

## C01a

# Safeguarding and child protection policy (England)

This document is provided to (*Harrow Carers*) (now referred to as 'the organisation') as a Network Partner of Carers Trust.

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### 1.0 SCOPE

- 1.1 The organisation's approach to safeguarding and protecting children and young people aged 17yrs and under<sup>1</sup> is set out in the following documents:
- policy (C01a)
  - procedure for managers (C01b)
  - guidance for staff (C01c),
  - guidance for volunteers (C01d)
  - abuse of children: factors, types and indicators (C01e).
- 1.2 The term 'staff as used in this policy refers<sup>2</sup> to both employees and volunteers<sup>2</sup> throughout the organisation.
- 1.3 The intended outcome of these documents is to safeguard and protect from abuse, harm and neglect ALL children and young people with whom staff come into contact, to promote their wellbeing and to respond promptly and effectively to any concerns. This includes (but is not limited to) children and young people who:
- have an illness, disability or additional needs
  - are young carers
  - are in challenging family circumstances (such as substance abuse, adult mental health issues, domestic violence)

<sup>1</sup> There is separate safeguarding documentation for adults aged 18 and over (B05).

<sup>2</sup> The National Council for Voluntary Organisations states that 'volunteers give their time, carrying out activities that aim to benefit community or society. Volunteers are unpaid and choose how they wish to give their time'. Central to this definition is the fact that volunteering must be a choice freely made by each individual.

- are drawn into anti-social or criminal behaviour, including gangs/ organised crime
- are frequently missing from home
- are at risk of modern slavery, trafficking, exploitation, radicalisation
- have recently returned home from Care
- are showing early signs of abuse and /or neglect – see NSPCC publication [Spotting the signs of child abuse](#)

1.4 Providers of both regulated and non-regulated services to children and young people will read this policy alongside their organisation's policies concerning:

- confidentiality and disclosure (providers of regulated services, see D05)
- whistleblowing
- diversity and equality
- code of conduct
- compliments and complaints
- professional boundaries.

1.5 Organisations that provide regulated care and support services and have access to the care practice Operational Policy Framework will also read:

- children's personal care (C02) - including duty of candour
- children's medication (C03) - including medicines-related safeguarding incidents
- behaviour management (D03) - including use of restraint
- autonomy and independence (D04) - including consent, Mental Capacity Act, Deprivation of Liberty Safeguards (DoLS) / Liberty Protection Safeguards (LPS)<sup>3</sup>
- financial protection (D07)
- missing persons (model policy - AT18).

1.6 Organisations will, where appropriate to the services they provide, consider developing organisational policies addressing:

- prevention of bullying
- procedures for dealing with an allegation of bullying.

## 2.0 LEGISLATION

2.1 The organisation seeks to comply with:

- Children Act 1989
- Human Rights Act 1998
- Protection of Children Act 1999
- Sexual Offences Act 2003
- Female Genital Mutilation Act 2003
- Health and Social Care Act 2008
- Equality Act 2010
- Protection of Freedoms Act 2012
- Children and Families Act 2014
- Young Carers Needs Assessment Regulations 2015
- Counter-Terrorism and Security Act 2015
- Children Act 2004 as amended by Children and Social Work Act 2017

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<sup>3</sup> The government has not said when DoLS will be replaced with LPS.

- General Data Protection Regulation (GDPR) and Data Protection Act 2018<sup>4</sup>
- Domestic Abuse Act 2021<sup>5</sup>

2.2 Other relevant guidance includes:

- [‘Working together to safeguard children’](#) (updated 2023)
- [Safeguarding children and child protection | NSPCC Learning](#)
- [The eight Caldicott principles of good information sharing](#)

### 3.0 POLICY STATEMENT

3.1 The organisation:

- recognises that the welfare of the child or young person is paramount and that each one has a right to live safely, free from abuse or harm, regardless of their age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation
- acknowledges that children and young people have the right to live in safety, free from abuse and neglect and that being and feeling safe will improve their wellbeing and quality of life
- endorses a child-centred approach to safeguarding and child protection, keeping the child or young person in focus when making decisions about their lives, listening to them, taking their views into account and working in close partnership with them and their families
- recognises that everyone involved with services for children or young people has a role to play in protecting and promoting their welfare and that everything possible must be done to prevent, report and tackle abuse
- is committed to fostering an honest, open, transparent culture for staff at all levels, ensuring they feel empowered to raise concerns in situations of both potential or actual abuse regarding children and young people, fully recognising that abuse can be carried out by friends and family, as well as by strangers and those providing services in a professional role
- is committed to preventing the development of a ‘closed culture,’<sup>6</sup> defined as a poor culture that can lead to harm, including human rights breaches such as abuse, which can be deliberate or unintentional
- recognises that structural disadvantages like poverty, racism and sexism interact with the pressures associated with adolescent development to limit the safety and choices available to children and young people within particular contexts<sup>7</sup>.

3.2 The organisation seeks to honour the principles of [The United Nations Convention on the Rights of the Child](#)<sup>8</sup>, under which all children and young people have the right to:

- survive and grow

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<sup>4</sup> The UK GDPR and Data Protection Act do not prevent or limit information sharing for the purposes of keeping children and young people safe, but rather provide a framework to ensure that personal information about living persons is shared appropriately. See [Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers](#)

<sup>5</sup> [Domestic abuse statutory guidance \(June 2022\)](#)

<sup>6</sup> [How CQC identifies and responds to closed cultures - Care Quality Commission](#)

<sup>7</sup> [Contextual safeguarding: what is it and why does it matter? | NSPCC Learning](#)

<sup>8</sup> See also [UN Convention on the Rights of the Child - UNICEF UK](#)

- participate and be heard
- fulfil their potential
- receive an education
- be healthy
- be treated fairly
- have a childhood.

3.3 No form of corporal punishment will be used at any time against any child or young person to whom services are provided.

#### 4.0 RESPONSIBILITIES OF TRUSTEES

4.1 Safeguarding is a key governance concern for all charities. See Charity Commission publication: [Safeguarding and protecting people for charities and trustees](#) (updated June 2022)

4.2 The organisation's trustees have a personal responsibility to familiarise themselves with this policy, and to be aware of the associated procedure and guidance documents. Responsibility for having detailed knowledge of the procedure and guidance and monitoring the organisation's compliance with them may be carried out by a nominated board member or delegated to an appropriate member of the management team.

4.3 Trustees are responsible for ensuring managers have safe and effective systems in place whereby staff at all levels of the organisation:

- work according to the safeguarding and child protection policy documents
- receive training that is relevant to and at a suitable level for their role
- promote a culture of listening to children and young people
- are clear about their responsibilities and accountability in relation to preventing, identifying and reporting the abuse of children and young people
- **know how to escalate concerns**
- receive appropriate supervision and support, including following a safeguarding or child protection incident.

4.4 Specifically, trustees have a responsibility to:

- promote a culture of openness and candour at all levels of the organisation
- ensure senior managers are fully committed to safeguarding and protecting children and young people
- ensure their organisation operates zero tolerance to all forms of abuse, including unlawful discrimination, degrading or inhuman treatment, excessive or inappropriate use of restraint or restrictions on movement and activities
- ensure robust systems of scrutiny and internal inspection are in place to monitor and review safeguarding practice on an ongoing basis across the organisation, to inform continued development, quality assurance and improvement
- oversee performance and risk in relation to safeguarding children / young people
- ensure adequate support for staff who raise concerns (whistleblowers).

- 4.5 In addition, trustees will ensure managers establish and operate robust systems to:
- engage with the Safeguarding Partners<sup>9</sup> within the geographical area/s in which they operate, working in accordance with the safeguarding and child protection arrangements set out by them
  - implement local authority inter-agency agreements, including information sharing<sup>10</sup> protocols that support the supply and exchange of information to the relevant Safeguarding Partners
  - work cooperatively and in an integrated manner with other agencies in the statutory, voluntary and independent sectors
  - select, recruit, vet staff in compliance with legal requirements and good practice
  - make checks against and referrals to the [Disclosure and Barring Service](#)<sup>11</sup>
  - deal with allegations against and concerns about staff who may have harmed a child or behaved in a way that indicates they may pose a risk of harm to children, in line with local authority protocols (see also 6.0 below)
  - follow reporting requirements of safeguarding and child protection incidents as set out in the accompanying procedure (C01b).
- 4.6 Trustees are responsible for ensuring that:
- a senior staff member (suitably trained and competent to handle safeguarding and child protection issues) is appointed as the organisation's designated safeguarding and child protection officer
  - the designated person maintains up-to-date knowledge of national changes and developments in children's safeguarding policy and disseminates this information across the organisation in a format that is relevant to the intended audience.
- 4.7 It is recommended good practice to appoint to the organisation's board of trustees a person who is suitably trained / experienced in safeguarding and child protection to act as children's safeguarding lead to:
- work with the organisation's designated safeguarding and child protection officer, ensuring all necessary safeguarding protocols are in place
  - inform the board when safeguarding protocols need revision following any issue / incident that identifies weaknesses or has policy implications.

In the absence of such an appointment, these duties will fall by default to the chair of the organisation's board of trustees, who will receive appropriate training and ongoing support to carry out this role.

## 5.0 RECOGNISING ABUSE AND RAISING SAFEGUARDING CONCERNS

- 5.1 Early help and intervention are paramount in reducing the risk of significant harm. Local Safeguarding Partners are required to have pathways in place documenting the process

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<sup>9</sup> Local Safeguarding Partners are made up of a local authority, chief officers of police and integrated care boards for any area falling under that local authority. These partners are responsible for implementing arrangements to safeguard and promote the welfare of children locally in their area.

<sup>10</sup> Organisations must be transparent and accountable in relation to information shared and must record all decisions about whether they are sharing information, what they are sharing, with whom and why.

<sup>11</sup> [DBS checks: detailed guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/db-checks-detailed-guidance)

for early help and assessment<sup>12</sup>, bringing together parent, carer and multi-agency plans for interventions to improve the child or young person's circumstances. The organisation's staff will be familiar with and follow these local arrangements, participating as required.

- 5.2 The organisation will ensure safeguarding and child protection training stresses that abuse may be prevented or diminished by good staff vigilance at all levels, from a staff team that is open to raising an alert in all potential as well as actual risk situations and understands the importance of speedy action, to best protect the children and young people with whom they are in contact.

## 6.0 ALLEGATIONS OF ABUSE AGAINST STAFF

- 6.1 Trustees will ensure managers have robust systems in place whereby allegations of staff abusing children or young people are listened to, taken seriously, dealt with promptly in line with local protocols and reported to the relevant authorities as detailed in the accompanying procedure (C01b).

## 7.0 LEARNING AND DEVELOPMENT

- 7.1 Managers are responsible for assessing the roles undertaken by:

- employees **not** directly involved in provision of care and support services
- volunteers

to determine level of briefing / training needed in relation to children's safeguarding.

- 7.2 For employees involved in the provision of regulated care and support services, general learning and development requirements relating to children's safeguarding are contained in the learning and development policy documents (E13).

- 7.3 Managers will make sure that **all** employees involved in the planning and provision of services have mandatory induction and ongoing training in safeguarding and child protection. Please note: this **includes** those who work solely with adults, as their role may bring them into contact with children or young people who are, for example, living or regularly visiting the homes of adult service users and who may be experiencing different forms of abuse which all staff need to be able to recognise<sup>13</sup>

## 8.0 ADOPTION

- 8.1 To formally adopt this policy, the organisation's board of trustees will document in the minutes of the appropriate board meeting its name and reference number and the date it was adopted. The minutes will be signed by the chair of the trustees on behalf of the board.

## APPENDIX 1 – DEFINITIONS

### Abuse

Abuse is any form of maltreatment of a child or young person. Someone may abuse or neglect a child or young person by inflicting harm, or by failing to act to prevent harm. There are multiple forms of abuse relating to children and young people, and incidents can often involve several

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<sup>12</sup> [Early help \(or early intervention\) | NSPCC Learning](#) facilitate coordinated multi-agency support for children and young people at risk of poor outcomes, aiming to identify their needs and plan to meet those needs.

<sup>13</sup> As well as being good practice, this is an insurance requirement for those organisations insured by a company brokered through Gallaghers.

categories. The different types of abuse are covered in detail in C01e (the abuse of children: factors, types and indicators).

Being exposed to domestic abuse can have devastating consequences for children. The statutory definition of domestic abuse is set out in the Domestic Abuse Act 2021 and further outlined in C01e.

### **Child in need**

This refers to a child or young person who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development are likely to be significantly or further impaired, without provision of services; or a child who is disabled.

### **Safeguarding and promoting the welfare of children**

Adverse Childhood Experiences (ACE) are known to have lifelong impacts on children's mental and physical health and behaviour into adulthood.

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
- taking action to enable all children to have the best life chances.

### **Child protection**

This refers to the activity undertaken to protect specific children or young people who are suffering, or are likely to suffer, significant harm.

### **Significant harm**

Significant harm is assessed in relation to:

- the nature of harm in terms of maltreatment or failure to provide adequate care
- the impact on the child or young person's health and development
- their development in context of their family and wider environment
- special needs such as a medical condition, communication impairment, disability that may affect the child or young person's development and care in a family
- the capacity of parents to adequately meet the child or young person's needs and
- the wider and environmental family context.

Some children or young people are in need because they are suffering or likely to suffer significant harm. This threshold gives a legal justification for compulsory intervention in a child or young person's life and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child.

### **Abuser**

Abuse may be carried out by any of a wide range of people. Examples include:

- relatives, friends, family members, neighbours, those in their social network
- professional paid staff or volunteers (including colleagues) in an institutional or community setting, including the child or young person's own home
- someone known to the child or young person or a stranger
- an adult or adults, or another child or children.

### **Contextual Safeguarding**

Contextual Safeguarding is a framework for safeguarding children beyond their family settings. While traditional safeguarding is focused on working with parents, within a contextual framework the focus is on identifying harm, or risk of harm within contexts beyond familial settings, for example, in educational facilities, when taking part in local community activities (such as clubs and internet cafes), in peer groups and the online environment. Contextual safeguarding then works to create safety within those environments; it builds on and does not replace safeguarding children within their family settings<sup>14</sup>.

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<sup>14</sup> [Contextual safeguarding | NSPCC Learning](#)