

Ryedale & District Mencap

Safeguarding Children
Policy & Procedure

April 2022

Ryedale & District Mencap

SAFEGUARDING CHILDREN

POLICY & PROCEDURE

This policy and procedure has been adopted by Ryedale & District Mencap through its Trustee Committee which remains responsible for its review.

Original signed version is kept at the Ryedale & District Mencap registered office.

Signed: _____ Date: _____

Name: _____

Chair of Trustee Committee

Signed: _____ Date: _____

Name: _____

Committee Member

Record of adoption and review of this policy and procedure:

Adopted:

Due for review:

Ryedale & District Mencap SAFEGUARDING CHILDREN POLICY & PROCEDURE

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Ryedale & District Mencap

SAFEGUARDING CHILDREN POLICY & PROCEDURE

1. Introduction

This statement of policy and procedures applies to all Trustee Committee, staff, volunteers and Goosecroft Centre users of the Ryedale & District Mencap including all external groups that hire the centre. It is about safeguarding children, promoting their welfare and protecting them from harm or exploitation. A child is defined as someone who is under the age of 18. This policy will be reviewed annually and when there are changes in the legislation regarding children.

2. Policy statement

Ryedale & District Mencap is committed to provide a safe environment for children and young people, parents and visitors and promote a climate where children and adults feel confident about sharing any concerns that they may have about their own safety or the well-being of others.

1. We believe that all children and young people, regardless of age and background, have at all times and in all situations, the right to enjoy any activities in a happy, safe and secure environment. We will ensure that this is the case by rigorously implementing this policy. All staff and volunteers will be checked through the Disclosure and Barring Scheme (DBS).

2. We recognise that:-
safeguarding is everyone's responsibility - for our services to be effective, each member of staff, trustee or volunteer should play their full part and our services for children should be based on a clear understanding that:
 - the welfare of the child is paramount
 - all children have the right to equal protection from all types of harm, exploitation or abuse
 - working in partnership with children, their parents, responsible carers, the local authority and other agencies is essential in promoting the welfare of the child or young person
 - staff, trustees and volunteers will take seriously and immediately report allegations or suspicions of abuse concerning children and young people for whom services are being provided.
 - It is committed to providing an effective complaints procedure for children, young people and their families for whom the services are provided.
 - It will work in partnership with families of children and young people who have suffered abuse and keep them fully informed.
 - Ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people.
 - Ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored.

- Prevent the employment/deployment of unsuitable individuals.
- Ensure robust safeguarding arrangements and procedures are in operation.

The policy and procedures will be widely promoted and are mandatory for everyone involved in the work of Ryedale & District Mencap. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion.

3. Types and signs of abuse

Discriminatory Abuse

Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment, slur or similar treatment. Excluding a person from activities on the basis they are 'not liked' is also discriminatory abuse.

Domestic Abuse

Examples of domestic abuse include Psychological; Physical; Sexual; Financial; Emotional abuse; as well as so called 'honour' based violence, forced marriage and female genital mutilation. The Home Office (March 2013) defines domestic abuse as: "Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse... by someone who is or has been intimate partners or family members regardless of gender or sexuality".

Financial or Material Abuse

Theft, fraud, internet scamming, postal and doorstep scams, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits are all forms of financial abuse and are more often than not targeted at adults at risk. The adult at risk can be persuaded to part with large sums of money and in some cases their life savings. These instances should always be reported to the local police service and local authority Trading Standard services for investigation. The Safeguarding Adults Board will need to consider how to involve local Trading Standards in its work. Financial abuse can have serious effects including loss of income and independence and harm to health, including mental health. Where the abuse is perpetrated by someone who has the authority to manage an adult's money, the relevant body should be informed, e.g. the Office of the Public Guardian for deputies and attorneys and DWP for appointees.

Modern Slavery

Slavery, servitude and forced or compulsory labour. A person commits an offence if: The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude; or

The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour. There are many

different characteristics that distinguish slavery from other human rights violations, however only one needs to be present for slavery to exist. Someone is in slavery if they are:

Forced to work - through mental or physical threat;

Owned or controlled by an employer usually through mental or physical abuse or the threat of abuse;

Dehumanised, treated as a commodity or bought and sold as property

Physically constrained or has restrictions placed on his/her freedom of movement;

Human trafficking, recruited and transported for example using threats, coercion or force a person into sexual exploitation, forced labour or domestic servitude.

Contemporary slavery takes various forms and affects people of all ages, gender and races. Adults who are enslaved are not always subject to human trafficking.

Recent court cases have found homeless adults promised paid work opportunities enslaved and forced to work and live in dehumanised conditions, and adults with a learning difficulty restricted in their movements and threatened to hand over their finances and work for no gains.

From 1 November 2015, specified public authorities have a duty to notify the Secretary of State of any individual identified in England and Wales as a suspected victim of slavery or human trafficking, under Section 52 of the Modern Slavery Act 2015.

Neglect and Acts of Omission

Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. Neglect also includes a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves.

Organisational Abuse

Is the mistreatment, abuse or neglect of an adult by a regime or individuals in a setting or service where the adult lives or that they use. Such abuse violates the person's dignity and represents a lack of respect for their human rights.

Physical Abuse

Assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Restraint

Unlawful or inappropriate use of restraint or physical interventions. In extreme circumstances unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where an adult's freedom of movement is restricted, whether they are resisting or not. Restraint covers a wide range of actions. It includes the use of active or passive means to ensure that the person concerned does something, or does not do something they want to do, for example, the use of key pads to prevent people from going where they want from a closed environment.

Psychological Abuse

Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Sexual Abuse

Examples of sexual abuse include rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting. Sexual abuse is not confined to issues of consent the following factors should also be considered:

Any sexual relationship or inappropriate sexualised behaviour between a member of staff and service user should lead to disciplinary proceedings;
A sexual act between a care worker and service user with a mental disorder is also a criminal offence under section 38- 42 of the Sexual Offences Act.

Signs of Abuse

The signs summarised below do not necessarily mean that a child or vulnerable adult is being abused. Similarly there may not be any signs; you may just feel something is wrong. If you are worried report it to the designated person. It is not your responsibility to decide if it is abuse but it is your responsibility to act on your concerns and do something about it by reporting.

Signs of Physical Abuse

Unexplained injuries or burns

- Improbable excuses given to explain injuries
- Refusal to discuss injuries
- Untreated injuries
- Admission of punishment which appears excessive
- Bald patches
- Withdrawal from physical contact
- Arms and legs covered in hot weather
- Fear of returning home
- Fear of medical help
- Self-destructive tendencies
- Aggression towards others
- Running away

Signs of Neglect

Constant hunger

Poor personal hygiene

Constant tiredness

Poor state of clothing

Emaciated, decline in health for no reason

Frequent lateness or non attendance at school/provision

Untreated medical problems

Destructive tendencies

Low self esteem
Neurotic behaviour
No social relationships, lack of money
Running away
Compulsive stealing or scavenging

Signs of Emotional abuse

Physical, mental and/or emotional development slows down
Admission of punishment which appears excessive
Over-reaction to mistakes
Continual self-deprecation
Sudden speech disorders
Fear of new situations
Inappropriate emotional responses to painful situations
Neurotic behaviour e.g. thumb sucking, hair twisting, etc.
Self harm
Fear of parents or carers being contacted
Extremes of passivity or aggression
Substance misuse
Running away
Compulsive stealing, scavenging
Running away
Compulsive stealing or scavenging

Signs of Sexual Abuse

Lack of trust in adults and/or fear of a particular individual[s]
Over familiarity with adults or provocative behaviour
Withdrawal and introversion/problems with peer relationships
Running away from home/sudden behaviour changes e.g. falling standards, truancy, stealing etc.
Low self esteem
Substance misuse
Displaying sexual knowledge beyond age group
Involvement in prostitution
Lack of trust in adults and/or fear of a particular individual[s]
Over familiarity with adults or provocative behaviour
Withdrawal and introversion/problems with peer relationships
Running away from home/sudden behaviour changes e.g. falling standards, truancy, stealing etc.
Low self esteem
Substance misuse
Displaying sexual knowledge beyond age group
Involvement in prostitution

4. Patterns of Abuse

Abuse can take place in any context. It may occur when an adult at risk lives alone or with a relative; it may also occur within nursing, residential or day care settings, within hospitals or other places previously assumed safe, or in public places. Patterns of abuse may reflect very different dynamics, such as:

- Serial abuse in which someone seeks out and 'grooms' individuals. Sexual abuse sometimes falls into this pattern as do some forms of financial abuse;
- Long term abuse may occur in the context of an ongoing relationship such as domestic violence between partners or generations or persistent psychological abuse;
- Opportunistic abuse such as theft occurring because money or jewellery has been left lying around;
- Self-neglect, where a person declines support and assistance with their care and support needs, impacting on their individual wellbeing.
- Abuse may consist of:
 - A single or repeated acts
 - An act of commission or omission
 - Multiple acts, for example, an adult at risk may be neglected and also being financially abused. Abuse may be intentional or unintentional. A number of abusive acts are crimes and informing the police must be a key consideration

5. Responding to disclosures of abuse

It is not the responsibility of employees, volunteers or trustees to deal with suspected abuse but it is their responsibility to report concerns to the designated person. It is important that all employees, volunteers and trustees should be aware of their responsibilities if child or vulnerable adult abuse is suspected.

Concerns would normally be shared with parents and carers as soon as possible. However, there could be circumstances when this could put the person at greater risk or there may be concerns that parents and carers will not respond appropriately. If you notice any social changes in the behaviour of a child young person or vulnerable adult, worrying marks or bruises or hear someone talking about things which give cause for concern, then your first responsibility is to the child. It is not safe to assume that someone else will take action. As an adult you have a duty to take appropriate action. Recognising and coping with abuse is very stressful and the person reporting the concern will not have to cope alone.

If a child, young person or adult spontaneously talks of experiences which give cause for Concern, employees, volunteers or trustees should:

Explain to the child, young person or adult that if he/she discloses information which leads you to believe they are being abused, you will be unable to keep it confidential.

Listen to the child young person or adult without questioning him/her. Be aware of your own reactions as showing disapproval may stop the child from continuing with their disclosure.

Do not try to stop the child, young person or adult from recalling events. Make a note of what is said, in what context, the setting, the timing and which people were present.

Reassure the child, young person or adult tell them that they are right to tell you (do not promise to keep it a secret as it is your responsibility to inform others).

Stay calm – ensure the child, young person or adult is safe and feels safe.

Accept what you have been told. (This should not be seen as believing or disbelieving what you have been told)

Reassure the child, young person or adult and stress that they are not to blame.

Tell the child, young person or adult that you will offer support but you will have to pass the information on.

Do not question the child, young person or adult and/or rush into details that may be inappropriate.

Monitor the individuals concerned; encourage them to continue to take part in the Organisation's activities.

Do not make promises you cannot keep.

Do not approach or contact the alleged abuser(s).

6. Reporting Procedures

If you Are worried about a child or a young person under the age of 18 you should contact the Children and Families Service through the Customer Contact Centre (01609 780780). Anyone can make a referral if you are worried about any child and think they may need support or are a victim of neglect or abuse, whether as a member of the public or as a professional.

Professionals in all agencies have a responsibility to refer a child to Children's Social Care (part of the Children and Families Service) / Disabled Children's Service when it is believed or suspected that a child:

- Has suffered significant harm and / or
- Is likely to suffer significant harm and / or
- Has developmental or welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent)

If the concern is outside of normal office hours you should contact the Emergency Duty Team. (01609 780780)

A written confirmation of the referral must be completed and submitted with 24 hours.

Where possible, North Yorkshire Children and Young People's Service request that you use their 'Universal Referral Form' to ensure that all relevant information is provided to ensure that the referral can be progressed as affectively as possible.

Record the concern or incident- use the 'North Yorkshire Universal Referral Form APPENDIX 1.

Include date and time of what has occurred and the time the disclosure was made.

Record the names of the people involved and what was said and done by whom and any action taken.

Inform the designated named person for Child and vulnerable adult Protection or the deputy immediately. Any organisation that has hired the Goosecroft Centre should inform the Mencap designated person as well as following their own Children's Safeguarding procedures. Remember that confidentiality is of the utmost importance.

- If the matter is urgent and none of the above can be contacted, then contact Social Care (During Office Hours by phone: 01609 780780 or outside office hours on 01609 780780) or Dial 999 the police or ambulance if a crime, injury or immediate risk is perceived.

The Designated person will contact the appropriate authorities including the Duty Team as soon as possible.

<http://www.safeguardingchildren.co.uk/> and

[https://www.northyorks.gov.uk/safeguarding-vulnerable- adults](https://www.northyorks.gov.uk/safeguarding-vulnerable-adults)

Whether information is shared with or without the adult at risk's consent, the information sharing process should abide by the principles of the Data Protection Act 1998. In those instances where the person lacks the mental capacity to give informed consent, staff should always bear in mind the requirements of the Mental

Capacity Act 2005 and whether sharing it will be in the person's best interest.

7. Managing allegations against staff

Allegations against people who work with children and vulnerable adults, including any staff, volunteers or trustees must be referred to the North Yorkshire County Council following consultation with the supervisor or senior colleague, as described above. North Yorkshire County Council has a designated officer within the Safeguarding Board who offers support and advice in relation to allegations and monitors how they are dealt with. This person can be consulted to decide if a concern warrants a referral or not.

When a referral is made, the area local authority will hold a strategy discussion to decide how to act and coordinate the response of the different agencies. North Yorkshire County Council is responsible for the welfare of the child concerned, the police for any criminal investigation and the employer/agency for the disciplinary process. There may have been an initial telephone strategy discussion to agree immediate action, but this should be followed by a face to face meeting involving all agencies to coordinate the 3 processes. The Manager should attend.

If the allegation concerns a member of staff, Ryedale & District Mencap Trustee committee should be consulted about the implementation of the disciplinary process, taking advice as appropriate from North Yorkshire County Council.

Working Together to Safeguard Children 2015 and the Care Act 2014 clarifies when this procedure should be used, namely, when a person has;

- behaved in a way that has harmed or may have harmed a child or vulnerable adult,
- possibly committed a criminal offence against or related to a child or vulnerable adult
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children and vulnerable adults.

Strategy meetings may be chaired by the Local Authority Designated Officer (LADO) who has a responsibility to monitor the progress of all allegations. Thus the LADO must be informed of allegations within one working day. The LADO also monitors to ensure that allegations are dealt with consistently, that the same process is applied and that outcomes are appropriate.

Working Together to Safeguard Children 2015, Handling Allegations of Abuse made against Adults who Work with Children and Young People (DCSF May 2009) the Care Act 2014 and the area local authority safeguarding procedures must be consulted when dealing with allegations against staff or workers.

If a member of staff, volunteer or trustee is subject to this process, there has to be a written record of the outcome. If the local authority and the police take no further action, it is essential that Ryedale & District Mencap obtains their view in writing as to what action, if any, they should take. The local authority and the police cannot direct the charity to reach a particular disciplinary judgement, but they can advise that the charity implements disciplinary procedures. Whilst the focus of this policy is safeguarding children and young people, it is important to ensure that any staff, Volunteer or trustee subject to this process are treated honestly and fairly and receive appropriate support. However, when an allegation is being investigated by the Police, it is essential to agree with the Police and Local Authority Designated Officer responsible for safeguarding either children or adults, what information can be shared with the

member of staff, volunteer or trustee.

8. Referrals to the Disclosure and Barring Service (DBS)

If Ryedale & District Mencap dismisses a member of staff, volunteer or trustee in relation to an allegation, or a member of staff or volunteer resigns, but would have been dismissed, they have a statutory duty to refer the person to the Independent Safeguarding Authority.

DBS will consider whether or not to bar the person from working with children and vulnerable adults.

Referrals to DBS must state the grounds for the referral and the evidence that demonstrates the referral criteria are met. If the local authority recommends referring either a member of staff, volunteer or trustee to DBS, e.g. following a strategy discussion, it is essential that the request is received in writing, from the local authority, with the written agreement of the Local Authority Designated Officer stating the evidence that supports the local authority's request. The charity would normally only refer staff or workers to DBS once any disciplinary process is complete and referrals must be made in line with the DBS guidance demonstrating how the individual has;

- engaged in relevant conduct;
- satisfied the Harm Test; or
- received a caution or conviction for a relevant offence.

9. Designated Person

There will be a named designated person and a deputy-designated person for child protection and safeguarding. In the event of any concerns regarding a child, young person or vulnerable adult then the designated person or deputy will be informed at the earliest available opportunity. If necessary the designated person will inform the relevant Social Care department without delay and the Ryedale & District Mencap Management Committee. The designated person will also ensure that the child protection procedures are kept up to date and reviewed.

Named designated person: Manager Ms J Hall

Contact details:

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Named Deputy: Chair of Trustees

Contact: 07984978156

10. Risk assessments

Ryedale & District Mencap recognises that the assessment and management of risk contributes to running safe services and activities. Ryedale & District Mencap's *Risk Assessment Policy* should be referred to for full details.

11. Recording images

Reference should be made to Ryedale & District Mencap's '*Managing Images of Service Users Policy*' which sets out the conditions for recording images at our projects and services.

In general, photographing and videoing activities must not be carried out during activities when children are involved without the prior written consent of their parent or responsible carer. Photographing and videoing activities must only be carried out using a camera or video recorder belonging to Ryedale & District Mencap. Photographic or video images can only be used by Ryedale & District Mencap for the promotion and publicising of its work, unless Ryedale & District Mencap's prior written consent is obtained for another specified use. If any photographic or video images are to be published in any publicity material, children's names must not be disclosed without the prior written consent of Ryedale & District Mencap.