



ACS Safeguarding Children Policy and Procedures

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ACS Safeguarding Children Policy and Procedure

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ACS Policy Statement

Introduction to the safeguarding children's policy

This guidance aims to help ACS employees to understand what they need to do, and what they can expect of one another, to safeguard children. We believe that safeguarding children and protecting them from harm is everyone's responsibility and that everyone who comes into contact with children and families has a role to play.

It is important to remember that the definition of children includes young people up to the age of 18 and the needs of older children and young people up to the age of 18 are covered by these procedures and their safety must be paramount at all times.

This procedure has been developed in accordance with the Government inter agency statutory guidance 'Working Together to Safeguard Children 2018' and the Surrey Safeguarding Children Partnership Procedures Manual.

This Safeguarding Children Procedure should be read in conjunction with Action for Carers Surrey's Code of Conduct when Working with Children and Young People, available in the ACS Handbook of Policies:-

Surrey Safeguarding Children Partnership Procedures Manual explicitly mentions young carers and the duties to support this vulnerable group when safeguarding children and young people. Further information can be found at:

<https://surreyscb.procedures.org.uk/hkpls/procedures-for-specific-circumstances/young-carers>

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment;
- Preventing impairment of children's health and development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- Undertaking that role so as to enable those children to have optimum life chances and enter adulthood successfully.

Effective safeguarding of children can only be achieved by putting children at the heart of provision and by every individual and agency playing their full part, working together to meet the needs of the most vulnerable children, including young carers.

This policy covers all ACS employees; Sessional Workers; ACS Volunteers; Trustees; Contractors and self-employed or any other individual working on behalf of ACS.

Individuals should follow the code of conduct when working with children and young people (available in the ACS handbook) in their day to day practice. It should also be referred to when taking on new work, different duties or additional responsibilities.

Legislation

The principle pieces of legislation governing this policy are:

Children Act 1989

Children Act 2004

United Nations convention for the rights of the child 1991

Data Protection Act 1998

HM Government working tougher to safeguard children 2015

Chronically Sick and Disabled Persons Act 1970

Disabled Persons (Services, Consultation and Representation) Act 1986

Carers (Recognition and Services) Act 1995

Carers and Disabled Children Act 2000

Carers (Equal Opportunities) Act 2004

Relevant parts of the Human Rights Act 1998 (HRA), the Equality Act 2010 and the Public Sector Equality Duty have been outlined and explicitly linked to safeguarding, particularly in regard to diversity inclusion, prejudicial and discriminatory bullying and sexual violence & harassment.

Young Carers: legislation Care Act and Children's Act 2014

The Children and Families Act and Care Act 2014, places a duty on local authorities to carry out a young carers assessment of need where it appears the young carer may have needs for support, or where they are requested by the young carer or parent/guardian of the young carer. This assessment must be carried out in a manner which is appropriate and proportionate to the needs and circumstances of the young carer to whom it relates.

A referral should be made to SCC Children's services where a young carer is deemed at risk from their caring role:

- Unlikely to achieve or maintain a reasonable standard of health or development because of their caring responsibilities
- Is likely to be suffering significant harm through abuse or neglect;
- Carrying out inappropriate caring duties such as:
 - Providing intimate body care and/or significant moving and handling duties
 - Regularly, picking up and administering prescription drugs to the cared for
 - Providing emotional support to the adults

Where a child or adult appears to be at risk of Significant Harm, then the appropriate safeguarding procedures must be followed immediately.

Definitions: key terms

ACS Employee: all ACS employees; Sessional Workers; ACS volunteers; Contractors; and self-employed individuals working on behalf of ACS

Allegation: An allegation made by anyone, child or adult, where this is or believed to be a risk of harm to a child

Child/Children and Young Person/People: These terms are interchangeable and refer to children who have not yet reached their 18th birthday.

Duty of Care: The duty which rests upon an individual and ACS to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any

activity or interaction for which that individual or ACS is responsible. Any person in charge of, or working with children and young people in any capacity is considered, both legally and morally to owe them a duty of care.

Manager: Refers to adults who have responsibility for managing services including the supervision of employees and/or volunteers at any level.

Parent: An adult with parental responsibility

Safeguarding: Process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully (see 'Working Together to Safeguard Children 2018)

Welfare: Well-being in relation to the 5 outcomes defined in the Children Act 2004; stay safe, be healthy, enjoy and achieve, make a positive contribution, and economic well-being

DSL: Designated Safeguarding Lead

Definition of Significant Harm

The Children Act 1989 introduced the concept of Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children.

There are no absolute criteria on which to rely when judging what constitutes Significant Harm but consideration should be given to the following:

- The severity of ill-treatment which may include the degree and extent of physical harm including, for example, impairment suffered from seeing or hearing the ill-treatment of another;
- The duration and frequency of abuse and neglect;
- The extent of premeditation.

Child abuse and neglect is a generic term encompassing all ill treatment of children including serious physical and sexual assaults as well as cases where the standard of care does not adequately support the child's health or development.

Children may be abused or neglected through the infliction of harm, or through the failure to act to prevent harm. Sometimes a single violent episode may constitute significant harm but more often it is an accumulation of significant events, both acute and longstanding, which interrupt, damage, or change the child's development.

Abuse can occur in a family or an institutional or community setting. The perpetrator may or may not be known to the child.

Recognising the signs and symptoms of abuse

Working Together to Safeguard Children, 2018 sets out definitions and examples of the four broad categories of abuse which are used as a basis for determining that a child should be subject to a Child Protection Plan:

- Neglect;
- Physical abuse;
- Sexual abuse and exploitation;
- Emotional abuse.

These categories overlap and an abused child does frequently suffer more than one type of abuse. They are dealt with in the sections below:

Other types of abuse recognised nationally are:

Financial/ Material
Abuse of Rights/ Discriminatory/ Racial
Institutional
Professional Abuse
Hate Crime
Domestic Abuse
Honour Based Violence (HBV)
Cuckooing
Bullying and cyber bullying
Female genital mutilation
Child trafficking
Grooming
Non recent abuse

Neglect

Definition: Neglect is a form of Significant Harm, which involves the persistent failure to meet a child's basic physical and/or psychological needs, withholding physical or medical care, likely to result in the serious impairment of the child's health or development.

Examples of behaviour: failure to provide: appropriate food, shelter, heating, clothing, medical care, hygiene, personal care, appropriate medication

Physical abuse

Definition Physical abuse is a form of significant harm, deliberately hurting a child causing injuries such as bruises, broken bones, burns or cuts deliberately inducing illness in a child.

Examples of behaviour: An explanation which is inconsistent with an injury, reluctance to give information or mention previous injuries, repeated presentation of minor injuries (which may represent a 'cry for help' and if ignored could lead to a more serious injury).

Sexual abuse and exploitation

Definition: forcing or enticing a child to take part in sexual activity, direct or indirect involvement in sexual activity without consent.

Examples of behaviour:

- a. **Non-contact:** looking; photography; indecent exposure; harassment; serious teasing or innuendo; pornography, self-harm, unexplained gifts
- b. **Contact:** Coercion to touch e.g. breast, genitals, anus, mouth, with or by penis, fingers or other objects.

Emotional abuse

Definition: the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. Note that physical abuse may not leave a physical mark but can cause mental scarring.

Examples of Behaviour: Developmental delay, withdrawn, low self-esteem, aggressive behaviour towards others, attachment disorder

Financial/ Material

Definition: The unauthorised, fraudulent obtaining and improper use of funds, property or any resources of a vulnerable person.

Examples of behaviour: misappropriating money; valuables or property; forcing changes to will; denying the adult at risk the right to access personal funds.

Abuse of Rights/Discriminatory/ Racial

Abuse of Individual Rights: is a violation of human and civil rights by any other person or persons.

Discriminatory Abuse: consists of abusive or derisive attitudes or behaviour based on a person's gender, sexuality, ethnic origin, age or disability.

Institutional Abuse

Occurs when the lifestyles of individuals are sacrificed in favour of rituals and routines of the home or care setting

Examples of behaviour: Lack of individualised care; inappropriate confinement or restrictions; sensory deprivation; inappropriate use of rules; custom and practice; no flexibility of bedtimes or waking times; dirty clothing or bed linen; lack of personal possessions or clothing; misuse of medical procedures.

Professional Abuse

Professional abuse is the misuse of therapeutic power and abuse of trust by professionals, the failure of professionals to act on suspected abuse/ crimes, poor care practice or neglect in services, resource shortfalls or service pressures that lead to service failure and culpability as a result of poor management systems/ structures.

Hate Crime/ Hate Incident

Hate Crime: Refers to any criminal offence which is perceived by the victim or any other person as being motivated by prejudice or hate, based on the victim's actual or perceived race, religion, sexual orientation, disability or transgender status.

Hate Incident: Refers to any non-criminal incident which is perceived by the victim or any other person as being motivated by prejudice or hate, based on the victim's actual or perceived race, religion, sexual orientation, disability or transgender status.

Domestic Abuse

Definition: Actual or threatened physical, emotional, psychological and sexual abuse involving the misuse of power and exercise of control by one adult over another in the context of a relationship.

Honour Based Violence (HBV)

The term HBV is an internationally recognised term describing cultural justifications for violence and abuse.

HBV can cut across all cultures, nationalities, faith groups and communities and transcends national and international boundaries.

HBV has the potential to be both a domestic abuse and child abuse concern.

HBV is a significant risk factor for victims and must be regarded as a significant predictor of the likelihood of future harm or homicide

Risk Indicators

The factors described in page 6, 'Recognising symptoms of abuse', are frequently found in cases of child abuse. Their presence is not proof that abuse has occurred, but:

- Must be regarded as indicators of the possibility of Significant Harm;
- Justifies the need for careful assessment and discussion with Designated Professional / Named Professional / Lead Professional, manager, (or in the absence of all those individuals, an experienced colleague);
- May require consultation with and/or referral to Surrey Children's Services under the Contacts and Referrals Procedure.

The absence of such indicators does not mean that abuse or neglect has not occurred. In an abusive relationship the child may:

- Appear frightened of the parent(s);

- Act in a way that is inappropriate to her/his age and development (though full account needs to be taken of different patterns of development and different ethnic groups)

The parent or carer may:

- Persistently avoid child health promotion services and treatment of the child's episodic illnesses;
- Have unrealistic expectations of the child;
- Frequently complain about/to the child and may fail to provide attention or praise (high criticism/low warmth environment);
- Be absent;
- Be misusing substances;
- Persistently refuse to allow access on home visits;
- Be involved in domestic abuse;
- Have a recognised psychiatric condition;
- May allow an individual previously known or suspected to have abused children to move into the household

What to do if you are Concerned about a Child

Duty to Refer

Staff in any agency must make a referral to Surrey Children's Services if it is believed or suspected that:

- A child is suffering or is likely to suffer Significant Harm; or
- A child's health or development may be impaired without the provision of services; or
- With the agreement of the person with Parental Responsibility, a child would be likely to benefit from family support services.

When considering whether immediate action is required to protect a child, any agency must also consider whether action is required to safeguard and protect the welfare of any other children in the same household, the household of an alleged perpetrator or elsewhere.

Before making a request for support to Children's Services

Please consider if the child or young person's needs can be met by services from professionals who are already working with the family, or whether you could use the [Surrey Family Information Service website](#) and [Surrey Family Information Directory](#) to find support.

If you are requesting support from Children's Services, please gain consent from the parents/carers and child beforehand, except where doing so may increase the risk of harm to the child or young person.

A decision by any member of staff **not to seek parental permission** before making a referral to Surrey's Children's Services must be recorded and the reasons given. If the parent is consulted and refuses to give permission for the referral, further advice should be sought from a Team Manager or the Designated Safeguarding Officer.

Listening to the Child

If the child makes an allegation or discloses information which raises concern about Significant Harm, the initial response should be listening carefully to what the child says so as to:

- Clarify the concerns;

- Offer reassurance about how (s)he will be kept safe; and
- Explain that the information will be passed to Surrey Children's Services and/or the Police.

The child must not be pressed for information, led or cross-examined or given false assurances of absolute confidentiality. Such well-intentioned actions could prejudice Police investigations, especially in cases of sexual abuse.

Consideration must always be given to issues of diversity, so that the impact of cultural expectations and obligations are taken into consideration. It is vital that if there are any communication difficulties, an interpreter is used.

A record of all conversations and actions must be kept.

If the child can understand the significance and consequences of making a referral to Surrey Children's Services, (s)he should be asked her/his view by the referring professional.

Whilst the child's view should be considered, it remains the responsibility of the professional to take whatever action is required to ensure the safety of that child and any other children.

When making a referral, download and complete the [Request for Support Form](#).

Please see Surrey County Council's [levels of need document](#) for reference as to what level of support applies.

ACS staff may use the professional consultation option given on 0300 470 9100 if you are unsure about the course of action to take.

Referrals **out of hours** should be made in the first instance to the Surrey Children's Services Emergency Duty Team on 01483 517898. However, in an emergency, Police may need to act independently without first consulting Surrey Children's Services.

All professional referrals must confirm verbal referrals in writing within 24 hours, using the Surrey Children Services **Request for Support Form**

There should always be the opportunity to discuss child welfare concerns with, and seek advice from, colleagues, managers, or designated or named practitioner, or other agencies.

- Never delay emergency action to protect a child from harm.
- Always record in writing discussions about a child's welfare.
- At the close of a discussion, always reach a clear and explicit recorded agreement about who will be taking what action, or that no further action will be taken.

Low level concerns for a child must be discussed with your Team Manager and recorded on the internal safeguarding form. This should be recorded on the child's case file and will be monitored by the Senior Management Team.

Referral Information

The person making the referral should provide as much of the information listed below as (s)he can and should be asked specifically if they hold any information about difficulties experienced by the family/ household due to domestic abuse, mental illness, substance misuse, or learning difficulties, although absence of information must not delay a referral:

- Full name, date of birth and gender of child(ren);
- Full family address and any known previous addresses;
- Identity of those with parental responsibility;

- Names, date of birth and information about all household members, including any other children in the family, and significant people who live outside the child's household;
- Ethnicity, first language and religion of children and parents/carers;
- Any need for an interpreter, signer or other communication aid;
- Any special needs of child(ren);
- Any significant / important recent or historical events/ incidents in the child or family's life;
- Cause for concern including details of any allegations, their sources, timing and location;
- Identity and current whereabouts of the suspected / alleged perpetrator;
- Child's current location and emotional and physical condition;
- Whether the child is currently safe or is in need of immediate protection because of any approaching deadline (e.g. child about to be collected by alleged abuser);
- Child's account and their parent's response to the concerns if known;
- Referrers relationship and knowledge of the child and parents/ carers;
- Known current or previous involvement of other agencies/ professionals;
- Information about parental knowledge of, and agreement to, the referral.

Response to a Referral

Once the referral has been accepted by local authority children's social care the lead professional role falls to a social worker.

Receipt of a referral to Surrey Children's Services will be acknowledged within 24 hours.

The social worker should clarify with the referrer, when known, the nature of the concerns and how and why they have arisen.

Within one working day of a referral being received a local authority social worker should make a decision about the type of response that is required. This will include determining whether:

- the child requires immediate protection and urgent action is required;
- the child is in need, and should be assessed under **section 17 of the Children Act 1989**;
- there is reasonable cause to suspect that the child is suffering, or likely to suffer, significant harm, and whether enquires must be made and the child assessed under **section 47 of the Children Act 1989**;
- any services are required by the child and family and what type of services; and
- further specialist assessments are required in order to help the local authority to decide what further action to take.

Action to be taken:

- The child and family must be informed of the action to be taken.
- Local authority children's social care should see the child as soon as possible if the decision is taken that the referral requires further assessment.
- Where requested to do so by local authority children's social care, professionals from other parts of the local authority such as housing and those in health organisations have a duty to cooperate under **section 27 of the Children Act 1989** by assisting the local authority in carrying out its children's social care functions.

If a member of staff is unhappy with the decision or response from any agency following a referral they must discuss their concerns with their Line Manager or Safeguarding lead. In response, Line Managers/safeguarding lead are to follow the [Surrey Safeguarding Children Board Inter-agency escalation policy and procedure](#). This can be found online, in the Surrey Safeguarding Children Partnership Procedures Manual

<https://surreyscb.procedures.org.uk/skyqox/complaints-and-disagreements/inter-agency-escalation-policy-and-procedure>

Cross Boundary Referrals

The increasing numbers of families moving or being moved across boundaries presents difficulties in terms of safe, reliable and consistent delivery of services. For full details see Children and Families in Need Moving Across Safeguarding Children Partnership Boundaries Procedure. <https://surreyscb.procedures.org.uk/hkpzl/procedures-for-specific-circumstances/children-and-families-in-need-moving-across-safeguarding-children-board-boundaries>

Reporting incidents against a member, employee or volunteer

These procedures should be applied when there is an allegation or concern about any person who works with children, in connection with his/her employment or voluntary activity.

Where an allegation is made or a concern of suitability is raised, the allegations should be reported to the Designated Safeguarding Lead and CEO immediately.

ACS should contact the LADO for advice and where agreed, inform the parent(s) or carer(s) of the child(ren) involved. The Local Authority Designated Office (LADO) should be consulted first to ensure that this does not impede the disciplinary or investigative processes.

The LADO will consider whether an individual who works with children up to 18 in any capacity (paid, volunteer, self-employed etc) has:

1. Behaved in a way that has harmed a child, or may have harmed a child;
2. Possibly committed a criminal offence against or related to a child; or
3. Behaved towards a child or children in a way which indicates they may pose a risk of harm to children.

The LADO should provide advice and guidance to Action for Carers Surrey, as well as liaising with the Police and other agencies and monitoring the progress of the case to ensure they are dealt with as quickly as possible, are consistent and a thorough and fair process followed.

Advice sought from the LADO as the Police and/or Children's Services may want to impose restrictions on the information that can be provided. However, the principle is that ACS should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome e.g. disciplinary action, and dismissal and referral to the Disclosure and Barring Service and/or regulatory body.

Local Authority Designated Officer (LADO)

Monday to Friday from 9am to 5pm

The LADO Service manages allegations against individuals who work or volunteer with children in Surrey. If you have a concern regarding someone who works with children please contact the LADO on **0300 123 1650*** or LADO@surreycc.gov.uk

ACS responsibility to its staff

The member of staff should:

- Be treated fairly and honestly and helped to understand the concerns expressed and processes involved;
- Where permitted, be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process;
- If suspended, be kept up to date about events in the workplace.

No internal investigation should take place by ACS until the relevant statutory body has been notified and concluded their investigation.

ACS will carry out their own internal investigation regarding the allegations, once the external investigations have been completed.

Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while a serious allegation is being investigated or considered. Apart from keeping the child, parents and accused person up to date with progress of the case. Information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary, regulatory or suitability processes.

Should the allegation meet the threshold of a serious incident, the matter will need to be reported to the charity commission.

The Police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances e.g. an appeal to trace a suspect. In such cases, the reasons should be documented and partner agencies consulted beforehand.

Reporting abuse by another adult or child

Persons to be notified if there are concerns of abuse by another adult or child

- A child is suffering or is likely to suffer **Significant Harm**; or
- A child's health or development may be impaired without the provision of services; or
- With the agreement of the person with **Parental Responsibility**, a child would be likely to benefit from family support services.

ACS Safeguarding Leads; internal contacts

Children and Young People Safeguarding Reporting Contact within Action for Carers Surrey

Surrey Young Carers Service			
Position	Name	Telephone	Email
SYC Manager Designated Safeguarding Lead (DSL)	Michelle Harper	0303 040 1234	HR@actionforcarers.org.uk
Adult Carers Support Manager	Rachel Brennan	0303 040 1234	HR@actionforcarers.org.uk

The role of the Designated Safeguarding Lead (DSL) – the SYC Manager

The DSL has the following responsibilities:

1. To ensure that the Safeguarding Children policy and procedure is implemented and adhered to at all times.
2. To be familiar with, and have an understanding of all relevant legislation.
3. Where necessary liaise with the Local Area Teams