



Positively Safe:

A practical guide to
safeguarding

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Foreword

Acknowledgements

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As head of Safe Network, the new safeguarding unit for the third sector in England, I am very aware of the challenges that safeguarding children presents to many community and voluntary organisations. Keeping children safe is increasingly becoming a key priority for all organisations working with children, young people and families and creating a safe organisation should be built into everything we do. This can feel like a big task for busy organisations. This booklet aims to help you find your way around the safeguarding agenda, including the new responsibilities laid out by the Vetting and Barring Scheme, and to act as a guide through tasks such as creating sound recruitment procedures and writing clear and accessible policies. It has signposts to additional resources and activities that I hope you will find helpful in working towards making your organisation a safer one.

Safe Network is has been set up by the NSPCC and Children England with funding from the Department for Children, Schools and Families. We aim to work with the wide diversity of third sector organisations that come into contact with children and young people, either as the core of their activities or as part of a wider remit, providing information and advice on protecting children, preventing bullying and ensuring that activities for children and young people are as safe as they can be. *Positively Safe* is an excellent addition to the range of resources to help organisations achieve these aims.

John Brownlow
Director, Safe Network

Introduction:

Safeguarding or stifling? Getting the balance right

From a very young age children develop their skills and capabilities by exploring limits and trying out new experiences. To do that means taking risks. But children also need to stay safe and secure. Organisations working with children and families will be familiar with the need to balance risk and safety, the need to provide a dynamic and challenging environment while ensuring the children in their responsibility do not come to avoidable harm.

All organisations have a duty of care to both their service users and their workers, particularly when they are working with children and young people. Because of children's dependency upon adults, high standards must apply to organisations working with children and young people to ensure that they remain safe and sound. Safeguarding is about ensuring that relationships of trust are not compromised, preventing things from going wrong at an organisational level and having the right protocols and procedures in place in case things go wrong.

However, no organisation is the same and policies and procedures need to be relevant to the organisation applying them. They should be clear and accessible to everybody involved in the organisation – both workers and beneficiaries. Policies and procedures work best when they are understood by the children and young people they are designed to serve.

Clearly it is in the best interest of all voluntary and community organisations and their services to have effective safeguarding systems and practices in place. Additionally, Section 11 of the Children Act 2004 places a statutory duty on all agencies – whether they are public, private or voluntary – delivering services with public money, to do so. What this means is that organisations will need to follow best practice in safeguarding and promoting the welfare of children and be able to evidence it if they want to receive any kind of public money.

The key features of this evidence are having:

- a commitment to the importance of safeguarding and promoting children's welfare;
- a clear statement of the agency's responsibilities towards children available for all staff;
- clear lines of accountability within the organisation for work on safeguarding and promoting the welfare of children;
- service development that takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families;
- staff training on safeguarding and promoting the welfare of children for all staff working with or in contact with children and families;
- safe recruitment procedures in place, including registration with the Independent Safeguarding Authority, if applicable;
- effective inter-agency working to safeguard and promote the welfare of children; and
- effective information sharing.

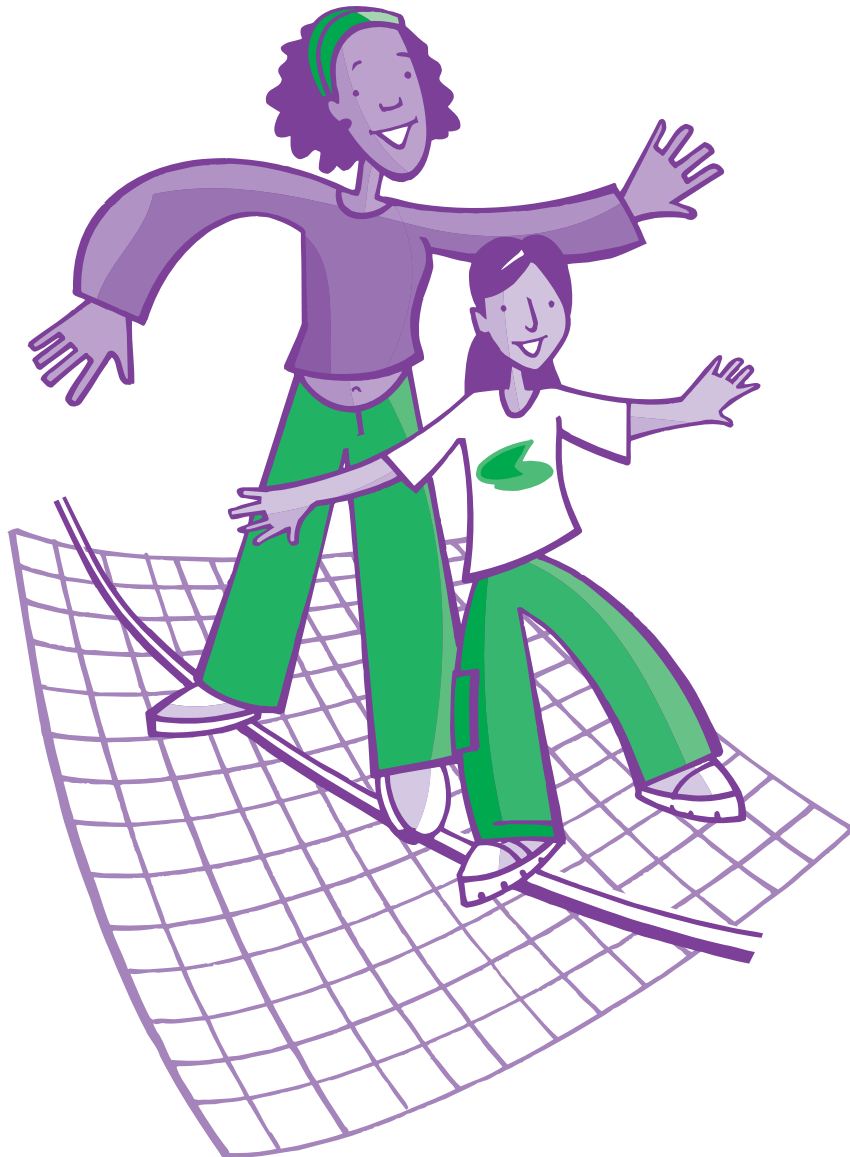
www.everychildmatters.gov.uk

By following some key principles, which are outlined in this booklet, your organisation should be able to strike a balance that helps create a safe, but not stifling organisation. The most important element is to base organisational practices on child-centred principles, which includes valuing workers, whether they are paid staff or volunteers, who are responsible for children's well-being.



Chapter 1:

Taking risks



Primary emphasis should be placed on the needs and development of children, young people and families and not on organisational or professional requirements.

In any activity there is an element of risk. The task for projects and organisations is to assess potential hazards (anything that can cause harm) and decide the level of risk (the chance, high or low) that somebody will be harmed by that hazard. This is called a risk assessment and it will help you to think carefully about how safe your organisation is and enable you to minimise risks in order to maximise the benefit that children, young people and families get from your organisation. A risk assessment involves making judgements about the balance between risks and benefits and should consider the potential of physical, social and psychological harm.

Risk tolerance

The level of risk an organisation is willing to accept determines how 'risk tolerant' it is. This will be different for each organisation, but in any case should not put children and young people in the way of undue harm. Parents and carers, and children and young people using the service, should be made aware of and agree to the level of risk that is seen as acceptable by an organisation.



How to assess and manage risk

We cannot completely remove all possibility of risk from children and young people's lives, and we would not want to. We can, however, make sure that we have done as much as possible to minimise or manage the risk of anyone coming to harm while ensuring that the service or project is not jeopardised or undermined.

It is likely that your organisation will already have good safeguarding and risk management systems in place, but it is worth having regular audits of your organisation, including looking at how projects are run, who runs them, what policies are in place and how current those policies are to your work.

Chapter 1: Taking risks – continued

Doing this should give you a practical understanding of situations where children, young people or workers may be vulnerable and highlight where and how harm or injury could happen. This will make safe practice more real to your organisation and will enable you to understand which policies and practices you really need to safeguard children and young people.



Carrying out a risk assessment

The people who carry out an activity on a regular basis will be the best placed to assess the associated risks. It makes sense to involve a wide range of people in the process, including staff, volunteers, children, young people and families involved in your service.

The Health and Safety Executive (HSE) provides a very helpful guide called *Five Steps to Risk Assessment*. The guide can be downloaded from www.hse.gov.uk/pubns/raindex.htm and includes an example risk assessment template. The five steps to risk assessment are:

1. Looking for the hazards.
2. Deciding who might be harmed.
3. Deciding the risks (high, low or medium) to see whether existing precautions are adequate or whether more needs to be done.
4. Recording your findings and what action might need to be taken.
5. Review and revise your assessment.

As a starting point:

People

- Children and young people are not normally left unattended.
- An adequate number of workers of both sexes are needed to supervise activities, which varies according to the age of the child. For example, there needs to be one worker for every eight children between five and eight years old.
- Any activity using potentially dangerous equipment needs constant adult supervision, training and protective clothing, where necessary.
- All methods of transport need to be risk assessed.
- Parental consent may be necessary for certain activities.
- Information should be collected about children's allergies, medical problems or any special needs.
- Respect for privacy of children and young people is essential and you will need to think about this in terms of areas such as changing rooms, showers and toilets and give thought to activities such as overnight stays.

Places

- Buildings being used need to be safe and should meet required standards, such as fire and health and safety.
- Toilets, shower areas and washing facilities should be up to standard.
- There should be sufficient heating and ventilation.
- Fire precautions need to be in place.
- First aid facilities must be readily available and adequate.
- Equipment must be adequate and checked regularly.
- There needs to be access to a telephone.
- Insurance cover should be adequate and cover all necessary activities, transport and public liability.



Extra Information

Health & Safety at Work Act 1974

The Management of Health & Safety Regulations 1999

Health and Safety Executive (HSE) provides health and safety information, advice and guidance. Contact the HSE on www.hse.gov.uk or 0870 154 5500.

The Dignity of Risk: a practical handbook for professionals working with disabled children and their families can be purchased for £30 from Central Books on ncb@centralbooks.com or 0845 458 9912.

Volunteering England has a number of useful resources on their website, including a *Good Practice Bank* and a risk toolkit www.volunteering.org.uk

Keeping it Safe: a young person-centred approach to safety and child protection is a toolkit for developing safeguarding policy and practice and includes a risk assessment model. Contact NCVYS on www.ncvys.org.uk or 020 7235 1010.



Safeguarding Checklist: Five steps to risk assessment

Step 1 – What are the hazards?

Spot hazards by:

- walking around your workplace;
- asking your employees what they think;
- visiting the *your industry* areas of the HSE website or calling the HSE Infoline;
- calling the Workplace Health Connect Adviceline or visiting their website;
- checking manufacturers' instructions; and
- contacting your trade association.

Don't forget long-term health hazards e.g. stress or bad chairs.

Chapter 1: Taking risks – continued



Safeguarding Checklist: Five steps to risk assessment – continued

Step 2 – Who might be harmed and how?

Identify groups of people.

Remember:

- Some workers have particular needs.
- People who may not be in the workplace all the time.
- Members of the public.
- If you share your workplace think about how your work affects others present.

Say how the hazard could cause harm.

Step 3 – What are you already doing?

List what is already in place to reduce the likelihood of harm or make any harm less serious.

What further action is necessary?

You need to make sure that you have reduced risks 'so far as is reasonably practicable'. An easy way of doing this is to compare what you are already doing with good practice. If there is a difference, list what needs to be done.



Step 4 – How will you put the assessment into action?

Remember to prioritise. Deal with those hazards that are high-risk and have serious consequences first.

Action by whom

Action by when

Done

Step 5

Review date:

- Review your assessment to make sure you are still improving, or at least not sliding back.
- If there is a significant change in your workplace, remember to check your risk assessment and where necessary, amend it.

*Taken from HSE Five steps to risk assessment.

Chapter 2:

Including children and young people in the safeguarding process



Children and young people have a right to be listened to and heard. Their views, however communicated, should always be respected and taken seriously.

You should be placing the views of children and young people at the centre of the safeguarding process. Using young participants to shape your policies and systems will help ensure that your organisation has a culture of honesty and openness and that key safety issues are identified by children and young people. Think about how you can involve young participants in the different activities of your organisation as you work to make it safe. For this to be successful:

- make it interesting and fun;
- make it rewarding;
- think about involving a wide range of children and young people on an on-going basis;
- think about how participants will be elected or selected and their potential roles or responsibilities;
- use plain language which is jargon-free;
- provide clear and helpful information so that children and young people can decide whether or not they want to be involved;
- give time and provide support so that the young participants can talk about and think through options in an honest, non-judgemental environment which is comfortable, accessible, private and culturally appropriate;
- take into account any additional needs that young participants might have;
- put children and young people in touch with a mentor or other adult who can support them to represent their views;
- ensure there are clear procedures in place to deal with a child or young person telling of abuse;
- allow young participants to pull out of an activity at any time; and

- think about the individual roles and responsibilities of adults involved in the process.

There are resource implications with real participation, particularly with ensuring that everybody has a chance to contribute, not just those children and young people who find it easiest to speak up. If you really want everybody's view you may have to invest extra time and creativity supporting some young participants.



Extra Information

UN Convention on the Rights of the Child (UNCRC) www.unhchr.ch

Children's Rights Alliance for England (CRAE) Tel: 020 7278 8222 or e-mail: info@crae.org.uk or visit www.crae.org.uk

Taking Part Toolkit: promoting the real participation of children and young people. Contact Barnardo's for more information www.barnardos.org.uk or 020 8550 8822.



Safeguarding Checklist:

How well do you utilise young participants and what can you do better?

	As much as possible	Room for improvement	Very little	Action required
Listening to children				
Supporting children to express their views				
Taking children's views into account				
Involving children in decision-making processes				
Enabling children to share power & responsibility for decision-making				

Chapter 3:

Recruitment, supervision and training for staff and volunteers

The quality of services to children and young people depends on the skill and commitment of those who deliver them, whether paid or unpaid, and the support they receive.



Eight steps to recruiting safely

Rigorous procedures will help send out a message that your organisation is a safe place for children, young people and families. When recruiting, make sure that the person responsible for recruitment has had appropriate training.

Do all your paid and unpaid staff:

1. Complete an application form?
2. Provide at least two references?
3. Produce two pieces of identification?
4. Attend an interview?
5. Have a CRB check?
6. Register with the Independent Safeguarding Authority's Vetting and Barring Scheme (from July 2010)?
7. Have an induction and receive training?
8. Have a trial period?
9. Receive regular supervision and appraisal?

Step 1: Application form

An application form can help answer the following questions:

- What experience does the applicant have of working with children and young people?
- What is the job history of the applicant?
- Are there any gaps that are not explained?

When designing an application form make sure that it is not too complex as you will not want to lose potentially good people who find the form too complicated to complete.

The form should ask for specific information:

1. The name and address of the applicant.
2. Previous paid or voluntary experience working with your client group.
If the applicant provides an incorrect or misleading answer, you are entitled to ask for more information and can choose to end the appointment process, if necessary.
3. You may want to ask them to write about why they want the job and give them the opportunity to explain how other work experience that may not be directly relevant has given them transferable skills or understanding that will be useful to the role.
4. Applicants will need to declare any past criminal convictions or cases pending against them. They will need to sign a statement that they believe there is no reason why they would be unsuitable to work with children or young people. The statement could read, *“Because the work involves contact with children and young people you are required by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 to declare all convictions, including spent convictions”*.

5. Include a statement that any information declared about convictions will be treated in confidence and will not be used to unfairly prejudice the applicant's possible recruitment. A statement expressing an organisation's willingness to consider ex-offenders should be included with all job information sent to applicants, for example, *“Having a conviction will not necessarily prevent you from working for this organisation”*. Your organisation must have a clear policy that says which applicants are unsuitable.

The form should be supported by two essential documents.

1. Job/role description

Draw up a clear and concise description of the job (for paid staff) or role (for volunteers). This should include a summary of the main purpose of the position and a list of tasks. If you are unsure, check with people who have previously done the work or with other agencies working with your client group about what should go into the description.

2. Person specification

Draw up a short list of 'essential' and 'desirable' qualities, experience and skills that the ideal candidate would have.

Chapter 3:

Recruitment, supervision and training for staff and volunteers – continued

Step 2: References

Applicants should provide references from:

- the last employer; and
- an organisation that has knowledge of the person's work with children and young people.

There may be applicants who have not worked with children before. You can have some simple guidelines to help you use references to assess their suitability and ensure that they are not needlessly excluded from consideration.

- A referee should not be a family member.
- The referee should know the applicant in a professional capacity or from within the local community.
- Ensure that you ask how long the referee has known the applicant.
- Include a contact number and make it clear that referees can contact you to discuss any worries or queries that they may have.
- Always follow-up referees with a phone call or email to make sure they are genuine and to give them the opportunity to say something that they might not have included in their written reference.

Step 3: Identification

You should see at least two pieces of documentation that confirm the identity and address of the applicant. One of these should include a photo, ideally a driving licence or passport. Additional acceptable forms of identification are bank statements or utility bills.

Step 4: The interview

- At least two people should make up the interview panel, though three is preferable. The panel should reflect the nature of the organisation and the service users.
- If you include parents or children and young people on the interview panel you will need to think carefully about how they are included, how you prepare them and how much influence in the decision-making process they will have.
- Everyone on the panel should be properly prepared and have appropriate training.
- Agree a format for the interview and questions in advance.
- Questions should be relevant to the job/role description and be fair and open. The same questions should be asked of all candidates.
- Ask questions to draw out attitudes towards children and young people and values around protecting children and young people.
- Ask the candidate if they have a criminal record. If the answer is yes, ask if the conviction affects their suitability to work with children and young people. Details about convictions should only be requested from people invited to interview.
- Candidates should be told in writing that relevant convictions will be discussed at the interview in order to assess job-related risks.
- Explain about references, CRB or Independent Safeguarding Authority registration (see below), agree what will happen next and when you expect to be in touch again and check that you have the correct contact details.

Remember, interviews are not the only way of finding out whether a candidate is suitable. Role plays or group exercises, for example, can assess how people interact with others.

Be aware of the following common mistakes made in interviews:

Be aware of your own reactions to the candidate's age, sex, accent, appearance or personality.

Make sure you do not make a personal decision about a candidate's suitability too early on in the interview.

Step 5: Screening for criminal convictions

There are two ways of finding out if a potential worker has ever been convicted of a criminal offence.

- Ask the applicant – in the application form and in the interview.
- Ask the Criminal Records Bureau to check for a criminal record.

Potentially good people are being turned down because they declared minor or irrelevant offences that took place a long time ago.

- Is the conviction relevant to the job?
- How serious is the offence?
- Does the candidate have a pattern of offending behaviours?
- Have the applicant's circumstances changed?
- What are the circumstances surrounding the offence?

You can always say “no” to an unsuitable candidate. It is best if you can lead applicants to come to this conclusion on their own. If this does not work, it is important to tell applicants exactly why you think they are not suitable for the work.

The Vetting and Barring Scheme

From October 2009, the system for checking the suitability of potential employees and volunteers will start to change. The new Vetting and Barring Scheme will require all paid employees and volunteers who work with children (or vulnerable adults, though for the purpose of simplicity we will use the term ‘children’ in this publication) to be registered with the Independent Safeguarding Authority (ISA) before commencing work. The ISA was created specifically for the Vetting and Barring Scheme and will work in partnership with the Criminal Records Bureau (CRB), which will gather relevant information on every person who wants to work or volunteer with vulnerable people.

The CRB will receive applications to the ISA and will gather and monitor information. It will also use the information previously found in:

- The Protection of Vulnerable Adults (PoVA) list.
- The Protection of Children Act (PoCA) list.
- List 99 (a list of people considered unsuitable for work with children, held by the Department for Children, Schools and Families).

The ISA will be responsible for assessing this information and deciding who should be placed on barred lists, i.e. who will not be permitted to work with children, and for keeping a record of those individuals. There will be a single list of those barred from working with children and a separate, but aligned, list of those barred from working with vulnerable adults.

A distinction is made between *regulated* and *controlled* activity.

What is ‘regulated activity’?

- Any activity of a specified nature that involves contact with children or vulnerable adults frequently, intensively and/or overnight – such activities include teaching, training, care, supervision, advice, treatment and transportation.
- Any activity that is in a specified place that involves contact with children or vulnerable adults frequently or intensively – such places include schools and care homes.

Chapter 3:

Recruitment, supervision and training for staff and volunteers – continued

- Fostering and childcare.
- Any activity that involves people in certain defined positions of responsibility – such positions include school governor, director of social services and trustee of certain charities.

'Regulated activity' is when the activity is frequent (once a month or more) or 'intensive' (takes place on three or more days in a 30-day period).

How does 'regulated activity' work?

- Anyone providing a regulated activity must be registered with the ISA.
- It will be a criminal offence, punishable by up to five years in prison, for a barred individual to take part in a regulated activity for any length of time.
- It will be a criminal offence for an employer to take on an individual in regulated activity without checking that person's status.
- It will be a criminal offence for an employer to allow a barred individual, or an individual who is not yet registered with the ISA, to work for any length of time in any regulated activity and can result in imprisonment or a fine of up to £5,000.

What is a 'controlled activity'?

- Frequent or intensive support work in general health settings, the NHS and further education – such work includes cleaners, caretakers, shop workers, catering staff, car park attendants and receptionists.
- Individuals working for specified organisations (e.g. a local authority) who have frequent access to sensitive records about children and vulnerable adults.
- Support work in adult social care settings – such jobs include day centre cleaners and those with access to social care records.
- 'Controlled activity' is when this type of activity is 'frequent' (once a month or more) or 'intensive' (takes place on three or more days in a 30-day period).

How does 'controlled activity' work?

- It will be a criminal offence for an employer to take on an individual in a controlled activity without checking that individual's status.
- An employer can permit a barred individual to work in a controlled activity only if sufficient safeguards are put in place.

No distinction is made between paid and unpaid work, and all rules will apply to both volunteers and employees.

There will be a £64 fee to apply to the scheme, paid once by the employee, and individuals will not need to apply again if they change jobs. Fees will be waived for volunteers, although if they later need to be part of the scheme for paid work they will be required to pay the fee. Employers or volunteer-led organisations will not be charged to check the ISA status of potential employees or volunteers. Employers with a legitimate interest in a person registered with the scheme can sign up to be automatically contacted should their status change – that is, if new information leads to an ISA decision to bar them.

The scheme will be phased in over five years from 12 October 2009.

From 12 October 2009:

- two new ISA barred lists will be created;
- access to these new ISA lists will be available upon request as part of an Enhanced CRB check;
- eligibility for Enhanced CRB checks will expand to include more employment and voluntary positions; and
- standard CRB checks will no longer be available for those working with children or vulnerable adults.

From July 2010:

- individuals will be able via Registered/Umbrella Bodies, to apply to the CRB for ISA-registration if they are applying to work with children and/or vulnerable adults in England, Wales and Northern Ireland;
- employers will be able to express an interest in a person's ISA-registration and be informed of any changes to that person's ISA-registration status; and
- the CRB will introduce a new application form to allow applications for ISA-registration and CRB checks to be made on the same form.

From November 2010:

- it will be a legal requirement for individuals to register with the ISA if they intend to work or currently work with children and/or vulnerable adults in England, Wales and Northern Ireland. www.isa.gov.org

An ISA registration will only tell you that there is no known information preventing an individual from working with children. As an employer or volunteer-involving organisation you may need to know additional information for a particular role that would only be disclosed through an Enhanced CRB Disclosure, such as whether the individual has been convicted of fraud. In this case, in addition to checking the individual's ISA status, you will also need to apply to the CRB for an Enhanced Disclosure. An application for a CRB check can be done via a local umbrella body registered with the CRB, and these are listed on the CRB website www.crb.gov.uk

It is important to keep in mind that checking an individual's ISA status is the minimum safeguard used to prevent unsuitable people working with children. Potential abusers will often not have been previously cautioned or convicted of a related offence; a check cannot predict the future.

Step 6: Induction and trial period

Induction is initial training given to someone who starts a new post. It will give workers knowledge about working safely and effectively with children and young people, information about the organisation, including its purpose, values and services, and an understanding of how their work fits into the wider work of the organisation.

Induction should include:

- the role, responsibilities and expectations of the job and its limitations;
- the structure, history and values of the organisation and the services it provides;
- the organisation's policies and procedures, including its safeguarding and child protection policies;
- meetings with other staff and volunteers;
- the skills needed for the work and resources available to support the worker.

Additionally, the Children's Workforce Development Council (CWDC) has developed a set of induction standards which set out what new workers should know, understand and be able to do within six months of starting work.

These include:

- understanding the principles and values essential for working with children and young people;
- understanding the role as a worker (employed or self-employed);
- understanding health and safety requirements;
- knowing how to communicate effectively;
- understanding the development of children and young people;
- safeguarding children (keeping them safe from harm); and
- developing oneself.

Chapter 3:

Recruitment, supervision and training for staff and volunteers – continued

A trial period (or probationary period) is a length of time given to a person in a new post to see if he or she and the organisation are compatible. If the trial period doesn't work out, the organisation can release the person. Trial periods also allow the staff member or volunteer to decide if the job meets expectation. Paid and voluntary appointments usually have a trial period, often three months, which can be extended if there are concerns on either side. Only confirm an appointment if you are satisfied that the person is suitable.

Step 7: Supervision

This is a time for workers to reflect on their own development and issues which affect their work, including concerns in the workplace. It will enable problems to be shared and dealt with at an early stage. Paid workers should have supervision once a month. Because the people who volunteer usually have little extra time on their hands, it is sometimes more difficult to arrange formal supervision. However, this is not an excuse for supervision not taking place at all.

Volunteers should know who their supervisor or support person is. If working with a large number of volunteers, it may be appropriate to run group supervision as well as individual supervision. Individual supervision should be held at least once every three months. Supervision of volunteers can include a quick conversation after a session where any particular needs can be followed up.

The relevant supervisor could also drop in on a session to see how it is going and get a feel for any difficulties, problems or achievements that are happening.

Step 8: Appraisal and training

Appraisals should take place once or twice a year. They provide an opportunity to look in more detail at how workers feel and allow for discussion on career development. It allows the supervisor and worker to raise any concerns that may have built up over a period of time. It also provides an opportunity to review any changes in the personal circumstances of the worker, for example, family or health problems. Appraisals can provide an opportunity to check that workers feel confident about using policies and procedures and to identify training gaps and a programme or course that will meet the worker's training needs.

Workers undertaking specialist roles, for example, interviewing, need to be provided with appropriate training.



Extra information

Criminal Justice & Court Services Act 2000

Protection of Children Act 1999

Data Protection Act 1998

Police Act 1997

Rehabilitation of Offenders Act 1974

www.ncsl.org.uk has an online training package to support safer recruitment in schools. It has useful guidance and information, although it was developed for educational settings.

Criminal Records Bureau **www.crb.gov.uk**

Independent Safeguarding Authority **www.isa.gov.org.uk**

Recruiting, Retaining and Developing Disabled Volunteers: Guidance for Volunteer Opportunity Providers can be downloaded from Volunteering England's Good Practice Bank at **www.volunteering.org.uk**

www.surestart.gov.uk has a number of resources for safe recruitment into early years settings.

The Warner Report, *Choosing with Care*, 1992.

Guidance from CRB and the Office of the Third Sector on CRB checks and volunteering.

www.crb.gov.uk/pdf/OTS_CRB%20Volunteer%20Guidance.pdf





Safeguarding Checklist:

Have a look at the 8 steps to recruiting safely.

Do all your paid and unpaid staff:

	Paid – Yes	Paid – Action Required	Unpaid – Yes	Unpaid – Action Required
Complete an application form				
Provide at least 2 references				
Produce 2 pieces of identification				
Attend an interview				
Have an induction and receive training				
Receive regular supervision and appraisal				
Have a criminal records check if they are in regular contact with children				

Chapter 4:

Code of conduct for workers, parents, children and young people



Children and young people have the right to the means to develop a personal identity, self respect, awareness of their own worth and a sense of responsibility.

Two key pillars of a safeguarding culture are rigorous risk assessments and a code of conduct. It is essential that everyone involved in your organisation knows what behaviour is acceptable and what is not. Creating a safeguarding culture within an organisation is much easier if everyone is fully aware of the behaviour and conduct that is expected from all.

A code of conduct should help workers avoid getting into situations where they may make themselves vulnerable and open to false accusations and will encourage paid staff, volunteers, children and young people to become alert to potential situations of abuse and danger, and to report concerns and unacceptable behaviour.

A code of conduct should:

- be simple and straightforward and not include too many rules;
- involve children and young people, parents, carers, and workers in its development;
- take into account safeguarding concerns including bullying, discrimination, violence, aggression and abusive behaviour and language;
- include a statement on your organisation's policy on smoking, alcohol and drugs;
- include rules on appropriate physical behaviour and social relationships with children and young people;
- give people the confidence to carry out their roles and develop positive relationships with children and young people;
- avoid being a negative list of rules and include positive statements about how your organisation expects workers to act towards children;

- include details of what will happen if a child, young person or staff member breaks any aspect of the code: everybody should be given the opportunity to decide and agree on what should happen if aspects of the code are broken;
- be supported by an incident book that records whether a child or young person or worker is affected by a breach of the code of conduct, which will enable you to keep a check on repeated patterns of behaviour;
- be made known to all paid staff, volunteers, children and young people using the organisations as well as to parents and carers;
- be displayed or shown to everyone associated with the organisation; and
- be updated regularly.

Examples of negative statements:

- No shouting.
- No smacking.
- No discriminative or bad language.
- Nobody should be disrespectful to anybody else.

Examples of positive statements:

- Be good role models for children and young people.
- Listen to children and young people.
- Praise children and young people for good behaviour.
- Treat everybody with respect and dignity.

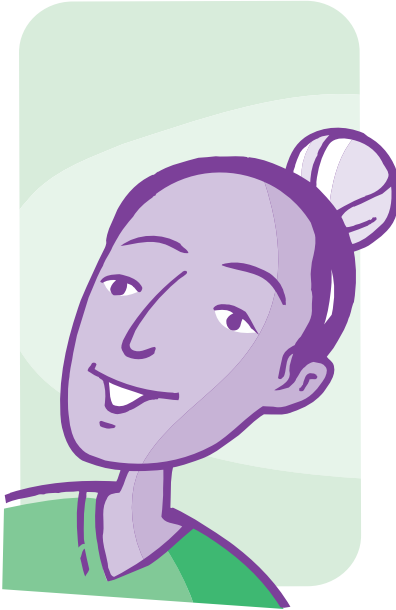


Safeguarding Checklist:

If you have a code of conduct does it:

	Yes	No	Action Required
Remain simple, straightforward and not too long			
Include the ideas of the children and young people in your organisation			
Include concerns around bullying, discrimination, violence, aggression, abusive behaviour and language			
Include a statement on your organisation's policy on smoking, alcohol and drugs			
Include rules on appropriate physical behaviour and social relationships with children and young people			

Chapter 5: Child protection



Children and young people have a right to protection from neglect, abuse and exploitation.

An important aspect of safeguarding children and young people is to protect them from abuse and neglect – this is known as child protection. By having an open environment and the correct policies and procedures in place you will help give people the confidence to speak out if they are concerned about a child or young person or are the victim of neglect, physical, sexual or emotional abuse, including bullying or racial abuse. To help children, young people and workers raise concerns about abuse you will need:

- written procedures dealing with child protection issues;
- a named person within or acting on behalf of your organisation; and
- training for all workers on child protection.



Written procedures

These will need to be clear, practical and user friendly, easily available and familiar to all workers.

They will need to include:

- the ways in which possible or actual abuse may become evident to staff or volunteers;
- who the named person is with responsibility for safeguarding and/or child protection within your organisation and how he or she can be contacted; and
- the details of an independent person outside of your organisation who is available for a child or young person to speak to.

Procedures will also need to have clear guidelines on:

- how you might recognise abuse, including brief examples of neglect, physical, sexual or emotional abuse, including bullying or racial abuse;
- how concerns about a child or young person should be raised and how those concerns will be dealt with by the organisation, including recording, storing and sharing information;
- what to do and say if a child tells of being abused;
- how to respond to allegations of abuse against someone not working in the organisation;
- what action to take if a child or young person shows signs of being abused, but is not making an allegation;
- what you must do if a child or young person shows evidence of unexplained physical injuries;
- how paid staff and volunteers will be treated if an allegation is made against them; and
- overcoming any barriers to reporting child abuse and dealing with reactions to allegations made.

Any procedures must make it clear that everybody has a responsibility to safeguard children and young people and to protect them from abuse. All workers should be made aware that abusers are not just strangers. They can include parents, carers, family members, friends, people in positions of trust and authority and other children or young people.

NSPCC's *Safer Communities* toolkit, available free of charge to voluntary and community groups from www.nspcc.org.uk, has guidance to help with writing a child protection policy.



Confidentiality

If a child or young person makes an allegation or raises a concern, it is essential that relevant staff respond quickly to ensure the safety of the child or young person; concerns about confidentiality should not be allowed to override the right of children to be protected from harm. However, every effort should be made to ensure that information surrounding the situation is only shared with those who are concerned with it, and not spread about in a general way.



The named person

All organisations need to choose a named person. The role of the named person is to:

- ensure that everyone in the organisation knows the child protection policy and procedures and that these are working well;
- receive information from staff, volunteers, children or parents and carers who have child protection concerns;
- keep records of relevant information;
- consult with a statutory child protection agency such as the local children's services department or health board or the NSPCC helpline to discuss any doubts or uncertainty about the concerns;
- be aware of the role of Local Safeguarding Children Boards and the existence of local child protection procedures;
- know the relevant contact numbers and addresses of local statutory agencies: children's services, the police, health authorities and schools in order to discuss any anxieties or concerns or, if necessary, make a formal referral; and
- provide information about helplines and other sources of help for children and young people.

It is not the role of the named person to decide whether or not a child has been abused. This is the task of the children's social services department who have the legal responsibility or of the NSPCC who also have powers to investigate child protection concerns.

Chapter 5: Child protection – continued



Training

Everybody working with children and young people will need basic training in child protection that is appropriate to his or her role.

This should reinforce workers' understanding of their organisation's child protection policy. The policy and issues relating to it should be explored further in supervision. This should happen as part of a new staff member or volunteer's induction, as well as part of continuous learning and development.



Internet safety

A number of organisations provide useful advice on safe use of the Internet. Action in Rural Sussex makes the following suggestions in its booklet, *How to Develop Child Protection Policies and Procedures – A step-by-step Guide for Community Groups*:

- Place the computer where everyone can use it and where everyone can see it, whether at home or in your own organisation.
- Supervise use of the Internet.
- Talk to children and young people about what sorts of sites they can and cannot visit and discuss why some sites are dangerous.
- Inform children that chat sites are open to misuse and they should apply the same "street wise" rules on the Internet as when they are out and about.
- Advise children and young people never to give out personal details over the Internet e.g. surname, address, phone number or e-mail address.
- Advise children never to arrange a face-to-face meeting with anyone they come into contact with on the Internet.
- Encourage children to report anything they come across that they feel is abusive, offensive or makes them feel uncomfortable.
- Limit the amount of time children spend online.
- Explore the use of filters which block access to certain sites (although remember that these are unlikely to be foolproof and cannot replace proper supervision).

Your organisation will need to think about and address safe use of the Internet by workers. An appropriate time to discuss this might be during the induction period of a worker and during supervision. You could also think about discussing this when drawing up or reviewing your code of conduct, and think about what is and is not allowed and possible sanctions.



New mobile phone technology

Mobile phone technology is developing fast. Mobiles are now packed with all sorts of products and services, including picture messaging, video clips, games and Internet access. Children and young people can now use their phones to look things up or obtain information in much the same way as they can on a personal computer, which means that they can be exposed to unsuitable sites through their phones. In addition, there has been a growth of mobile phone bullying through texting and picture messaging, which can be very distressing.

You may want to include the use of mobile in your organisation's Code of Conduct with similar guidelines to Internet use. For example:

- discuss with the young people what they wish to use their mobiles for;
- find out whether they download ringtones or games directly from their mobile while at your project or on your premises;
- discuss with the children and young people any content you would be unhappy for them to download, receive or share with others while at your project;
- if a child or young person is persistently contacted by a stranger via messages or any other form of content such as pictures, you should report it to the young person's parents and discuss with them reporting it to the police, taking a note of the number and saving the message or picture; and
- make sure any phones which have had the content control bar lifted are kept away from children, such as work phones that are accessible to children and young people.



Extra Information

Children Act 1989
Children Act 2004
Sex Offenders Act 1997
Sexual Offences (Amendment) Act 2000
Sexual Offences Act 2003

NSPCC has a number of resources available for purchase or download from www.nspcc.org.uk. It also runs a helpline for anyone concerned about a child or young person: 0800 800 5000

NSPCC also runs helplines in Asian languages:

Bengali 0800 096 7714
Gujurati 0800 096 7715
Hindi 0800 096 7716
Punjabi 0800 096 7717
Urdu 0800 096 7718

To speak to an Asian adviser in English: 0800 096 7719

ChildLine offers a free 24-hour helpline for children and young people in the UK on 0800 1111

Parentline Plus has a free helpline that offers a confidential 24-hour service for anyone looking after a child. 0800 800 2222

www.everychildmatters.gov.uk/socialcare/safeguarding has a number of resources available, including *What to do if you're worried a child is being abused*: children's services guidance, DCSF 2006

Churches' Child Protection Advisory Service is a good place to look for resources, including *A Working Manual for Child Protection and Safe Practice*. www.ccpas.co.uk or 0845 120 45 50

Safe Children Sound Learning, Guidance for Madressahs: Kirklees Metropolitan Council, Community Education and Regeneration 2003

The following websites have useful information and resources on the safe use of the Internet for children.

www.wisekids.org.uk

www.childnet-int.org (Website and publications are available in multiple languages.)

www.chatdanger.com

www.getnetwise.org

www.ceop.gov.uk

Chapter 5: Child protection – continued



Safeguarding Checklist:

Does your child protection policy contain clear guidelines on:

	Yes	No	Action Required
The ways in which possible or actual abuse may become evident to staff or volunteers			
Who the named person is with responsibility for safeguarding and/or child protection within your organisation and how he or she can be contacted			
The details of an independent person outside of your organisation who is available for a child or young person to speak to			
How you might recognise abuse, including brief examples of physical, sexual, emotional and racial abuse, neglect and bullying			
How concerns about a child or young person should be raised and how those concerns will be dealt with by the organisation, including recording, storing and sharing information			
What to do and say if a child tells of being abused			
How to respond to allegations of abuse against someone not working in the organisation			
What action to take if a child or young person shows signs of being abused, but is not making an allegation			
What you must do if a child or young person shows evidence of unexplained physical injuries			
How paid staff and volunteers will be treated if an allegation is made against them			
Overcoming any barriers to reporting child abuse and dealing with reactions to allegations made			



Safeguarding Checklist – continued

If children and young people have access to the Internet or use mobile phones:

	Yes	No	Action Required
Are computers placed where everyone can see them?			
Is use of the Internet supervised when used by children and young people or paid staff and volunteers?			
Do children and young people have the opportunity to learn about potential misuse of the Internet/mobiles either via children and young people or by those who they come across when using the Internet or phoning/texting?			

Chapter 6: Whistleblowing and complaints



Children and young people need both a committed adult to stand alongside them and procedures through which they can challenge decisions or actions with which they are unhappy.

Are children, young people and workers aware of what to do if they have worries about any aspect of your organisation and supported to act if they do? There are different ways in which your organisation can help give people the confidence and opportunity to speak or act if they are unhappy about something within the organisation. By setting up systems where people are able to speak openly or in confidence, you have already gone a long way to making your organisation a safe one where bad practice is discouraged.

Supervision and appraisal is one way which allows workers to raise concerns. The following are other ways to create an atmosphere of openness and trust within your organisation and allow people to raise concerns.

Whistleblowing and complaining are very different.

- Whistleblowing occurs when a worker or volunteer raises a concern about potential danger or illegality that they have witnessed through work.
- A complaint is lodged by a worker, volunteer, member of the public, service user or an advocate of a service user when they feel that they have personally been wronged and are seeking a resolution.

Making a distinction between whistleblowing and complaining is important to ensure your organisation understands how to respond and that people are not confused about the best way to take an issue forward.

Whistleblowing

A whistleblowing policy makes it clear that reports of malpractice are taken seriously by an organisation, therefore encouraging paid and unpaid staff to come forward should they wish to raise a concern, even if that eventually means having to bypass senior management. An effective policy should protect both the whistleblower and the organisation by outlining a simple process for raising concerns.

Some examples of cases that might warrant whistleblowing:

- Unlawful misconduct, such as accepting bribes or assaulting children and young people.
- Financial malpractice, which could be anything from stealing from the petty cash to full-blown fraud.
- Dangers to the public.
- Dangers to the environment or to the safety of people in your project.

Training will be needed so that everyone knows what is meant by whistleblowing and the procedures to be followed if a worker decides to blow the whistle. You will need to ensure that whistleblowers' concerns are taken seriously and are properly and objectively investigated, with appropriate action taken.

Your whistleblowing policy could include:

- a definition of whistleblowing, including what it is and why it is important to your organisation;
- those who are covered by the policy (i.e. paid and unpaid staff);
- how to know if someone is whistleblowing – how to sort out what is gossip, informal concerns or a genuine matter;
- a statement encouraging people to whistleblow and stating that victimisation or harassment by others will not be tolerated; it is important to emphasise that whistleblowers' jobs will not be threatened by raising a concern in good faith, without personal gain, even if their concerns are shown to be unfounded at a later date;
- how concerns can be raised, such as in writing, via email or telephone, and with whom they can be raised within the organisation;
- a statement about why the organisation would prefer the matter to be raised internally in the first instance;
- what to do next and how to raise the matter at a more senior level if necessary;

- other ways of raising concerns such as a telephone 'hotline' to an independent body agreed by the organisation;
- a statement on confidentiality, which protects the whistleblower and any staff or others involved in the allegation;
- how the organisation will approach a situation where a whistleblower's identity must be made public;
- how the organisation will deal with being approached anonymously;
- how the organisation will report back or inform the whistleblower about the outcome or any action which has or will take place;
- how staff or others involved in the allegation will be treated; and
- how the organisation views false complaints and what disciplinary procedures will be taken against someone who deliberately raises a malicious concern.

Complaints and concerns

In addition to a whistleblowing policy it is important to have a general complaints policy that everyone knows about. Everyone has the right to raise concerns or complaints, not just about major issues, but also about day-to-day or service-related concerns.

You will need to think about:

- What exactly is a complaint?
- What can children, parents or workers do if they have a complaint?
- How will you reassure those who have made the complaint? How will you keep them informed of what you will do about it? How will you tell them when you will act upon it?
- Will you provide a timetable for dealing with a complaint? What procedure will you have in place if a complaint is not dealt with straight away?
- What if the person who has made the complaint is not happy about the outcome?

Chapter 6: Whistleblowing and complaints – continued

- Who should complaints go to?
- Who is responsible for putting the concern to rights?
- What complaints systems can be put in place so that everybody feels able to complain, for example, a complaints form or an anonymous complaints box?
- How will you make children, parents and workers aware that you have a system in place for reporting complaints and concerns?
- How will your organisation gather the information and monitor if patterns are occurring?
- What support will you provide for those wanting to make a complaint?
- How will you address any impact a complaint has had on workers, children and young people?
- How will records of complaints be kept?

It is good practice to circulate a complaints policy to parents and carers of the children and young people who use the organisation and to all workers.



Extra Information

Public Interest Disclosure Act 1998

Public Concern at Work (PCaW) provides free help to prospective whistleblowers, advises on whistleblowing laws and helps organisations create a culture where it is safe and accepted for workers to blow the whistle. www.pcaw.co.uk

www.peopleinaid.org has *Policy Guide and Template: Whistleblowing* available to download.



Safeguarding Checklist:

Do you have a whistleblowing policy?

Yes	No	Action Required

Do you have a complaints policy?

Yes	No	Action Required

Chapter 7: Equal opportunities



Disadvantages such as poverty, racism and discrimination negatively affect children and young people's development.

Children and young people have the right to be protected from discrimination. This right should be built into all the activities run and decisions made within your organisation. In the same way, staff, volunteers, parents, carers and potential workers involved in your organisation should not be discriminated against in any way. For this reason, your organisation will need to have an equal opportunities statement which fits in with the purpose and values of your organisation. This statement will be of little value if it is not applied to all the safeguarding policies and procedures of your organisation.

Make sure you don't discriminate against disabled workers, children or young people, and consider what reasonable adjustments you should make to your workplace, keeping in mind that a workplace that is accessible to disabled people is safe and more accessible for everyone.



Extra Information

The Disability Discrimination Acts 1995 and 2005

The Advisory, Conciliation and Arbitration Service provides information, advice and resources on a range of equality issues. www.acas.org.uk or 0845 747 4747

Consortium of Lesbian, Gay, Bisexual and Transgendered Voluntary and Community Organisations. www.lgbtconsortium.org.uk

Chapter 7: Equal opportunities – continued



Extra Information – continued

NCVO have a joint diversity project, which includes a forum and publications such as *Making Diversity Happen! A Guide for Voluntary and Community Organisations* and *Making Equality Simple: a plain English guide to the 2003 Employment Equality Regulations on religion, belief and sexual orientation for voluntary and community organisations*.

www.ncvo-vol.org.uk

Writing an Equal Opportunities Policy: Brighton Resource Centre,
www.resourcecentre.org.uk



Safeguarding Checklist:

Identify 3 ways in which your organisation promotes equal opportunity.

1. _____

2. _____

3. _____

Identify 2 other ways you think your organisation could promote equal opportunity, taking into account the titles of the previous chapters on safeguarding.

1. _____

2. _____



Chapter 8: Working towards a safeguarding policy statement



You will now be in a position to draw up a safeguarding policy statement. This policy statement summarises your commitment to safeguarding children, young people and your workers and how you go about doing so. It should be published widely and brought to the attention of:

- children and young people;
- parents and carers;
- staff, trustees and partners; and
- funders or insurers, if necessary.

This statement is only worthwhile if the commitment it makes to safeguarding is being put into practice.

It will need to include:

- the name of the organisation and its objectives or activities;
- the principles/values, legislation and guidance that underpin the policy;
- a sentence explaining that it is the duty of all paid workers and volunteers to safeguard children and young people;
- the details of the named person for child protection, including their contact details;
- a sentence stating your organisation's commitment to include children, where appropriate, in the development and implementation of safeguarding policies and procedures;
- a sentence stating your commitment to reviewing your policies and procedures and when this will happen; and

Mission

To create a fairer world for children, young people and families by championing the voluntary organisations which work on their behalf.

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