



# Protecting Children and Young People Policy and Procedures

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# Protecting Children and Young People Policy and Procedures

This policy must be read in conjunction with:

- Edinburgh and Lothians Inter-agency Child Protection Procedures issued in Aug 2012
- EYC policies on Confidentiality, Physical Contact, Disclosure Information
- EYC procedures and guidelines on Risk Assessment, Recording and Complaints.

## Safeguarding Lead

Edinburgh Young Carers' Chief Executive, Margaret Murphy, is our Safeguarding Lead and can be contacted on 07852 167708.

## Introduction

Edinburgh Young Carers aims to ensure the protection of all young carers with whom we work. It is the duty of every person who works with the project to take steps to safeguard the welfare of children and young people. Whilst the project provides a level of confidentiality for young carers (about their involvement, personal details, etc. – See: Confidentiality Policy), this does not apply where it is felt that the child or young person may be in danger.

If abuse is suspected or disclosed, the young person should be advised of their rights and to be aware they may need to be passed on at first possible time to allow decision whether to disclose. All workers and volunteers should be aware of the procedure to follow. If possible where the Chief Executive is available, all members of staff will share any concerns with them to agree on the action to be taken.

It should be acknowledged that adults have power over children and may attempt to abuse by exploiting this power. Abusers rely on the fact that the child will be afraid to tell and/or fear the disbelief of those that they do tell. All workers will be aware that children and young people in contact with this project are encouraged and supported in voicing their concerns and know that they will be taken seriously and supported.

EYC has a responsibility both to the young people and to the local authority to ensure good practice. The contents of this paper are provided as an aid to good professional practice within EYC. Important developments in child protection include Getting it Right for Every Child (GIRFEC) Scottish Government (2010). The Scottish Government's GIRFEC endorses the values and principles of the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC highlights the rights of the child, whilst at the same time, the GIRFEC approach emphasises how practitioners across all services for children aim to meet the needs of children, working together to build solutions with and around children, young people and families and where this is in the best interests of the child.

This policy is written with reference to the current Inter-Agency Child Protection Procedures (Aug 2012) from the Edinburgh, Lothian and Borders Executive Group (ELBEG), and has been agreed by EYC staff and the Board of Directors (August 2013).

## Principles

### Overarching principle: The welfare of the child is paramount

This policy sets out what procedures EYC will follow when children and young people may be at risk of abuse or neglect or have been harmed. The protection and wellbeing of the child must remain at the heart of all considerations and decisions and any partnership with parents or other agencies is only undertaken in so far as it is consistent with consideration.

EYC will always consider the child who is the subject of the referral, but must also consider the safety and wellbeing of any other child who may be at risk of harm. Any actions to protect children must be proportionate to the available information and circumstances, and must not cause the child avoidable distress.

EYC will always give children the opportunity to express their views, if they wish, on any matter affecting them. EYC will consider these views in arriving at decisions.

### Joint Working

Child protection is not just the responsibility of any single agency/organisation such as EYC.

Staff and volunteers of EYC working with children are required to work together to share information, assess needs and risks, and plan and deliver services jointly in a co-ordinated approach. Where there are any gaps in services for children the principles of Getting It Right For Every Child (GIRFEC) should be followed to identify needs and secure appropriate services. GIRFEC principles promote action to improve the wellbeing of all children, and state that children and young people must be healthy, achieving, nurtured, active, respected, responsible, included and safe.

**Sharing information is essential to child protection. Scottish Government and agency expectations are explicit:**

*‘Where there is reasonable cause to suspect or believe that a child may be at risk of harm, this will always override a professional or agency requirement to keep information confidential’*

**The safety, welfare and wellbeing of a child are of central importance when making decisions to lawfully share information with or about them’ National Guidance for Child Protection Scotland (2010).**

### Roles and Responsibilities – Lead Professional

- EYC adheres to the GIRFEC approach where a Lead Professional plays a key role.
- EYC staff such as a Development Worker may be appointed as a Lead Professional.
- A Lead Professional:
  - May be appointed where the needs of the child or young person are complex and where 2 or more agencies need to work together
  - makes sure that the child or young person and family understand what is happening at each point so that they can be involved in the decisions that affect them

- promotes teamwork between agencies
- ensures the child's plan is implemented and reviewed.

## Policy Statement

EYC takes seriously its role and responsibilities when ensuring the protection of young carers with whom we work. To this end, EYC will work in line with the principles and practices as detailed in the Edinburgh and Lothian's' Inter-agency Child Protection Procedures (August 2012). The rights and interests of the child will always remain paramount in any action, within which EYC participates or which EYC instigates. EYC recognises that no single agency has the monopoly when managing child protection issues, to this end EYC are committed to working in partnership with statutory and voluntary agencies to ensure full and frank investigation and continuous support for the young person

The aim of this policy statement and procedure note is to inform stakeholders of EYC's ethos with regard to Child Protection and to ensure that there is clarity with regard to the process, which will be followed in the light of any disclosures or allegations.

## Definitions and Action

### Definition of young carer

EYC defines a young carer as 'a child or young person aged under 18 who has a significant role in looking after someone else who is experiencing illness and disability' - *Getting it right for Young Carers: The Young Carers Strategy for Scotland (2010)*.

### Abuse

All instances of child abuse involve the elements of a power imbalance, exploitation and the absence of true consent, whether they concern acts of commission or acts of omission. Child abuse may involve physical injury or neglect, emotional abuse, non-organic failure to thrive, sexual abuse or abuse by other young people or children. A full definition can be found in the Inter Agency Child Protection Procedures (August 2012).

Any worker or volunteer at the project who suspects abuse in any form must:

- Discuss their concerns with the Chief Executive: sessional workers and volunteers to discuss with specific group leader; or
- If urgent, and the Chief Executive is not available, discuss with the area Social Work Department or Emergency Social Work Team.

If there is an immediate threat or danger to the child, (e.g. a threat of violence by a parent) it may be considered that the Police or Social Work must be informed without the knowledge of the child. As with other matters, this may be discussed by the team and will be in agreement with the Head of Service.

## Recording Incidents

Records must be kept of all telephone conversations and/or written submissions. All initial and subsequent reports must be approved by the Head of Service and agreed with any partner agencies if they are involved in the situation/observation or conversation that leads to the suspicion of abuse. All written reports should:

- Focus on factual information
- Record dates and times of factual information
- Make clear the distinction between fact, opinion and hearsay
- Follow the procedures as outlined in the flow chart on Appendix 1
- Take account of the fact that our files are accessible to the children and young people, who will ultimately have access to the information given.

Informing parents of any action taken may assist in future relationships between the project and the family. However, there is no legal requirement to obtain consent to investigate a child protection concern. Conversely, where possible, EYC staff engaging with parents/carers should try to gain their full co-operation in any decisions, actions or measures necessary to protect their child from abuse or harm. As stated earlier, the welfare of the child is the primary concern and must be considered fully before undertaking any contact or partnerships with parents. According to guidance from the Social Work Department;

*‘It is recognised that there may be times when agencies decide not to share some information with parents. In these situations agencies will operate from the principle that the need to protect the child is the paramount consideration.’*

After the case has been referred to Social Work, Development Workers may be asked to provide further information in the form of reports or input to case conferences, panels etc. Again the response will be agreed within the team and with the Chief Executive.

Occasions arise where information is given to Development Workers by parents or young people which is sensitive and which they wish to be kept confidential at that point: or a worker may want more time to consider whether there is cause for concern about a child. Simply writing these facts in the open access file of a young person may be inadvisable at that point. A young person may read the file without proper discussion and it may take away from the very positive feedback recorded. In such instances a second, ‘restricted access’ file will be opened which, although it could at some point be open to the child, will require a more formal meeting and discussion before it becomes accessible. This file will contain any restricted information and all references to child protection issues will be recorded in this file.

## Procedural Note

### Introduction

This procedural note aims to ensure the protection of young carers, staff and the reputation of EYC when dealing with disclosures or allegations of abuse made by a child who we work with.

EYC recognises that no single agency has a monopoly in the identification and management of child abuse. EYC will always work in partnership with statutory and voluntary agencies to ensure that the rights and the interests of the child remain paramount.

EYC recognises that child abuse may involve physical injury, physical neglect, emotional abuse or sexual abuse – a full definition can be found in the Edinburgh and Lothian's Child Protection Procedures (Aug 2012).

### Recruitment of staff and volunteers

To safeguard the welfare of children and young people in contact with the project, workers should strive to minimise the situations where it may be possible for children to be abused. As the Young Carers Project often requires one-to-one working it is especially important that workers (paid and unpaid) are interviewed thoroughly and full checks and references are taken up. Steps will also be taken to find out if a worker has a relevant criminal record or other information is known which indicates they may pose a risk to children or young people (Enhanced Disclosure check). Workers will also be supervised and work observed so that possibilities for abuse are minimised.

### Child Protection Awareness Training

EYC will ensure that all staff and volunteers will attend the relevant Child Protection courses and ensure access to regularly updated information on child protection procedures.

Detailed below is the procedure which must be followed (see also attached diagram):

- Report your concerns to your **Chief Executive**, sessional staff and volunteers report to specific group leader
- If the Chief Executive is not available and the matter is urgent then contact the appropriate social work office
- **If it is agreed that further steps are necessary then the Emergency Duty Social Worker should be contacted.**

### Promoting Good Practice and a Protective Culture within EYC

All paid staff and volunteers must demonstrate exemplary behaviour in order to protect themselves from false allegations. Below are examples of how to create a positive and protective culture

#### Good Practice

- Always put the welfare of each young person first before achieving goals
- Treat all young people with respect and dignity
- Always work in an open environment, avoid private or unobserved situations. Contact with young people must be made where other staff can see and it may be necessary to use public places such as a café. When having a 1:1 with a young person in a room, it should ideally have a viewing window or CCTV. Where this is not possible the door must be left open
- Maintain a safe and appropriate distance with young people
- Sometimes it may be necessary to do things of a personal nature for young people, for example in an emergency situation. If you must use physical contact, clearly tell the person what you are doing and why, seek their permission and give choices where possible. Ensure that you record your actions in the incident/accident book.

### *Practice to be avoided*

- Travelling alone with a young person. If this is unavoidable it must only take place with the prior permission of the Chief Executive
- Putting yourself in a position where you are working unsupported with a young person, unless where a 1:1 is taking place
- Making sexually suggestive comments to young people – even in jest
- Allowing inappropriate, foul, sexualised or discriminatory language, to remain unchallenged.

### *Residential setting supervision guidelines*

Always risk assess sleeping arrangements; each group and setting will differ. The following points must be considered:

- Avoid putting young people and adults together
- When using single sex dorms having two members of staff present may avoid allegations made on staff
- Single sex dorms with staff in separate dorm protect staff but this does not protect young person to young person abuse
- It is important to remain vigilant at all times.

## Disclosure Process

### What to do in light of a Disclosure

The welfare of the child is of paramount importance and any worker or volunteers at EYC who suspects abuse or who is the recipient of a disclosure must adhere to the following strict guidelines:

- Respond calmly so as not to deter the young person
- Re-assure them that you are glad they have told you, and that it is not their fault
- At the earliest opportunity remind the young person of our confidentiality policy and explain what this means (See: Confidentiality Policy)
- Allow the young person to tell you what happened in their own words
- It is important to clarify what you have heard and to establish the facts. Avoid asking leading questions and do not ask the young person about explicit details
- If possible make brief notes during the disclosure and explain to the young person why you are doing this
- EYC staff should not promise to keep information to themselves; all concerns or allegations of abuse must be raised. At this point the young person should be informed of your concern and intention to take the matter further and let them know what they intend to do
- Discuss their concerns with the Chief Executive; Sessional Workers and Volunteers to discuss with specific group leader; or
- If urgent, and the Chief Executive is not available, discuss with the area Social Work Department or Emergency Social Work Team
- If, after further discussion, it is agreed that action is needed, there will be a referral to either the Social Work Department or the Police
- Treat the disclosure as a matter of urgency
- **Record each discussion and meeting.**



EYC will co-operate with the investigating body fully, providing reports, attending meetings etc.

EYC will continue to support the child or young person throughout the process.

EYC will continue to support the worker throughout the process.

## Lone Working

To safeguard the welfare of children, young people and staff it is imperative that a fully recorded risk assessment is undertaken as an integral element of an individual assessment of need and before progressing with any individual work (See: Lone Working Policy).

## Appendix I

### Procedure for Child Protection Concerns – flow chart

