 7 & 8 are guidelines associated with practices that falls within the scope of this policy are therefore 'reportable incidents' using the pro forma as indicated.

- or worse, then the LCPO is authorised to make a complaint to the Police in order to secure immediate action and protection of a child. No protocol should ever inhibit this course of action if it is truly warranted.
- In exceptional cases, where action under the above seems unable to guarantee a child's welfare which appears to be under serious and imminent threat, the DP, consulting with other officers of the project in question, should consider direct action through obtaining of a suitable order through the Court.
- Most situations will not require reference as in the above scenarios. It will be more appropriate for the DP/LCPO to raise them informally with a designated liaison contact at Social Services, provided that the social worker is dealing with child-related matters in the course of their duties. The DP/LCPO will always strive to ensure that there is such an informal liaison arrangement so that concerns can be discussed informally and on a regular basis. It will be appropriate at such informal meetings for all recent reports to be copied to the liaison person. The operational Lead attendance at such informal liaison meetings is seen as desirable for the detailed information this can afford.
- There may quite often be situations arising from the reporting process which will not require the urgent formal reporting of the above but where it will not be appropriate to wait until a liaison meeting takes place, the LCPO should never hesitate to contact the Social Services liaison person on an informal basis as soon as possible. Such situations may arise when, for instance, there is insufficient hard evidence or facts to warrant a complaint/ urgent formal referral, but there may be enough in terms of previous reports to justify referral of concerns in an informal manner.

#### 10. FEEDBACK AND REPORTING

- 10.1. Workers will always wish to be assured that, having made a report, appropriate action has been taken. The DP should always attempt to give such feedback from a reporting situation as is appropriate. The DP may be short on information once a report has been made to Social Services, who for reasons of confidentiality may be unable to give specific details. However the DP/LCPO should press for a description about progress from the Social Services end, usually through the liaison machinery but if necessary by direct action as high as may be warranted if a serious matter has been reported. The DP/LCPO should seek to ascertain what specific actions have been taken, whether the police have been informed etc.
- **10.2.** In giving any feedback to workers, the DP/LCPO has to keep upper most in mind the "need to know" and confidentiality. So, the worker who made a report can be told what action has been taken by the LCPO including any representations that the police should be brought in etc.
- **10.3.** The LCPO will provide reports to the Management Committee on child protection matters as part of the scheduled Board meeting's agenda (i.e. child protection/safeguarding will be a 'standing item' on the agenda). In the report to the Board, the LCPO will cover:
  - new applicant's results of police and other checks: the person's name and whether the checks were satisfactory or not (but without giving detail).

- any formal report to the Police or the Duty Social Worker, omitting children's and families' names; also any informal report made by the DP/LCPO to Social Services via liaison with them;
- update on child protection training and staff awareness on child protection/safeguarding matters.

#### 11. ALLEGATIONS AGAINST WORKERS OR MANAGEMENT

- **11.1.** If a child or parent makes allegations to BSEP against any person working for BSEP, whether paid or unpaid, or a member of the Management Committee, the following procedure will come into force:
  - The person receiving the complaint will contact the DP/LCPO who will at once contact the Chair. On receipt of the complaint, the DP/LCPO will contact Social Services to appraise them of the situation. Normally this will be by informal channels but if there is a criminal allegation, the contact will be formal to the duty social worker and also to the police.
- **11.2.** The DP/LCPO should inform the person against whom an allegation has been made as soon as possible unless there appears to be a case that this might prejudice a criminal investigation. This will require consultation with the police.
- **11.3.** he course of action to be taken will be determined by the nature of the allegation(s):
  - If a criminal allegation, such as sexual abuse and impropriety is made, or physical assault, or inappropriate behaviour, the LCPO will activate the Disciplinary Procedure and suspend the person from any activity within BSEP, pending investigation and due process. The matter will be reported immediately to the police and duty social worker. The suspension will remain in force unless and until the police and/or social services confirm there was no substance to the report and BSEP's own internal processes report on its findings. An incident report will be made and treated as confidential.
  - If there is no criminal allegation the LCPO will gather as much detail from available sources of information as possible, by way of investigation, but not including seeking to interview any child if there is a criminal allegation (which is a matter for the statutory authorities). The LCPO should examine to see if there is any report relating to a child protection matter concerning any involved child. Where appropriate, the LCPO should consider whether suspension of the worker is advisable and recommend accordingly to the Chair and the Management Committee. This may include a situation which, though non-criminal, could lead to a decision of gross misconduct.
  - The LCPO will report to the Chair on the outcome of such an investigation and will recommend whether the circumstances constitute grounds either: to treat the matter as a disciplinary issue, either as misconduct or gross misconduct, with associated rights of appeal; or
    - a. to dismiss the allegations as unfounded, or to make such other nondisciplinary recommendations as are appropriate. The Disciplinary Committee shall consider such recommendations and report to the next meeting of the Management Committee of action taken.
    - b. The person against whom such non-criminal allegations are made should have opportunity to give an explanation or answer to any

- allegation at an interview conducted by the LCPO and the course of such an interview should be minuted.
- c. In the case of criminal allegations, the suspension will remain in force until completion of the LCPO's enquiries. If the Chair and the Disciplinary Committee is of the view that the misconduct is so serious as to constitute grounds for immediate termination of employment or voluntary service until the dismissal procedure has been implemented, the person suspended should be advised by the LCPO of a person within BSEP with whom she can communicate during the period of suspension on matters relating to their engagement, and the person so appointed should be told clearly, as should the person suspended, the address to which any communication should be made, whether or not communication includes personal contact, and the hours/times of contact.
- d. In the situation of (a) above, if legal proceedings result in the conviction of the person for a serious offence involving a child, the LCPO shall consider any report or information from the police and /or social services and shall recommend to the Chair and Management Committee the appropriate course of action up to and including instant dismissal. If the proceedings does not result in a conviction but there is evidence to suggest misconduct, the procedure in (b) may be invoked.
- e. In the situation of (b) above the LCPO shall write to the person concerned to inform them of the outcome of the investigation and will inform the person of any decision to terminate employment/engagement or of the date and conditions, if any, of a return to duties, where a disciplinary offence has been committed but is not of a nature as to warrant immediate dismissal.
- f. Under no circumstances is any person suspended to re-enter the project or attend a session site whilst under suspension. This prohibition includes activities where there are no children/ young persons present (i.e. training sessions/team meetings etc).
- g. In appropriate circumstances, in consultation with the officers concerned, the LCPO may recommend an instant dismissal if the evidence warrants it. For example, someone caught in the act of committing an offence involving a child on the project. This will be reported in the manner detailed above, and the LCPO will make the appropriate reference to Social Services, or, if appropriate the Police and will be required by law to make a referral to the DBS<sup>13</sup>. The personal file of such a worker will have the necessary note of action taken entered in it.
- h. Lesser forms of misconduct involving a worker in a child protection incident where the workers' actions or behaviour are inconsistent with

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<sup>&</sup>lt;sup>13</sup> Under new guidance, referrals must be made to DBS when an employer or organization believes a person has caused harm or poses a future risk of harm to vulnerable groups, including children. For some groups there is a legal duty to refer, it is therefore important that BSEP is fully aware of our legal responsibilities with regards to referral to the DBS. Should this be required, BSEP will use the DBS referral form (See Appendix 8).

children's welfare should be reported and dealt with under the ordinary Misconduct provisions of the Disciplinary Procedure, with appropriate records made in the person's file. Social Services should be informed if the matter is related to child protection, and it is possible they may express a view on the person's suitability to continue to work/volunteer within the organisation. Each case will be individual and judged on its own merits. The LCPO and the Chair will liaise on such issues and a report with recommendations made if necessary to the Management Committee.

#### 12. WHISTLEBLOWING

- **12.1.** Whistle-blowing is an early warning system. It is about revealing and raising concerns over misconduct or malpractice within an organisation or within an independent structure associated with it.
- **12.2.** If there is a concern with regard to the behaviour of an adult towards a young person or young person to young person, it is important that people are able to share their concerns with the DP/LCPO.
- **12.3.** All information received and discussed will be treated in confidence and only shared with those individuals who will be able to manage and resolve the situation. On occasion it may be necessary to seek advice, or inform the statutory agencies (e.g. The Police or Social Services).
- 12.4. All concerns will be taken seriously and managed accordingly within the Policy.

#### 13. INDUCTION AND TRAINING

- **13.1.** The implementation of this policy is mandatory and will be supported by an appropriate implementation and training programme to ensure compliance and effective delivery.
- 13.2. The DP/LCPO shall ensure that there is adequate and appropriate induction and ongoing training and information to all workers concerning child protection matters. All Committee Members, employees and volunteers shall be required to undergo a period of induction and awareness training on implementing the child protection and safeguarding policy and will be asked to sign that they have received and have been made aware of its implications and of their responsibilities. As a minimum requirement, all involved directly with BSEP (e.g. Management Committee members, volunteers etc), will undertake training which include:
  - (a) Induction
    - Clarification, agreement and signing up to BSEP Child Protection and Safeguarding Policy and procedures;
    - Clarification of the expectations of the organisation of their roles and responsibilities with regards to programme delivery and policies and procedures.
  - (b) Training
    - Protecting children: overview and legal framework
    - Implementation and understanding of the BSEP Child Protection and Safeguarding Policy;

- Working effectively with children (including presentation skills, developing child friendly resources and activities).
- Signing-off

#### 14. REVIEW OF THE POLICY

- **14.1.** This policy will be monitored and reviewed annually:
  - a) In accordance with changes in legislation and guidance on the protection of children or changes in the operation of BSEP;
  - b) Following any issues or concerns raised about the protection of children in the delivery of services within BSEP;
  - c) In all other circumstances where the policy is brought into question and therefore requires updating to take account of new and emergent conditions.

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#### Accountability for the implementation and review of the Policy:

Lead Child Protection Officer
Signed:
Full name:(Capital letters)
Designated Person
Signed:
Full name:(Capital letters)
Approved by the Management Committee
Signed: Chair
Print name:(Capital letters)

#### Appendix 1: Child abuse definition and characteristics (indicative)

A child is abused or neglected when someone inflicts harm, or fails 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. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection such as, for example, via an interagency child protection plan. The abuse can be:

- Physical
- Emotional
- Sexual
- Neglect

<u>Physical abuse</u>: Physical abuse may involve hitting, shaking, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or caregiver fabricates or induces an illness in a child whom they are looking after.

<u>Emotional abuse</u>: Emotional abuse is the persistent emotional ill treatment of the child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to the child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, for example by witnessing domestic abuse within the home or being bullied, or, the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

<u>Sexual abuse:</u> Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative 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

<u>Neglect:</u> 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. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, 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. In addition, neglect may occur during pregnancy as a result of maternal substance misuse.

#### Some possible indicators of abuse that staff/volunteers may recognise (indicative)

#### Physical abuse

- Bruising to parts of the body.
- Burns and scalds.
- · Bone fractures.
- Aggressive behaviour.
- · Withdrawn, timid behaviour.

#### **Emotional abuse**

- Aggressive behaviour.
- Withdrawn, timid behaviour.
- · Failure to make, and, or maintain relationships.
- Low self esteem.
- Lack of self-confidence.

#### Sexual abuse

- School phobia.
- · Withdrawn behaviour.
- Inappropriate sexual knowledge.
- Sexualised behaviour.
- Pregnancy.
- · Promiscuity.
- Some physical signs, bruising and soreness.

#### **Neglect**

- Poor health and hygiene, leading to a failure to thrive.
- Inadequate clothing for the weather conditions.
- · Lack of love and attention.
- Lack of protection and supervision.

#### **Appendix 2: RISK ASSESSMENT TEMPLATE**

Risk is the exposure to negative factors that are unknown. The probability of a risk occurring can be estimated using past experiences and calculations using 'what if? 'scenarios'. The impact of the risk exposure can be categorised into levels of acceptability and unacceptability depending on the degree of disruption/ calamity likely to be caused.

By pre-emptying possible risk scenarios, we can ensure that systems and procedures are in place to 'control' risk exposure and limit the potential damage that may result from the risk factor directly or indirectly. Forward planning limits the damage caused by the exposure to risk factors and enable provision of service without significant detrimental effect or impact.

In the mitigation of potential and possible exposure to risk, the following template will be used by Tutors for planning purposes in their delivery of their respective programmes/activities, including and especially 'match days'.

Risk Description	Probability rating (H/M/L)*	Impact rating (H/M/L)*	Mitigation actions

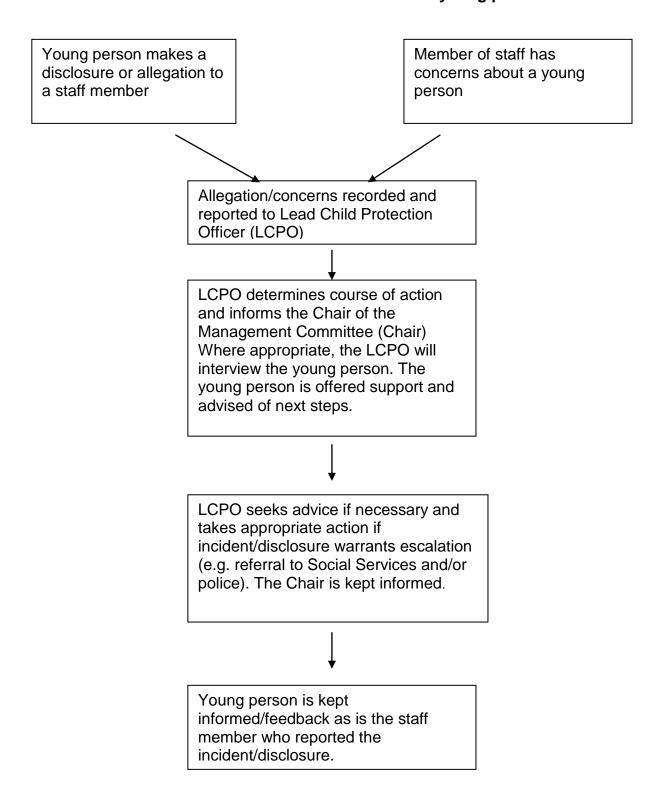
`Key: H = High; M = Medium; L = Low		
Tutor:	Date:	

Appendix 3: Recording pro forma to be used in relation to disclosures and/or incidents of child protection/safegaurding concerns.

BALKAN SUPPLEM	ENTARY EDUCATION PROJECT- RECORDING INCIDENTS PRO FORMA
Name of person for whom there is a concern	
DOB of child	
Address of child	
Tel number	
Name(s)/address of parents/guardian (if different from above)	
Contact details (T/M/E)	
Name of the member of staff making the report	
Position/role	
Contact number (s) (T/M/E)	
Brief summary of disclosure (incl. time incident reported etc)	
Tutor's comment/signature/date	
LCPO Comment/signature	
Date	

#### Appendix 4: Child Protection and Safeguarding Policy procedural flow chart

#### Procedures to be followed in relation to a young person



## Appendix 5: Procedures to be followed if allegations are made against a worker/Management Committee Member (MCM).

Young person makes Worker/MCM makes an Worker makes an allegation a disclosure or about another worker in allegation about another MCM allegation to a worker respect of child protection and involving another safeguarding concerns Allegation reported to LCPO or Chair who Allegation reported to LCPO or Chair who records on 'Recording Incidents Pro forma'. records on 'Recording Incident Pro forma' LCPO or Chair determines course of Investigation carried out in accordance action in light of with the Disciplinary Procedure. allegations/disclosures in line with the Support offered where appropriate. 'Disciplinary' procedure. Independent Appeals Committee established chaired by Designated Officer (as appropriate) LCPO/Chair seeks advice if necessary and appropriate and makes referral to external agencies if 'escalation' is deemed necessary All concerned kept informed Feedback to all concerned as to outcome Further support offered as appropriate.

#### Appendix 6: Indicative 'best practice' guidance

Tutors, volunteers, session workers must never:-

- Spend time alone with a young person away from others.
- Take a young person to their home where they will be alone.
- Invite or allow young person to stay with them at their home.
- > Transport young people in their car alone and/or if an unregistered driver.
- > Engage in rough, physical or sexually provocative games with young people.
- > Share a room with a young person unless the individual is the parent/guardian.
- Allow or engage in any form of inappropriate physical touching or sexual contact or behaviour.
- Use or allow young people to use inappropriate language unchallenged.
- Make sexually suggestive comments to a young person, even in fun.
- Allow allegations made by a young person to go unchallenged, unrecorded or not acted upon.
- ➤ Do things of a personal nature for young people that they can do for themselves, unless you have been requested to do so by the parent/carer.
- > Cause an individual to lose self esteem by embarrassing, humiliating or undermining the individual.

## Appendix 7: Guidelines for taking and use of photographic and recorded images of young people

#### Introduction

These guidelines does not wish to prevent parents or other relevant and appropriate individuals from being able to take legitimate photographs or recorded images such as at an 'awards event' or 'open day', for example.

The use of recorded images can be a valuable motivational aid. However, BSEP is committed to providing a safe environment for all young people under the age of 18 within its care, and it is therefore committed to ensuring all necessary steps are taken to protect young people from the inappropriate or uninformed use of their images in resources and media publications, on the Internet, and elsewhere, for instance.

Photographic and recorded images can also be used as a means of identifying young people if accompanied by personal information. This has the potential to make a young person vulnerable to individuals seeking to 'groom' young people for abuse. Additionally, images can be used or adapted for inappropriate use. There is evidence of adapted images being used on websites displaying images of child abuse and much more.

This policy covers the following key areas:

- 1. the taking and/or publishing of photographic and recorded images of young people attending the BSEP programmes;
- 2. the use of photographic or recorded image equipment at BSEP events;
- 3. the use of photographic or recorded image equipment as a motivational aid.

Photographic or Recorded Images

This includes images or recorded images using a camera, digital camera, video recorder, mobile phone or personal digital assistant device (PDA).

#### **Principles**

- 1. Everyone within BSEP should have an understanding of the issues relating to taking and use of photographic and recorded images of young people and why the guidelines are necessary on this;
  - Parents and young people have a right to decide whether young people's images are to be taken, and how those images may be used. In accordance with good practice guidance for competition, tournaments and open day events, parents and young people must provide written consent for their images to be taken and used.
- 3. Images should convey the best principles and aspects of netball, such as fairness and fun.
- 4. Care should be taken to ensure that images are not sexual or exploitative in nature, nor open to obvious misinterpretation and misuse.
- 5. All images of young people should be securely stored to avoid inappropriate use.
- 6. In the case of images used on websites, particular care must be taken to ensure that no identifying details facilitate contact with a young person by a potential abuser.

- 7. Where used for 'teaching/motivation' purposes, young people and their parents should be made aware that this is part of the curriculum and learning programme and be clear of the purpose of filming within this context as an aid to motivate and stimulate.
- 8. Suspected inappropriate taking of photographic or recorded images should be challenged and reported.
- 9. When assessing the potential risks in the use of images of young people, the most important factor is the potential for inappropriate use of those images. Awareness of the risks, and taking appropriate steps, can reduce the potential for misuse of images (see Risk Assessment template).

#### **Appendix 8: DBS Referral Form (example)**

Please refer to completing the referral form guidance whilst completing this document

Part 1: Details of the person you are referring A Personal information Contact details of the person you are referring **Title Contact Address** Ms 🗌 Mrs Miss Mr Dr Other title **Post Code Surname** Country Forename(s) Home telephone Date of birth Mobile number Υ M M Or age if date of birth is not known Work telephone (if still working) Previous names and / or alias dates of birth **Email address** Gender Male Female **Nationality National Insurance Number** 

	Address Address		(11103)	1000	114 11	ısıj				Date	Date to		
	71447000									from			
												J	
D	Profess	ional re	gistrati	on ( <i>it</i>	f app	olica	able)	Е	Teach	er referer	nce ( <i>if appl</i>	icable)	
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Н	In service training / other training / courses attende continue on a separate sheet if required)	d (please
	Details of training	Date attended

Part 3: Details of the work carried out by the person you are referring I About their role J | Role Description **Role Title** Main duties of the role (may be continued on a separate sheet if required) Type of role Paid Voluntary Date they started working / volunteering in the above role Υ D М M D Date they ceased working / volunteering in the above role D D М M Υ Υ Υ Υ How did they leave or were removed from the role? Dismissed Resigned Retired Other (please specify) Was the role held by the person you are referring 'regulated activity' with: Adults Both Is the person still employed by you? Yes No  $\square$ If "Yes" to what role has the person been moved? To your knowledge, has the person ever worked in Scotland? Yes No 🗌 Don't know

K	Previous misconduct	t, disciplinary action o	r complaints		
	Nature of allegation a	and what action was t	aken		Date
L	Previous / other emp	loyment ( <i>including an</i>	y volunteer woi	rk if known)	
	Organisation / address	Job title / role	Date From	Date to	

Part 4: Reason for the referral
M Purpose of the referral
I am referring the person because I think they (please tick one only):
☐ Harmed a child or vulnerable adult through their actions or inactions ( <i>relevant conduct</i> ); or
<ul> <li>Represent a risk of harm to a child or vulnerable adult (satisfied the harm test); or</li> </ul>
☐ Have received a caution or conviction for a relevant offence.
N Summary of the circumstances which has resulted in this person being removed
from regulated activity
(may be continued on a separate sheet if necessary)
Has the person you are referring admitted or accepted responsibility for any harm?
Yes

O Other organisation referral	ns or agencies involve	ed in the circu	mstances of the
Organisation / address	Contact person / role	Contact number	email

Part 5: Chronology of events

		lology of events		
Р		gy of events relating to	this referral (pleas	e continue on a
	separate	sheet if required)		
	Date	Event	Relevant Documents	Persons Involved
			Documents	III V OI V <del>C</del> U

Details of the person harmed / put at ris of harm  Title  Mr	Relationship between the referred and the person harmed / put at risk of harm
Mr	put at risk of harm
Dr 🗌	
Other	
title	Details of any vulnerability, e.g. emotional, behavioural, medical or physical
Surname	
Forename(s)	
	_
Date of birth	
	7
D D M M Y Y Y	<del>-</del>
Or age if date of birth is not known	
Gender	
Male Female	
iviale Felliale	
For additional victims please use	a

Part 7: Documentation supplied S Supplied documents (please tick all that apply) Investigations and reports of **Application for employment** regulatory bodies Investigations and reports of Curriculum Vitae / CV / Resume other agencies or bodies Interview report(s) relating to the References referral Letter of employment offer Witness statement(s) Job description / role requirement Dismissal / resignation / / person specification redeployment letters File notes concerning conduct, **Local Authority investigations** behaviour / attitude reports / documents Care plans for those named in Adult Social Care or Children's Section Q (where appropriate) Services reports Victim impact report(s) or statement(s) for those named in Police investigations and reports Section Q Documents of internal **Minutes of Strategy Meetings** investigations and outcomes **Documentation of any past Health and Social Care Trust** disciplinary action and Investigations reports / complaint(s) documents Statement(s) made by the referred individual

T	Additional documents supplied (please continue on a separate sheet if required)
屵	radional decamente cappined (product continue on a coparate concern required)

Part 8: Referring party

Referring organisation establishment	
Name of Organisation	Contact address
Type of organisation	
Sector	Postcode
Select an Option	
	Country

٧	Primary contact	Alternative contact
	Name	Name
	Position	Position
	Telephone number	Telephone number
	Mobile number	Mobile number
	Email Address	Email Address

#### Part 9: Declaration

W	To be signed by the person making the referral	
	I confirm that to the best of my knowledge accurate and that I have provided all doc relevant documentation. I understand the information I hold on the person I have re	uments legally required and any other at the DBS may contact me about the
	e referred will be used by the Disclosure ed to the referred person or other parties der the Safeguarding Vulnerable Groups	
	Signature	Position
	Name (in BLOCK CAPITALS)	Organisation
	Date / / / / / / / / / / / / / / / / / / /	Relationship to the individual you are referring
	D D M M Y Y Y	
X	Returning the form	

Please check that you have answered all the questions you can and signed the Declaration.

This form should be returned, together with all supporting documentary evidence, to the address opposite.

#### Please return the form to:

**Disclosure and Barring Service PO Box 181 Darlington** DL1 9FA

#### **Appendix 9: Guidelines on Anti-bullying**

#### Introduction

BSEP is committed to creating and maintaining an environment in which all young people involved in its programmes are free from bullying. Bullying is anything that is done with the intention of hurting or intimidating, frightening or upsetting another person. Bullying is not always physical but it results in distress to the victim.

Instances of bullying can occur not only between young people but also from adults to young people. Bullying can be:

- 1. Emotional: persistently being unfriendly, excluding, tormenting, threatening gestures;
- 2. Physical: pushing, kicking, hitting, punching or any use of violence
- 3. Racist: racial taunts or language, graffiti, gestures
- 4. Sexual: unwanted physical contact or sexually abusive comments
- 5. Homophobic: because of, or focusing on the issue of sexuality
- 6. Verbal: name-calling, sarcasm spreading rumours, teasing.

It should be noted that bullying may not only occur through face to face contact. Increasingly, bullying may occur through other forms of communication such as, increasingly, via the Internet, email and text messaging (i.e. social media in the main).

Within BSEP, we will:

- 1. Raise awareness with all participants and parents through:
  - Posters and leaflets:
  - Ensuring all young people know they can talk to someone if they are worried;
  - Adopt policies within the organisation on safeguarding or child protection; recruitment etc.
- 2. Ensure that all concerned staff, volunteers and parents/carers have copies of relevant policies or know how to access them.
- 3. Establish a Code of Good Practice framework which all staff and volunteers in positions of trust have agreed to abide by. The code of conduct will clearly state which behaviour constitutes bullving and therefore not acceptable within BSEP.
- 4. Identify the Lead Child Protection Officer (LCPO) and publicise their name so as to support and guide young people and parents/carers on the issues and implementation of welfare and good practice. The LCPO will enable concerns to be expressed and acted upon in confidence.
- 5. Ensure all incidents or concerns are dealt with as a matter of seriousness. Any incidents of bullying will be reported to the LCPO who will record the details using the incident reporting pro forma. The LCPO will follow through with any investigations as outlined in the overall Child protection and Safeguarding Policy (see s5 and Appendix 1).

#### Appendix 10: Some further training, information and contacts (indicative)

#### **NSPCC PROGRAMMES AND SERVICES**

Address: NSPCC Child Protection Awareness Programmes, P.O. Box 62, Royal Leamington Spa, Warwickshire CV32 5GE.

T: 0116 234 7227/7225 W: www.nspcc.org.uk

E: consultancy@nspcc.org.uk

#### **NSPCC CHILD PROTECTION HELPLINES**

Online support for young people – <u>www.There4me.com</u>

NSPCC Child Protection Helpline is a free 24-hour service, 7 days a week which provides counselling, information and advice to anyone concerned about a child at risk from abuse.

Call: 0808 800 5000

Textphone – for people who are deaf or hard of hearing: 0800 056 0566

Email: help@nspcc.org.uk

#### **CPAT Redbridge (Child Protection Assessment Team)**

Lynton House 255-259 High Road Ilford IG1 1NN

Tel: 02087083885

#### CHILDLINE

ChildLine is the free helpline for children and young people in the UK.

ChildLine number: 0800 1111

W: www.childline.org.uk

National Childminding Association

Advice Line:0800 109 4486 - web-site: www.ncma.org.uk

Parentline Plus 0808 800 2222 – webbsire:www.parentlineplus.org.uk

#### **DISCLOSURE AND BARRING SERVICE**

The DBS carries out criminal record checks on workers and volunteers.

PO Box 91, Liverpool L69 2UH

Helpline: 0870 90 90 811

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Registered in England and Wales, Registration Number: 9314351

#### **LONDON SAFEGUARDING CHILDREN BOARD**

The London Safeguarding Children Board aims to support and add-value at a strategic level, to London's 32 Local Safeguarding Children Boards (LSCBs).

Address: 59.5 Southwark Street, London, SE1 0AL.

**T**: 020 7934 9714

W: www.londonscb.gov.uk

E: ian.dean@londoncouncils.gov.uk

#### **FAMILY RIGHTS GROUP**

Offers specialist advice for parents involved in child protection via a free service 1-30pm – 3-30pm Monday to Friday on FREEPHONE 0800 731 1696

#### INTERNET WATCH FOUNDATION

They act as a focal point for removing illegal materials from the internet.

W: www.iwf.org.uk

#### LONDON REFUGE FOR RUNAWAY CHILDREN

PO Box 3652 London N7 9HY

T: 020 7700 7541

FREEPHONE 0800 389 2168

#### METROPOLITAN POLICE SERVICE CHILD PORNOGRAPHY INFORMATION LINE

T: 0808 100 0040

This has been established to enable members of the public to pass information to the police about child pornography, with information from persons who wish to remain anonymous may be passed to **CRIME-STOPPERS** on FREEPHONE 0800 555 111

#### **OFSTED**

Complaints & Enforcement Help-line, London Regional Centre 0845 601 4772 Child protection Liaison Officer 0207 560 7101