



## The Trust for Developing Communities

# Child Protection and Duty to Vulnerable Adults Policy and Procedures

Policy number	4.1
Effective date	July 2014
Key contact	Central Services Manager
Number of pages	10
Review date	May 2015
Expiry date	July 2015

### 1. Child Protection and Duty to Vulnerable Adults Policy Statement

- 1.1 This policy applies to all staff, including managers, Board of Trustees, paid staff, volunteers and sessional workers or anyone working on behalf of The Trust for Developing Communities (TDC).
- 1.2 TDC believes that children and vulnerable adults have the right to protection from abuse, neglect and exploitation and that the wellbeing of children and vulnerable adults must be a paramount consideration when providing services.
- 1.3 Within the framework of the law staff and volunteer workers are obliged to have an important role in the protection of children and vulnerable adults from abuse, namely: physical, sexual and emotional and that of neglect.
- 1.4 TDC is committed to ensuring that all staff who work with children/young people/vulnerable adults are able to provide an environment where children/young people/vulnerable adults are safe at all times.
- 1.5 TDC will ensure that all activities provided for children/young people/vulnerable adults are appropriate to the age and needs of all children, young people and vulnerable adults participating.
- 1.6 The TDC Child Protection and Duty to Vulnerable Adults Policy and Procedures apply to all children, young people and vulnerable adults regardless of gender, ethnicity, disability, sexuality or religion.

- 1.7 Children and young people will be made aware of the policy in ways that are appropriate to their age, situation or ability.
- 1.8 Child protection training will be offered to all staff.
- 1.9 If staff or volunteers have concerns, however minor, of any issue relating to a child or vulnerable adult that arouses suspicion; they have a duty to bring those concerns to the attention of their named line manager and the named Child and Vulnerable Adult Protection Officer (CVAPO)
- 1.10 It is the duty of **all** staff to ensure that adult volunteers are aware of our policy and follow its guidelines. Groups and volunteers must fully understand that TDC may withdraw support if these guidelines are not adhered to.
- 1.11 TDC recognises that some children/young people/vulnerable adults are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues. Working in partnership with children, young people, vulnerable adults, their parents, carers and other agencies is essential in promoting people's welfare.
- 1.12 TDC delivers sexual health advice and contraception to children and young people in the course of its work in communities. When offering these services to people aged between 13 and 16 without parental consent, workers will follow the 'Fraser Guidelines'\* to assess the competence of the young people and their ability to comprehend the consequences of their choices.

These criteria are fulfilled when it can be demonstrated that:

- The young person understands the youth workers advice
- The youth workers cannot persuade the young person to inform his or her parent or allow the doctor to inform the parents that he or she is seeking contraceptive advice
- The young person is very likely to begin or continue having intercourse with or without contraceptive treatment
- Unless he or she receives contraceptive advice or treatment, the young person's physical or mental health or both are likely to suffer
- The young person's best interests require the youth worker to give contraceptive advice, treatment or both without parental consent

\* The guidance was outlined by Lord Fraser in 1985 in the House of Lords' ruling in the case of Victoria Gillick v West Norfolk and Wisbech Health Authority and Department of Health and Social Security.

## 2. Definitions

- 2.1 For the purposes of this policy document, 'child' or 'young person' refers to people under the age of 18 or up to 21 with certain special educational needs. **The Children Act 1989 covers all children under the age of eighteen.**

- 2.2 For the purposes of this policy document, 'vulnerable adult' refers to a person who is, or may be, in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

### **AND**

People with learning disabilities, mental health problems, older people and people with disability or impairment are included within this definition, particularly when their situation is complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

- 2.3 This policy has been drawn up on the basis of law and guidance that seeks to protect children and vulnerable adults, namely:

- Children Act 1989
- United Convention of the Rights of the Child 1991
- Data Protection Act 1998
- Care Standards Act 2000
- Sexual Offences Act 2003
- Children Act 2004
- Protection of Freedoms Act 2012
- Relevant government guidance on safeguarding children

## **3. Safer Recruitment and Employment**

- 3.1 Disclosure & Barring Service (formerly Criminal Records Bureau) checks will be carried out on all people working with children and no unsupervised access to children will be permitted until this process has been completed. Copies of checks will be kept safely in a locked drawer alongside records of incidents.
- 3.2 TDC will comply with all specifications relating to the 'Independent Safeguarding Authority's' guidelines on 'vetting and barring' procedures.

## **4. Safeguarding procedures for all outings and activities run by groups and individuals that TDC supports:-**

- 4.1 There should be a minimum of two adults present, three if there are more than 16 children or vulnerable adults.
- 4.2 All children under 10 years of age should be accompanied by their parent/guardian.
- 4.3 Before an outing or activity TDC staff will consider the possible risks including factors relating to additional needs of the children, young people or vulnerable adults.

- 4.4 At the beginning of the outing there will be a discussion with the children, young people or vulnerable adults about safety.
- 4.5 All children without parents present must have completed a registration form. The group leader must check any special needs and inform other adults if appropriate.
- 4.6 A First Aid Kit, accident book and mobile phone must be available.

## **5. Appropriate conduct and relationships with children/young people/vulnerable adults**

- 5.1 Staff and volunteers should observe the following;
- Avoid initiating physical contact with children/young people/vulnerable adults.
  - At the start of the relationship with the child/young person/vulnerable adult explain the appropriate physical boundaries (understanding that vulnerable adults may not always understand nor retain this information).
  - Don't initiate intrusive forms of play (e.g. tickling or rough and tumble), physical expression of emotion such as kissing or hugging or sexual contact.
  - If physical contact is initiated by a child/young person/vulnerable adult, cease it as soon as possible without making them feel rejected. If it persists this should be brought to the attention of a senior member of staff.
  - Unless to avoid immediate danger to the child/young person/vulnerable adult or others present, avoid any physical contact when alone with a child/young person/vulnerable adult.
  - It is good practice for all staff to work alongside a colleague where possible as this helps to ensure the safety of children/young people/vulnerable adults and helps to protect staff and volunteers against false allegations.
  - Avoid lending or borrowing money or property.
  - Avoid giving or receiving significant gifts.
  - Staff and volunteers must not take service users into their homes.
  - Report all cases of physical contact which falls outside of the remit of the activity in which staff/volunteers are engaged, as these can be misinterpreted, not just if these are repeated.

## **6. Responding to abuse, suspected abuse or disclosure**

- 6.1 If any member of staff or a volunteer has concerns that a child or vulnerable adult may be suffering from abuse in any form, they must inform their line manager or CVAPO immediately. If the CVAPO is unavailable, the line manager will take a lead and make sure all necessary steps are taken by the organisation and that the worker is fully supported.
- 6.2 If any member of staff or a volunteer has a concern regarding another staff member's conduct with a child or vulnerable adult they must communicate these concerns to their line manager or the TDC CVAPO immediately.

6.3 All staff should encourage adults and young people to report incidents themselves to the appropriate authorities and support them through this process. Line managers must support workers to do this.

#### 6.4 If a child/young person/vulnerable adult discloses abuse:

##### **DOs;**

- **Do** treat any allegations extremely seriously and act at all times towards the child/young person as if you believe what they are saying, irrespective of their level of development or communication
- **Do** tell the child/young person/vulnerable adult that they were right to tell you
- **Do** reassure them that they are not to blame
- **Do** be honest about your own position, who you have to tell and why
- **Do** tell the child/young person/vulnerable adult what you are doing, and when, and keep them up to date with what is happening
- **Do** take further action – you may be the only person able to prevent further abuse – tell your immediate supervisor immediately
- **Do** write down everything said and what action was taken (see guidelines for recording) – always state facts and not opinions
- **Do** seek medical attention for the child/young person/vulnerable adult if necessary

##### **DON'Ts**

- **Don't** make promises you can't keep
- **Don't** interrogate the child/vulnerable adult – it is not your job to carry out an investigation - this is the responsibility of the police and social services who have experience in this.
- **Don't** cast doubt on what the child/vulnerable adult has told you, don't interrupt or change the subject.
- **Don't** say anything that might make the child feel responsible for the abuse
- **Don't keep it to yourself or act alone** – make sure you tell your immediate supervisor and TDC's nominated CVAPO immediately – they will take the lead in following up your concerns and seeking further advice.
- **Don't Promise Confidentiality** - Depending on the situation it may be your legal requirement to pass on information.

### 7. Guidelines for making confidential records of concerns

7.1 When a child/vulnerable adult protection concern arises, it is essential that somebody records what is said or seen and what action was taken. These records are extremely sensitive and should be kept in a locked cabinet or drawer. Access should be limited to only the nominated child protection officer and the line manager, the key to the locked cabinet is kept by the TDC Central Services Manager and will only be accessed by the CVAPO and line managers. These records may be shown to the police or social services and could be used as evidence in court, although this is rare.

7.2 A recording form for all incidents is attached to this policy and includes all the necessary information, all workers with support from their line managers and the CVAPO should fill in these reports as fully and comprehensively as possible.

## **8. Taking Action**

- 8.1 If the TDC CVAPO wishes to seek advice about whether to make a referral, or if they want to make a referral, they should contact the Multi Agency Safeguarding Hub (MASH) formerly the Advice, Contact and Assessment Service (ACAS) at mash@brighton-hove.gov.uk, or by telephone: 01273 290400.

The Local Authority will make a decision about the next course of action within 24 hours following discussion with the person making the referral and by liaising with other agencies as necessary. An investigation may then be initiated to determine whether there is 'reasonable cause' to suspect that a child is suffering or is at risk of suffering significant harm. Social Services will advise the project child protection officer as soon as they can.

- 8.2 Other useful telephone numbers:

- Valerie Chisholm (TDC CVAPO) xxxx xxxxxx
- Robert Brown (Deputy CVAPO) xxxx xxxxxx
- Sussex Police 0845 60 70 999
- Childline 0800 1111
- Parent Plus 0808 800 2222
- NSPCC 24-Hour Helpline 0800 800 5000

## **9. Community Groups' Policy development**

- 9.1 Groups with a specific responsibility around child/vulnerable adult care and/or providing children's/vulnerable adult's services should be enabled to develop their own policy. Any community group providing child/vulnerable adult care should develop their own policies in line with Ofsted and other relevant agencies. However, groups may operate under TDC's policy until a time when they are able to adopt their own. Staff shall be supported through this by their line manager.

## **10. Confidentiality**

- 10.1 All staff and volunteers must be aware that any issues around suspected abuse are confidential. Incidents must not be discussed with anyone other than those staff and managers who are immediately involved with the investigation.

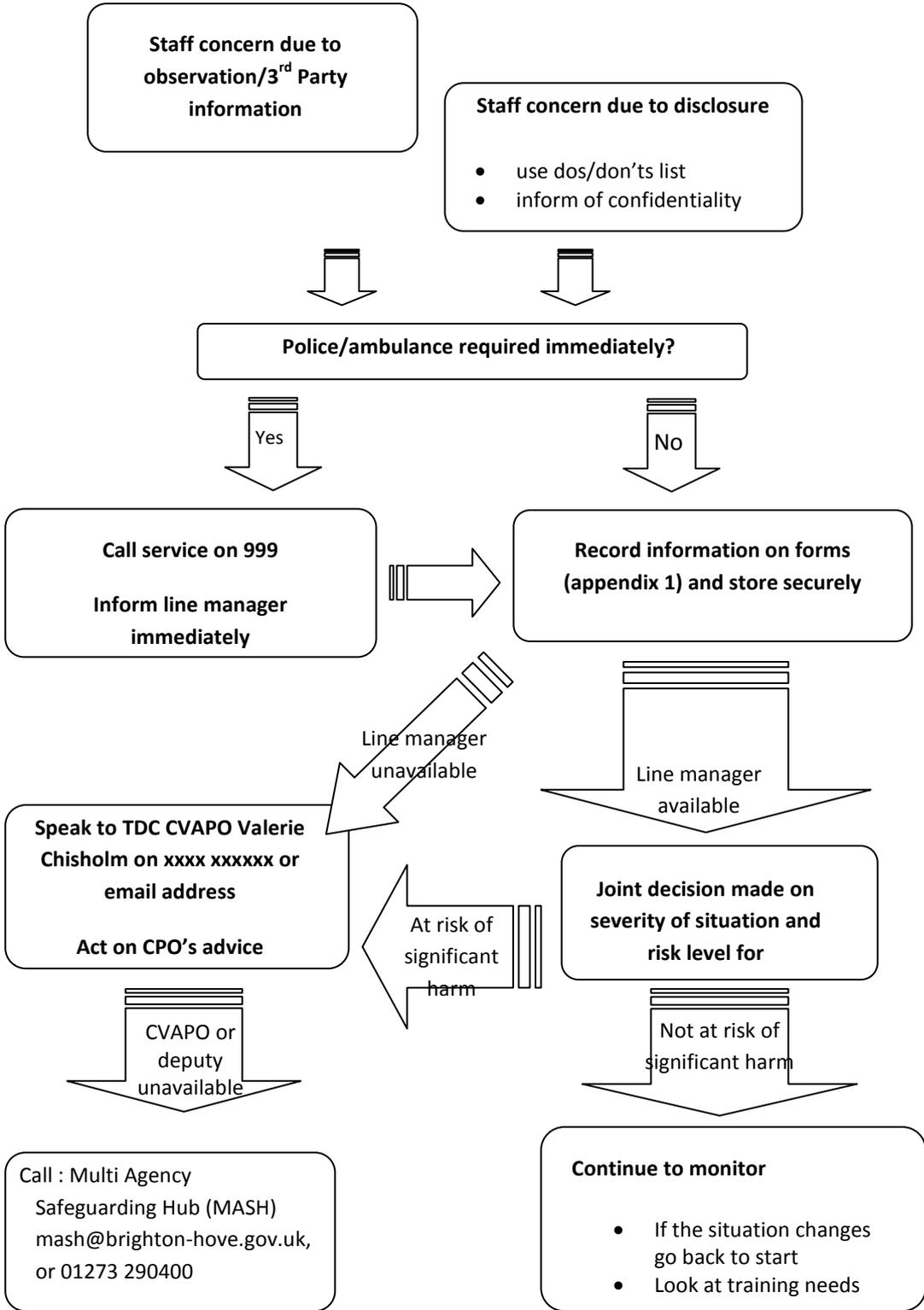
## **11. Use of the Complaints Procedure**

- 11.1 Staff should ensure that the Complaints Procedure is explained to service users and parents/carers where appropriate, so that they are able to voice any concerns and complaints they may have.

*This policy and its associated procedures should be reviewed and updated if there are any changes in legal requirements or every year from the date when last adopted in order to keep all trustees and staff informed.*



# TDC Processes for safeguarding young people and vulnerable adults



If a staff member continues to have a strong concern after a line manager has chosen not to act, the staff member should contact the CVAPO directly having informed their line manager of their intention to do so.