



# Safeguarding Guidance for non statutory organisations

**Document Author:** PPP MANAGEMENT GROUP  
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## 1. Introduction

- 1.1. Western Bay Safeguarding Children Board acknowledge the work of Cardiff Local Safeguarding Children's Board (LSCB) in devising this Safeguarding Information Pack. The pack is intended to provide guidance and information to organisations regarding their roles and legal responsibilities in safeguarding children. All organisations should have a child protection policy which should be implemented and regularly monitored.
- 1.2. The Welsh Government published the Code of Practice Safe from Harm: Safeguarding Children in Voluntary and Community Organisations in Wales (2007). The guide is intended for use by small voluntary and community groups that are not currently subject to inspection and/or regulation. It sets out principles and guidelines and makes reference to legislation on safeguarding the welfare of children and young people under the age of 18 years.
- 1.3. All organisations should refer to the following:
  - Safeguarding Children: Working Together under the Children Act, 2004.
  - All Wales Child Protection Procedures, 2008.
  - Protection of Freedoms Act, 2012.
- 1.4. The Disclosure and Barring Service (DBS) will provide checks on any person wishing to work with children or young people. The applicant will be checked through the police national computer and relevant professional and regulatory bodies for any information that might be relevant to their suitability to work with children. It provides a joined up, seamless service to combine the criminal records and barring functions. Further information and updates is available on the Home Office Website [Disclosure and Barring Service | Home Office](#)
- 1.5. The provision of a child protection policy will promote good practice.
- 1.6. Further information regarding the LSCB can be found on the LSCB website at [WBSCB](#)

## **2. Definitions of child abuse and neglect**

A child is abused or neglected when somebody inflicts harm, or fails to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection via an inter-agency child protection plan. The Children Act 1989 and 2004 and All Wales Child Protection Procedures, 2008, Part 1. 1.1 to 1.1.4

### **2.1. Physical abuse**

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates or induces illness in a child whom they are looking after.

### **2.2. Sexual abuse**

Forcing or enticing a child/young person to take part in sexual activities, whether or not they are away of what is happening, may involve, physical contact, including penetrative or non-penetrative acts; non-contact activities, such as involving children in looking at, or in the production of pornographic material or watching sexual activities; or encouraging children to behave in sexually inappropriate ways.

### **2.3. Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

### **2.4. Emotional abuse**

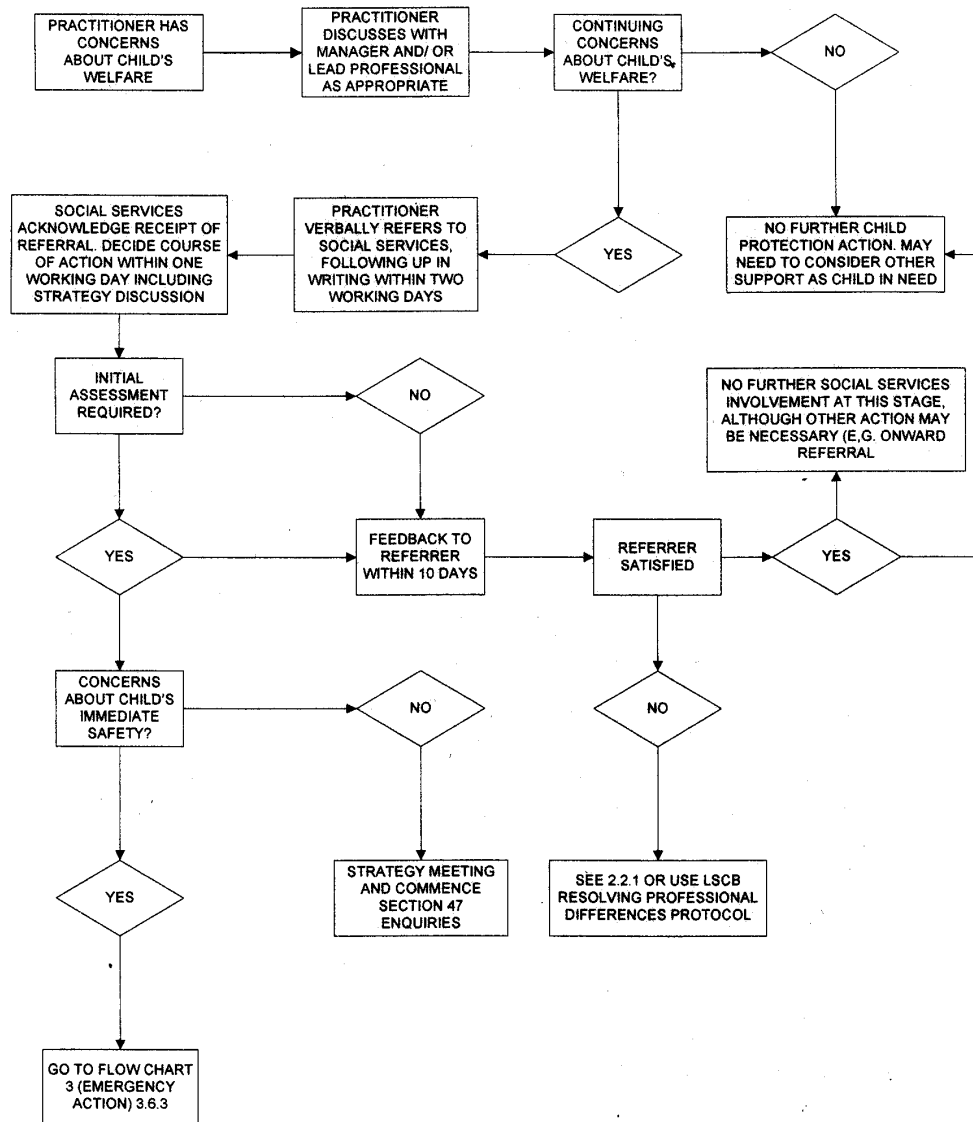
The persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional and behavioural development. It may involve conveying to the child that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age and developmentally inappropriate expectations being imposed on children. It may involve causing children to

feel frightened or in danger, for example witnessing domestic abuse within the home or being bullied, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

### 3. Flowchart on referral process

All Wales Child Protection Procedures 2008

#### 3.2.5 Flowchart 1: referral



## **4. Best working practice**

### **4.1. Chapter overview**

- 4.1.1. Working towards best practice in safeguarding should be a primary function of any organisation that works with children and families. Robust structures such as training plans, supervision, induction packages and policies, all assist in creating a culture of openness and increase employees' knowledge and ability to highlight safeguarding issues.

### **4.2. Policy**

- 4.2.1. For further information on policies and procedures please see 'Devising a Policy' Chapter 7. Having robust, easy to understand, and unambiguous policies, is vital to ensure that all parties are able to comprehend their responsibilities and know how and when to act and react appropriately. Where possible policies should be available and include easy-to-follow flow charts for quick reference.
- 4.2.2. It is good practice to create child friendly versions of your policies to enable children to become as actively involved as possible within the safeguarding process. This is consistent with the demands of the UNCRC (United Nations Convention on the Rights of the Child).
- 4.2.3. Policies should highlight and implement best working practice, with clear indication of lines of responsibility and accountability. Chief Officers and senior managers should demonstrate leadership, and be informed and responsible for the actions of all their employees, and the deployment of appropriate resources to meet statutory duties and responsibilities.

### **4.3. Training**

- 4.3.1. Where employees work with or come in to contact with children and/ or their families, it is imperative that they understand their own roles and responsibilities as well as those of other professionals and organisations.
- 4.3.2. Where applicable, organisations should encourage their employees to attend inter-agency training, as well as single agency training, as this will increase the employee's skills in inter-agency collaboration.
- 4.3.3. All staff, whether paid or voluntary, should participate in regular training which is relevant and tailored to their role. Safeguarding children training in particular should take place as soon as is

reasonably practicable from the onset of employment as part of the induction process.

- 4.3.4. The LSCB provides a comprehensive training strategy and programme, please see the LSCB website for details. The LSCB does not provide single agency training.
- 4.3.5. In-house safeguarding children training must be sourced by the organisations themselves and be tailored to suit the remit of the organisations work, and, ensure that staff members understand the agency's policies and procedures relating to safeguarding children.
- 4.3.6. For information on accessing training see 'Further Information' Chapter 10.
- 4.3.7. Senior employees should keep up-to-date with changes in statutory requirements and new evidence-based ways of working, to ensure that information can be cascaded down to those working on the frontline.
- 4.3.8. The quality of single-agency child protection training varies dramatically. New employers should not rely upon previous employers to have provided an acceptable standard of in-house training.
- 4.3.9. Employers should ensure that any training delivered is of a good quality and delivered by professionals who are suitably qualified and experienced to deliver training in the subject matter. Safeguarding children training should be delivered by persons qualified and experienced in safeguarding children.
- 4.3.10. Where organisations are sourcing safeguarding training from professionals or organisations that are based, or who have offices based outside of Wales, organisations should verify that the training to be delivered addresses Welsh legislation and guidance.
- 4.3.11. Training on safeguarding issues should be regularly refreshed to ensure staff are confident and up-to-date with current requirements.

#### **4.4. A culture of openness**

- 4.4.1. Organisations should foster a culture of openness and shared communication, where employees are actively encouraged to express any early concerns about the welfare of a child.



- 4.4.2. It is vital that senior employees and/ or those with designated safeguarding responsibilities are approachable and available to discuss concerns with staff as and when they arise.
- 4.4.3. Tension within staff teams or between staff members does not lend itself to a culture of openness. Any such tensions should be monitored and addressed, to ensure that all staff members feel able to discuss concerns to the appropriate person/s without any fear of repercussion.
- 4.4.4. Having clear policies in place, in particular robust whistle-blowing policies should ensure that staff members are confident and aware of their responsibilities.

#### **4.5. Supervision**

- 4.5.1. To ensure that staff are effectively monitored and supported with their safeguarding responsibilities, safeguarding children should be an item on both formal and informal supervision processes.
- 4.5.2. Employees should make referrals to the local authority if they have any concerns about a child's welfare. During the supervision process employees should be encouraged to discuss any safeguarding concerns and actions they have completed and should be given appropriate feedback that highlights both good and bad practice.
- 4.5.3. Any concerns about a staff member's full understanding of their safeguarding responsibilities, should be subject to an action plan with accompanying performance review.
- 4.5.4. Any breaches of safeguarding children practice should be considered in terms of whether or not they constitute acts of misconduct or gross misconduct.
- 4.5.5. Having a clear disciplinary policy, with safeguarding children issues clearly demonstrated throughout, should enable both employers and staff to better understand the serious nature of safeguarding children and the inherent responsibility.

#### **4.6. Ensuring children have a voice**

- 4.6.1. It is good practice, wherever reasonably practicable, to ensure that children are involved in the safeguarding process.
- 4.6.2. For further information on this please see 'Which Policy' Chapter 6. Professional practice should enable and empower children to have the opportunity to express their own ideas and concerns within a safe and welcoming environment. This includes

ensuring children are aware of, and able to access robust and secure complaints mechanisms.

- 4.6.3. Every organisation should integrate children's participation throughout its practice, including its business/ strategic planning and development. Where possible, the planning and development of services to safeguard and promote children's welfare should be well informed by the views of children and parents.

#### **4.7. Things to consider**

- 4.7.1. Robust induction packages, regular supervision and annual appraisals increase employer opportunities to monitor performance and attitudes towards safeguarding practice.
- 4.7.2. Maintaining safeguarding as a standard item at regular team meetings can assist in ensuring staff are kept up-to-date and are able to share practice experiences.

#### **4.8. Relevant legislation**

- 4.8.1. See section 2.18, 2.21, 2.22, 2.23, 2.7 & 2.8 of the guidance Safeguarding Children: Working Together under the Children Act, 2004. Section 4.3 & Part 2 of the All Wales Child Protection Procedures, 2008.

#### **4.9. A training & supervision checklist: Appendix 1.**

## **5. Roles and responsibilities**

### **5.1. Chapter summary**

- 5.1.1. Information about the various roles and responsibilities required in order to establish and maintain a robust safeguarding policy and procedure. A breakdown of various roles is provided. Some of these roles may be filled by the same person, dependant on the size of your organisation.

### **5.2. Chapter overview**

- 5.2.1. Having a multi-disciplinary team working together to begin your development of safeguarding is best practice. Different people in different roles will provide different view-points and experiences. Your biggest assets are the team members you already have.
- 5.2.2. Safeguarding children is everyone's responsibility, regardless of the role they play.

### **5.3. Leading in developing safeguarding**

- 5.3.1. The development of safeguarding practice within an organisation can be the responsibility of the named person or the named person and a team of other suitable person/s such as the chief officer and senior management.
- 5.3.2. It is vital that all senior staff within the organisation have an understanding of safeguarding and are involved in the effective development of safeguarding practice.

### **5.4. The named person**

- 5.4.1. It is good practice, no matter how small an organisation may be, to have a single named person who is qualified and experienced to oversee any safeguarding concerns. All staff, including volunteers, should be provided with the named person's details and instructions on how to contact them.
- 5.4.2. The named person should have ultimate responsibility for receiving and recording information from any person/s with a concern, be able to assess safeguarding concerns quickly and promptly, be able to consult directly with statutory child protection agencies (and does so accordingly), and is able to complete formal child protection referrals to both child protection services and the police.
- 5.4.3. It is NOT the role of the named person to decide if a child has been abused or not. It is the role of the statutory child protection

team and/ or police to decide if a child has been placed at risk or not. However, it is everyone's responsibility to ensure that the processes are followed, concerns are shared appropriately and in a timely manner, and that appropriate action is taken.

## **5.5. The line manager**

- 5.5.1. It is vital that all line managers have a sound understanding of the safeguarding process. Line managers are responsible for the conduct of day-to-day staff, performance monitoring and evaluation, and should conduct regular supervision sessions with individual staff members.
- 5.5.2. Line managers should ensure that they are able to create a culture of openness within their teams, to ensure that staff members raise concerns about safeguarding without fear of repercussion.
- 5.5.3. Line managers should ensure that safeguarding children is a fixed agenda item within formal supervision, utilising this opportunity to discuss both good and poor practice. They should also provide on-going support to their team members.
- 5.5.4. Receiving a direct disclosure, or working with a child or family where abuse is known or suspected, can be traumatic for the staff member involved. Staff members involved in such cases should be provided with opportunities to discuss concerns and actions, and receive feedback on their course of action. Positive feedback when staff members have responded and acted appropriately, will increase staff confidence in their practice.

## **5.6. Levels of responsibility**

- 5.6.1. Responsibilities for safeguarding and promoting the welfare of children can operate at 4 levels:
  - 5.6.1.1. individual, this responsibility can be encompassed within the job description;
  - 5.6.1.2. professional, roles which are governed by codes of conduct for different disciplines (such as a counsellor);
  - 5.6.1.3. organisational, with clear lines of accountability throughout the organisation to senior officer level; and
  - 5.6.1.4. multi-agency, with lines of accountability in relation to how key people and bodies co-operate in safeguarding and promoting the welfare of children through to the LSCB.

## **5.7. Things to consider**

- 5.7.1. Every person within any organisation is responsible for ensuring the safeguarding of children. This includes the caretaker, trustees and receptionist etc, as well as frontline staff. All members of staff have a role to play in noting any concerns they may have, and reporting these to the relevant person/s.
- 5.7.2. Children should not be expected to observe an organisation's chain of command. For some children, disclosing to the friendly receptionist who always greets them with a smile may be preferable to disclosing to a teacher or support worker.
- 5.7.3. All staff members should ensure the safety and welfare of children at all times.

## **5.8. Relevant legislation**

- 5.8.1. See section 2.7, 2.8, 2.12, 2.13, 2.14, 2.15 & 2.16 of the guidance Safeguarding Children: Working Together under the Children Act, 2004. Section 4.3 of the All Wales Child Protection Procedures, 2008.

## **5.9. A named person checklist is available: Appendix 2.**

## **6. Which policy?**

### **6.1. Chapter summary**

- 6.1.1. Information about a variety of policies, procedures and statements that should be put in place to ensure best practice in safeguarding. A safeguarding policy should not stand alone. It should link in with other key policies. Safeguarding should be a theme which underpins all policies.

### **6.2. Chapter overview**

- 6.2.1. Having robust, unambiguous policies and procedures in place is a key element to best practice in safeguarding.
- 6.2.2. All new staff and volunteers should be provided access to copies of the policies, given the opportunity to read and comprehend them, and then be routinely monitored and receive regular supervision to ensure the policies form part of their working practice.
- 6.2.3. Policies and procedures should form the basis of employees' performance monitoring. Where policies affect children, it is good practice to have a child friendly version available.
- 6.2.4. The planning and development of services to safeguard and promote children's welfare should be informed by the views of children and parents.

### **6.3. Policy statement**

- 6.3.1. The welfare of the child is paramount.
- 6.3.2. The protection of children from significant harm is a shared responsibility.
- 6.3.3. Children and young people have a right to enjoy sport/activities/entertainment free from all forms of abuse and exploitation.
- 6.3.4. All children and young people should be treated equally with respect and dignity.
- 6.3.5. Everybody has a responsibility to support the care and protection of children and young people.
- 6.3.6. Organizations' have a duty of care to children and young people who take part in any sport/activities/entertainment they offer / provide.

- 6.3.7. To help create a safe environment for children and young people and protect them from harm.
- 6.3.8. To provide parents/ care providers with increased confidence by working in partnership.
- 6.3.9. To raise awareness and help organizations plan what is required to minimize risk.
- 6.3.10. To promote good practice, and challenge practice that is harmful to children.

#### **6.4. Agreed policies/standards/procedures**

- 6.4.1. To use and advise employees, volunteers and coaches of approved LSCB protocols and procedures.
- 6.4.2. Request written parental consent if club officials are required to transport children or young people in their cars. (Ensure a Transport Policy is in place and the staff member has insurance, a current MOT certificate and seatbelts/ car seat etc).
- 6.4.3. Gain written parental consent and contact details for any significant travel/outing arrangements e.g. overnight stays, residential trips.
- 6.4.4. Ensure a robust policy is in place regarding smoking or drinking alcohol whilst in the company of young people.
- 6.4.5. All staff members should receive training to increase their awareness of appropriate use of social networking sites by taking a look at the Child Exploitation and Online Protection (CEOP) police website on [www.ceop.police.uk](http://www.ceop.police.uk).
- 6.4.6. First Aid Policy and consent for treatment. Maintain an accident record and log of injury and any treatment administered.
- 6.4.7. Anti Bullying Policy.
- 6.4.8. Use of Photographic/Filming Equipment and Internet Use Policy.
- 6.4.9. Identify a designated Child Protection Officer and provide all those involved in the club/organisation of their contact details.
- 6.4.10. Every member of the organisation to be advised of how to report concerns/allegations in relation to employees/volunteers/coaches Part 4 All Wales Child Protection Procedures,2008.

- 6.4.11. Whistle Blowing Policy to be in place.
- 6.4.12. Procedures to include the following in line with the All Wales Child Protection Procedures, 2008, Parts 2 and 3;
- indicators/signs of abuse;
  - what to do if you see or suspect abuse of a child;
  - disclosure of abuse;
  - handling allegations;
  - recording; and
  - confidentiality.
- 6.4.13. Health and safety arrangements.

## **6.5. Implementation and monitoring**

- 6.5.1. The policy should be regularly reviewed and monitored and any areas where change is identified to be provided to the Policy, Procedure and Practice management committee.
- 6.5.2. All child protection policies should emphasise that:

'If any person has knowledge, concerns or suspicions that a child is suffering, has suffered or is likely to be at risk of harm, it is their responsibility to ensure that the concerns are referred to social services or the police, who have statutory duties and powers to make enquiries and intervene when necessary'.

All Wales Child Protection Procedures, 2008, Part 2.11

## **6.6. Statement of responsibility**

- 6.6.1. For further information see 'Devising a Policy' Chapter 7.
- 6.6.2. A statement of responsibility, or a policy statement, should make clear the organisation's responsibilities towards children, and be made available to all employees, as well as user friendly versions to be made available to children and parents.
- 6.6.3. Having a statement of responsibility can help you take the first step towards writing a policy and also enables you to provide a concise but powerful statement about your commitment to safeguarding. You may also want to use your statement within your business/ strategic plans.



## **6.7. Safeguarding Children Policy (Child Protection)**

- 6.7.1. For further information see 'Devising a Policy' Chapter 7.
- 6.7.2. Having a robust safeguarding policy, that all staff have access to, and are trained on, is a vital component of ensuring safeguarding within your organisation.
- 6.7.3. A child protection procedure is a set of clear and easy to follow guidelines, that must ensure that all those who have concerns about children know what to do, and are able to act in an efficient and timely manner.

## **6.8. Whistle-blowing Policy**

- 6.8.1. You should include reference to Whistle-blowing within your safeguarding policy. However it may also be useful to have a separate policy that includes all areas of poor practice, and is not limited to safeguarding children.
- 6.8.2. Where poor practice exists, even when not obviously related to children, the consequences of such practice may have a profound and disproportionate effect on a child.
- 6.8.3. A Whistle-blowing policy should include the following as a minimum:
  - 6.8.3.1. a statement demonstrating the organisation's openness, encouraging staff and volunteers to voice any concerns without repercussion;
  - 6.8.3.2. an acknowledgement that even with the most robust recruitment and training packages, some persons who may pose a risk to children may go undetected and therefore Whistle-blowing is a vital responsibility of all staff members;
  - 6.8.3.3. a clear procedure for what staff must do when they have a concern about a colleague. This should include who they must speak to, what will happen next and then what action will be taken. It may not be possible to provide information on an action to be taken where personal information about a third party is contained within the action;
  - 6.8.3.4. instructions on the process a person needs to follow to remain anonymous, should they fear repercussion from the person being implicated;

- 6.8.3.5. a procedure setting out what a staff member or volunteer must do in the event of someone disclosing poor practice to them;
- 6.8.3.6. in matters of safeguarding children it must be clearly stated in what circumstances and when the local authority child protection services and/ or the police will be contacted and how this will be done; and
- 6.8.3.7. your Whistle-blowing procedure should include a similar investigation structure to that of your disciplinary procedure, except when children have been or are considered to be at risk of being placed at risk of harm, in such circumstances a referral to Social Services / Police will be required.

## **6.9. Complaints Procedure**

- 6.9.1. You should have a clear complaints procedure which is openly publicised and accessible to children, adults and members of the public.
- 6.9.2. Such a procedure should clearly explain the process of dealing with complaints including how and what will be fed back to the complainant, together with expected time scales for response.
- 6.9.3. You should provide a variety of ways in which complaints can be received to ensure that children, persons with disabilities that affect communication and persons who may not be able to fully communicate in the language of your service are able to make a complaint.

## **6.10. Children's Participation Policy**

- 6.10.1. Having a participation policy and action plan in place will increase opportunities for children to become involved in the safeguarding process as well as informing practice across the whole of the organisation.
- 6.10.2. Meaningful participation can increase a child's sense of empowerment, knowledge and strengths. In order to develop a participation strategy the following website <http://participationworkerswales.org.uk/> provides a step-by-step guide to developing participation within your organisation.

## **6.11.Children's Charter**

- 6.11.1. You might want to consider writing a children's charter for your organisation. This could be a document or a statement

highlighting the key points of the core values of your organisation and how these relate to children.

- 6.11.2. A children's charter can encompass all work with children, with a theme of safeguarding underpinning the service values throughout.

## **6.12. Things to consider**

- 6.12.1. Policies should be compiled after collating the views and experiences of a range of people. Policies should be approved by chief officers and board members. Whenever possible child and adult user versions should be created. Whenever possible service users should be consulted in the design and development of services.

## **6.13. Relevant legislation**

- 6.13.1. See section 2.12, 2.13, 2.14, 2.17, 2.18 & 2.19 of the guidance Safeguarding Children: Working Together under the Children Act, 2004. Parts 1 & 2 of the All Wales Child Protection Procedures, 2008.

# **7. Devising a Policy**

## **7.1. Chapter summary**

- 7.1.1. Advice and information in relation to preparing to write a policy.
- 7.1.2. Determine what methods of information gathering will be used prior to writing your policy, involve service users when practicable.
- 7.1.3. Prepare a statement of responsibility.
- 7.1.4. How to begin writing your policy and procedure.
- 7.1.5. Minimum requirements of a safeguarding policy.
- 7.1.6. You should ensure that the particular needs of your client group are fully reflected within your policy.

## **7.2. Chapter overview**

- 7.2.1. A safeguarding, or child protection policy and procedure is a set of detailed guidelines which tell everyone what they must do to ensure the safeguarding of children.
- 7.2.2. It should give precise and easy-to-follow, guidance on what to do when there are concerns or disclosures about the risk of harm to children. Policies and procedures should ensure that a quick and effective response is undertaken where concerns exist or have been expressed.

- 7.2.3. When writing your policy and procedure you should provide the information suggested in this document as a minimum requirement.
- 7.2.4. Policies and procedures must be easy to read and understand, and should be pitched at the level of a layman (someone without specialist knowledge).
- 7.2.5. When possible you should also devise child and family friendly versions. You may also want to consider translations of the policy to suit the needs of your client group, such as, audio, Braille, large print or other languages etc.

### **7.3. Statement of responsibility**

- 7.3.1. A statement of responsibility, or a policy statement, should make clear the organisation's responsibilities towards children and should be made available to all employees, as well as children and parents in the form of user friendly versions.
- 7.3.2. A statement of responsibility should be precise and no longer than 1-2 sides of A4. It should cover the following points:
  - what the organisation does, and how it conducts work with, or comes into contact with, children and families;
  - why safeguarding is important to the organisation;
  - how (in broad terms) the organisation is working toward best safeguarding practice;
  - who the statement applies to (remember even those not working directly with children may have some contact with them, e.g. cleaning/ administrative staff members);
  - recognition of minority, disadvantaged and vulnerable groups, and any particular barriers they may face in engaging with the safeguarding process;
  - a brief statement on the Government legislation and guidance which should underpin the organisation's policy and procedures; and
  - what other policies should be taken into account (e.g. Whistle-blowing policy).

### **7.4. Plan of action**

- 7.4.1. You should devise a short action plan demonstrating how you will ensure that everyone, including staff, children and parents, are made aware of the service's safeguarding responsibilities.

- 7.4.2. This plan should include how you will engage with children and families who may experience communication difficulties.

## **7.5. Thinking about writing a safeguarding policy**

- 7.5.1. To get yourself started on writing a policy, first consider the differing ways in which a staff member, a child, a parent or a member of the public might raise a concern about safeguarding. Think about the following:

- how a child might behave if they are being harmed;
- what physical signs may be present if a child is being harmed;
- how a parent or family member might behave which would cause you concern;
- how a staff member might behave which would cause you concern;
- how a child who is being harmed might behave with other children;
- a child could disclose harm to you directly;
- a child could tell you about their worries for another child;
- a parent might tell you about their child being harmed;
- a staff member might be concerned about a child's behaviour;
- a third party could advise you of their concern for a child's welfare;
- also think about bullying between children. Bullying can reach a pitch that places a child at risk of significant harm; and
- understand how discrimination can prevent individuals from minority groups or communities from accessing services they require.

## **7.6. Things to consider**

- 7.6.1. Consultation with your user groups will increase understanding of the safeguarding process, and better inform them of how your procedures work in practice.
- 7.6.2. You should always consult with user groups when devising a service-user friendly version of your statement and policies.
- 7.6.3. Involving staff who have different levels of responsibility in the initial stages of policy development will widen the knowledge base, both practically and theoretically, from which you construct your policy.

7.6.4. Your staff and service users are your biggest resource at this stage of policy development.

## **7.7. Relevant legislation**

7.7.1. See section 2.12, 2.13 & 2.14 of the guidance Safeguarding Children: Working Together under the Children Act, 2004. Part 1 of the All Wales Child Protection Procedures, 2008

## **7.8. The minimum information your policy must contain is as follows below**

- 7.8.1. **The purpose and aim of the policy and procedure.**  
Who do they apply to? Why are they important? Who is responsible for safeguarding children? You should also briefly state how and where you come into contact with children and families through the work that you undertake.
- 7.8.2. **A description of different forms of abuse.**  
Abuse takes place under different categories. These categories are Physical, Sexual, Emotional and Neglect. It is important to notify the reader as to what constitutes abuse under these categories as many people may be uncertain or unaware.
- 7.8.3. **How to recognise signs of abuse.**  
You should provide brief examples of the signs and indicators which should cause concern. It is impossible to list all the signs and indicators, but some brief examples with an explanation that the list is not exhaustive should suffice.
- 7.8.4. **How to respond to signs or suspicions of abuse.**  
You should include a step-by-step process for discussing such concerns, highlighting the key person/s that has overall responsibility for safeguarding within the organisation.
- 7.8.4.1. This section should include what that person will do, any actions that will be taken by the named person, the person disclosing, and any other relevant persons.
- 7.8.4.2. You must make clear who staff, children and parents should talk to if they are worried about possible risks to children and include relevant contact numbers, in particular details of how to contact the named person for safeguarding.

7.8.5. Ideally, you will provide a flowchart diagram showing each stage of the process. This should fit on one side of A4, to provide a quick reference guide.

### **7.9. How to respond to allegations of abuse against a member of staff, paid or voluntary**

7.9.1. Much like the section above you should explain the process, of who should inform whom. Ordinarily you would inform the chief officer and the named person. A process must be in place should either of those persons be the staff member against whom the allegation is made.

7.9.2. Having a whistle blowing policy separate to the safeguarding policy will allow you to highlight any other areas of poor practice.

### **7.10. How to respond to a child who may disclose abuse**

7.10.1. You must include a breakdown of what the person being disclosed to can and cannot say or do. Such disclosures should form part of the first stage of your quick reference flowchart.

### **7.11. How will information be recorded and stored**

7.11.1. You should include information about where and how the information will be recorded, the timescales involved in submitting information to senior management and/or the named person and the timescales for passing this information on to statutory children's services. You must state where documents will be stored to maintain confidentiality.

### **7.12. Confidentiality policy**

7.12.1. Where concerns exist about risk of harm to children, you are legally obligated to inform children's services, regardless of any confidentiality agreements you have in place with the person/s using your service. Section 1 (1) of the Children Act, 1989 states that the welfare of children is paramount. Therefore you are legally charged to ensure that you place the welfare and safety of children above all else.

7.12.2. You should be clear that any concerns can only be shared within the organisation to person/s that needs to know the information so that they are better able to safeguard that child. Any other person/s must not be informed.

- 7.12.3. It is important to maintain confidentiality whenever possible as this will retain dignity and respect for the private life of the child.

### **7.13. Information sharing policy**

- 7.13.1. You should have a robust information sharing policy in place so that staff are able to understand what information can and cannot be shared and when this should happen. Training on information sharing procedures should form part of an induction programme.
- 7.13.2. For assistance in understanding information sharing you should refer to the document Safeguarding Children: Working Together under the Children Act 2004. For the Data Protection Act you can contact the Information Commissioner's Office direct via [www.ico.gov.uk](http://www.ico.gov.uk). They have a head office in Cardiff which can assist you with enquiries.

### **7.14. Things to consider**

- 7.14.1. You must reference the All Wales Child Protection Procedures 2008 and the legislation guidance Safeguarding Children: Working Together under the Children Act, 2004.
- 7.14.2. Both of these documents are key to understanding what is required of you.  
All Wales Child Protection Procedures, 2008  
<http://www.awcpp.org.uk/9547.html?diablo.lang=eng>  
  
Safeguarding Children: Working Together Under the Children Act, 2004 (WAG, 2007)  
<http://wales.gov.uk/publications/circular/2007/1637402/?lang=en>

### **7.15. Relevant legislation**

- 7.15.1. See section 2.12, 2.13 & 2.14 of the guidance Safeguarding Children: Working Together under the Children Act 2004. Parts 1 & 2 of the All Wales Child Protection Procedures 2008.

### **7.16. A policy content checklist: Appendix 3.**



## **8. Recruitment**

### **8.1. Chapter summary**

- 8.1.1. Information about safe recruitment processes including: applications, interviews and references.
- 8.1.2. For information on background checks, please see the 'Disclosure and Barring Service Check' Chapter 9.

### **8.2. Chapter overview**

- 8.2.1. Robust recruitment procedures need to be in place to ensure that unsuitable people are prevented from working with children.
- 8.2.2. It is vital that at each stage of the recruitment process, organisations take opportunities to assess the suitability of potential candidates.
- 8.2.3. Safe recruitment practices are also applicable to those who work with adults, particularly in the home environment as they could be parents or have access to children.

### **8.3. Applications**

- 8.3.1. Applications from any person/s, whether paid staff, volunteers or board members should request, at the minimum, the following information:
  - a full employment history
  - explanations of any gaps in employment
  - academic or vocational qualifications
  - Disclosure and Barring Disclosure
- 8.3.2. Information provided in applications or CVs should be scrutinised for accuracy. Any discrepancies or anomalies contained within the information should be resolved.
- 8.3.3. To verify qualifications or employment history you should contact the institutions directly. You should search for this information directly and not use any numbers provided by the applicant.

### **8.4. Interviews**

- 8.4.1. Face to face interviews must be used to explore the candidate's suitability to work with children, as well as their ability to carry out the intended role.

- 8.4.2. It is recommended that interviewing panels include questions on child protection and safeguarding children issues.
- 8.4.3. A candidate must have suitable health and physical capacity to carry out the role to the required standard.

### **8.5. References**

- 8.5.1. All references should be scrutinised. When character references are sought, reference providers should not be a friend or family member of the candidate.
- 8.5.2. It is advisable to request a reference from the current or most recent employer.
- 8.5.3. Reference requests should include questions regarding the candidates' suitability to work with children and whether or not the referee holds any concern in this regard.
- 8.5.4. Appointment to post should not be made until satisfactory references have been obtained.

### **8.6. Things to consider**

- 8.6.1. Even the most robust recruitment practice cannot absolutely guarantee suitability to work with children.
- 8.6.2. It is therefore vital that organisations have good management and supervision structures in place and should apply probationary periods to each role.
- 8.6.3. Having clear procedures in place will assist in the identification of staff who could pose a risk to children.

### **8.7. Recruitment**

- 8.7.1. All volunteers/employees will be recruited with regard to their suitability for that responsibility and provided with guidance in good practice and child protection procedures.
- 8.7.2. All volunteers/employees will be referred to the Disclosure and Barring Service for an enhanced check for regulated activity (provided the criteria have been met).
- 8.7.3. The minimum of two references should be obtained including at least one regarding previous work with children. All references must be taken up.
- 8.7.4. Qualifications should be substantiated.

- 8.7.5. Evidence of identity must be verified e.g. passport or driving licence with photograph.
- 8.7.6. All employees/volunteers should be interviewed and provided with a clear written record of their role and responsibilities.

## **8.8. Training and supervision**

- 8.8.1. New recruits should receive formal or informal induction.
- 8.8.2. All employees, volunteers, coaches, welfare officers and team managers are to be provided relevant child protection training and updates and be alert to the indicators of abuse and neglect.
- 8.8.3. All employees, volunteers, coaches, welfare officers and team managers should understand their role and responsibility in safeguarding and promoting the welfare of children.
- 8.8.4. All employees, volunteers, coaches, welfare officers and team managers should be made aware of the organisations procedures and protocols for safeguarding children.
- 8.8.5. All coaches and leaders should have an up to date first aid qualification.
- 8.8.6. Every staff member should know who to contact within the organisation to express concern about a child's welfare.

## **8.9. Relevant legislation**

- 8.9.1. See section 2.24, 2.25, 2.26, 2.27 & 2.28 of the guidance Safeguarding Children: Working Together under the Children Act, 2004. Parts 1 & 2 of the All Wales Child Protection Procedures, 2008. Protection of Freedoms Act, 2012.

## **8.10. A candidate recruitment checklist (To be used with each candidate) Appendix 4.**

## **9. Disclosure and Barring Service Check**

### **9.1. Chapter summary**

- 9.1.1. Information about how to utilise the DBS (Disclosure and Barring Service) system to ensure potential and existing staff and volunteers meet an acceptable requirement.
- 9.1.2. This includes application, recruitment of persons from overseas, using information contained within a DBS check and updating DBS checks.

### **9.2. Chapter overview**

- 9.2.1. It is vital that any staff or volunteer who comes in to contact with children or vulnerable adults has a DBS check made.
- 9.2.2. DBS checks are able to provide information on a person's criminal history. In most career paths an applicant is under no legal obligation to provide this information, and it is illegal to ask about spent convictions.
- 9.2.3. However, jobs that involve contact with vulnerable groups are exempt from this rule under the Rehabilitation of Offenders Act, 1974 (Exceptions 1975) Order.

### **9.3. Types of DBS**

- 9.3.1. There are three types of CRB checks available;

#### **9.3.1.1. Standard DBS Check**

Standard checks contain details of both spent (old) and unspent (current) convictions, including cautions, reprimands and final warnings held in England and Wales on the Police National Computer (PNC). Most of the relevant convictions in Scotland and Northern Ireland may also be included.

#### **9.3.1.2. Eligibility for standard checks**

Employers may carry out standard level DBS Checks to assess a person's suitability for work listed in the Exceptions Order i.e. where the type of work enables the person to have 'access to persons in receipt of such services in the course of [their] normal duties'. The term 'access' only relates to where individuals have direct, physical contact with patients as part of their day to day activities; it does not include positions where there is no contact with patients.

Please note that positions that purely involve having access to records are not covered under the terms of the Exceptions Order

and therefore employers cannot obtain a standard or enhanced DBS Check for these positions.

### **9.3.1.3. Enhanced DBS Check**

An enhanced check contains the same information as a standard check but also includes any non-conviction information held by local police, where they consider it to be relevant to the post. This information is referred to as 'approved information' on the enhanced check certificate.

There are two levels of enhanced check – an enhanced disclosure check for regulated activity i.e. with barred list information and an enhanced disclosure without barring information.

## **9.4. Enhanced Check for regulated activity**

- 9.4.1. Individuals seeking work in a regulated activity position must be checked against the DBS lists of those barred from working in regulated activity. This check is accessed through the process of applying for an Enhanced DBS Check for regulated activity.

## **9.5. Eligibility for an Enhanced DBS Check**

- 9.5.1. Following recent changes to the eligibility criteria, there are some positions which are no longer eligible for an enhanced disclosure with a barred list check.
- 9.5.2. Employers may continue to obtain an enhanced DBS check i.e. without a barred list check for those positions that were previously eligible under the Safeguarding Vulnerable Groups Act (SVGA) before 10 September 2012 but no longer fall within the new definition of regulated activity.
- 9.5.3. The Home Office provides a list of positions which are eligible for DBS checks. Please see <http://www.homeoffice.gov.uk/agencies-public-bodies/crb/> for further details.

## **9.6. Current process for applying for a DBS**

- 9.6.1. To apply for a DBS check you must either be registered with DBS or approach an umbrella body.
- 9.6.2. If your organisation makes fewer than 100 applications a year then you should approach an umbrella body to assist in the application process.

- 9.6.3. A search engine of locally based umbrella bodies throughout the UK is available at <http://www.homeoffice.gov.uk/agencies-public-bodies/crb/about-crb/what-we-do/ub-search/>.
- 9.6.4. Individuals or self-employed persons cannot apply for a DBS check.
- 9.6.5. Organisations are only permitted to apply for DBS checks for successful candidates.
- 9.6.6. You must fill the form in fully using official additional sheets where necessary.
- 9.6.7. You must follow guidance issued with the form.
- 9.6.8. You must also follow the guidance for the required identity.
- 9.6.9. Any persons unable to provide the required items of identity will be ineligible for a DBS check and therefore unsuitable for employment.
- 9.6.10. Costs for DBS check depend upon the level of DBS check being applied for.
- 9.6.11. DBS checks for unpaid voluntary staff are currently free of charge. For DBS purposes it is deemed that 'unpaid' means not in receipt of any payment (for example, remuneration, allowance, financial benefit, payment in kind, or other means of support) in relation to the activity.
- 9.6.12. Enhanced DBS checks take on average 4 weeks to be returned, providing the application was completed correctly. However, sometimes this may take longer.
- 9.6.13. Applicants can monitor the progress of an application online via the following website:  
<https://secure.crbonline.gov.uk/enquiry/enquirySearch.do>.

## **9.7. Applicants from overseas**

- 9.7.1. Where an applicant is from overseas, a DBS check alone is not sufficient to check for a criminal history. Employing agencies should contact the relevant Embassy or High Commission of the relevant country. This can be found via <http://www.fco.gov.uk/en/travel-and-living-abroad/foreign-embassies-in-uk/>.
- 9.7.2. You should also try to obtain a certificate of good conduct from their local overseas police authority (contact the Embassy for

further information), and references from any overseas employers.

9.7.3. The standard of overseas police checks varies considerably. You also need to consider the cost in obtaining a certified translation of such documents.

9.7.4. The DBS is not responsible for checking a person's eligibility to work within the UK. As an employer, it is your responsibility to ensure someone is eligible to work in the UK. Failure to do so could result in a severe financial penalty.

**9.8. The Home Office have provided a helpful information in the form of a leaflet in preparation for the changes to the CRB process that come into effect from September 2012.**

**9.9. A Candidate recruitment DBS checklist: Appendix 5.**

## Appendix 1: Training & supervision checklist

| Have you checked the following?                                                                                                   | Tick |
|-----------------------------------------------------------------------------------------------------------------------------------|------|
| Do you have a training strategy for the organisation?                                                                             |      |
| Do you have a training plan for each individual member of staff that is tailored to suit their role?                              |      |
| Does your training strategy include safeguarding issues?                                                                          |      |
| Does your training strategy include regular refresher training on safeguarding issues?                                            |      |
| Do senior employees keep up-to-date with changes to statutory requirements?                                                       |      |
| Is there a successful mechanism in place for ensuring any changes to statutory requirements are cascaded down to frontline staff? |      |
| Do you formally ensure staff understand their roles and responsibilities through the supervision process?                         |      |
| Do you include safeguarding children as an agenda item for supervision?                                                           |      |
| Do you review employees' safeguarding practice, including any referrals they have made during supervision?                        |      |
| Do you have a clear indication of safeguarding children issues within your disciplinary policy?                                   |      |
| Do you keep a formal record of each individual's training history to ensure staff are kept up-to-date?                            |      |

If you are able to tick 'yes' to each of these then you should proceed with your training and supervision.



## Appendix 2: Named person checklist

| Have you checked the following?                                                                                                                     | Tick |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Do you have a named person who is taking the lead on safeguarding concerns?                                                                         |      |
| Does that person have adequate training to make them suitable for the role?                                                                         |      |
| Does that person have sufficient knowledge of the LSCB and local child protection procedures?                                                       |      |
| Does that person have sufficient knowledge of all contact details of child protection services, including contact details of out-of-hours services? |      |
| Is that person sufficiently senior to allow for recommendations of staff performance management?                                                    |      |
| Are they mostly contactable during working hours?                                                                                                   |      |
| Do you have a deputy who can be contacted in case of named person absence?                                                                          |      |
| Is the role of the named person adequately detailed within their job description?                                                                   |      |
| Do you have a senior employee who is capable of supervising the named person and holding them accountable?                                          |      |
| Do you have a procedure in place to properly address any allegations made of abuse or negligence by the named person?                               |      |

If you are able to tick 'yes' to each of these then you should proceed with your named person's role.

### Appendix 3: Policy content checklist

| Have you checked you have the following?                                                                                                                                                                                                                                                                                        | Tick |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Do you have a named person (and deputy) with a clearly defined role and responsibilities in relation to child protection, appropriate to the level at which s/he operates?                                                                                                                                                      |      |
| Do you have a description of what child abuse is, and the procedure to be followed where there are concerns about a child's safety or welfare, or concerns about the actions of a trustee, staff member or volunteer? Relevant contact details for children's services, police, health and NSPCC helplines should be available. |      |
| Do you have a process for recording incidents, concerns and referrals, storing these securely in compliance with relevant legislation and kept for a time specified by your insurance company?                                                                                                                                  |      |
| Do you have guidance on confidentiality and information sharing, that is compliant with legislation, and which clearly states that the protection of the child is the most important consideration?                                                                                                                             |      |
| Do you have a code of behaviour for trustees, staff and volunteers? Are the consequences of breaching the code clear and linked to disciplinary and grievance procedures?                                                                                                                                                       |      |
| Do you have safe recruitment, selection and vetting procedures that include checks regarding the eligibility and suitability of all trustees, staff and volunteers who have direct or indirect (e.g. helpline, email) contact with children?                                                                                    |      |
| Do you have a complaints procedure which provides a clear and well publicised means for adults and children to voice concerns about unacceptable and/or abusive behaviour towards children?                                                                                                                                     |      |
| Do you have robust systems in place to ensure that all staff and volunteers working with children are regularly monitored and supervised and that they have opportunities to learn about child protection commensurate with their roles and responsibilities?                                                                   |      |
| Do you have a requirement for trustees, staff and volunteers to learn about child protection in accordance with and as appropriate to their roles and responsibilities?                                                                                                                                                         |      |

If you are able to tick 'yes' to each of these then you should proceed with the policy.

**Appendix 4: Candidate recruitment checklist** (To be used with each candidate)

| Have you checked the following?                                                                              | Tick |
|--------------------------------------------------------------------------------------------------------------|------|
| Has a successful face to face interview been conducted?                                                      |      |
| Did the candidate demonstrate the appropriate knowledge, skills and attitude required to work with children? |      |
| Did the candidate demonstrate a sound awareness of safeguarding procedures?                                  |      |
| Does the candidate's health and physical condition satisfy Health & Safety requirements?                     |      |
| Have you clarified reason for any gaps in employment?                                                        |      |
| Have you satisfactorily verified any discrepancies?                                                          |      |
| Have you verified any relevant qualifications with the awarding body?                                        |      |
| Have you received satisfactory references?                                                                   |      |
| Have you received a satisfactory DBS check? (See 'Records Check' Chapter 9)                                  |      |

If you are able to tick 'yes' to each of these then you should proceed with the recruitment.

**Appendix 5: Candidate recruitment DBS checklist** (To be used with each successful candidate)

| <b>Have you checked the following?</b>                                                                                                   | <b>Tick</b> |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Are you a registered body, or have you approached an umbrella body to assist you with applying?                                          |             |
| Has the form been completed in full?                                                                                                     |             |
| Has any additional information, such as previous addresses, been completed on an official DBS form?                                      |             |
| Is the candidate/ employee able to provide the required identification documents?                                                        |             |
| Does the information on the identification match the information supplied on the DBS application?                                        |             |
| Does the information supplied on both the DBS application and on the identification, match the information given in the job application? |             |
| Has a qualified person verified the identification?                                                                                      |             |
| Have you made a note of the application number? (you will need this to track the application online)                                     |             |
| Have you made the necessary checks for overseas candidates?                                                                              |             |
| Have you secured proof of eligibility to work in the UK?                                                                                 |             |

If you are able to tick 'yes' to each of these then you should proceed with the recruitment.