



Procedure/Guidance

Date Issued/Reviewed: October 2021

SAFEGUARDING CHILDREN/CHILD PROTECTION

1 Purpose

This procedure encompasses any allegation of abuse of a child or young person who is looked after on behalf of a local authority by Woodlands Ltd and is accommodated in a residential establishment.

The procedure is intended to ensure that there is a systematic response to allegations of child abuse in which staff may be implicated. The procedure also applies to child-to-child abuse in the above settings.

2 Scope

The procedure should be used in conjunction with the Local Safeguarding Children's Board procedures issued in both the area of the child's origin and the area in which the allegation occurs.

3 References

Wales Safeguarding Procedures 2019, Social Services & Wellbeing Act 2014

4 Definitions

Children looked after may have experienced abuse prior to entering our care. The nature of such abuse may be '**physical**', '**sexual**', '**emotional**' or '**neglect**'.

Definitions¹

PHYSICAL ABUSE

Physical Abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using such terms as fictitious illness by proxy or Munchausen Syndrome by proxy.

SEXUAL ABUSE

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether the child is aware of what is happening or not. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at pornographic material or watching sexual activities or encouraging children to behave in sexually inappropriate ways.

NEGLECT

Neglect is the persistent failure to meet a child's basic physical and 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 a child's basic emotional needs.

EMOTIONAL ABUSE

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

SIGNIFICANT HARM

Under Section 31 (9) of the Children Act 1989 as amended by the Adoption and Children Act 2002, "Harm" means ill treatment or the impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another.

If abuse has occurred this will be identified in the CLA documentation that will have been provided prior to or at the point of admission to Woodlands Ltd. **It is the responsibility of all staff to be fully aware of the content of such information.**

Children who have suffered abuse may be particularly vulnerable to further abuse. Sadly, there is a well-documented history of individuals involved in the care of children abusing their role and becoming perpetrators of abuse. (Please refer to 'Whistle Blowing Policy').

We should all attempt to create a safe and open environment in which both children and adults feel respected and listened to. Clear routines and boundaries will establish a sense of security and stability.

Responsibility for the investigation of allegations of abuse rests outside of our organisation. It is vitally important that all employees of Woodlands understand their role in this process. **The investigatory responsibility lies with the relevant Social Services Department, sometimes in conjunction with the police.**

Staff should always make themselves aware as to the All Wales Child Protection Procedures and a copy of those procedures should be kept in the houses for reference.

5 Action

Action

Person Responsible

Helping the Children to Feel Safe

- 5.1 Carers should aim to create an environment in which children feel safe to talk and raise concerns. All staff
- 5.2.1 Link workers play a particularly important role in gaining the trust and confidence of a child and should act as an advocate and problem-solver they must be aware that such relationships must neither be collusive or exclusive.
- 5.3 Children should also be encouraged to talk to others who are not directly involved in their day-to-day care for example, therapist, teaching staff or advocate. All staff share the responsibility to ensure that children are safe from harm of all kinds and treated with dignity and respect.

Staff Procedure

- 5.4 Your priority is to take immediate action to ensure the safety of a child. All staff
- In most cases the child will not be at risk of immediate harm but if this is the case then staff should take whatever action is necessary to remove the child from the perceived risk.
- 5.5 If you have reason to believe that a child is at risk of “significant harm” or has suffered “significant harm” you should **immediately** report your concerns to the Registered Manager, Directors. In the unlikely event of these individuals all being unavailable you should report directly to the child’s Social Worker/Team Manager or other person in the relevant Social Services Department)
- 5.6 At the earliest available opportunity you must record, in as much detail as is possible, the information that has led you to the conclusion that the child may have suffered “significant harm” – using the exact words, if possible, detailing the date, time, place and people who are present at the discussion.

Staff Support

- 5.7 The organisation recognises the stresses and tensions associated with allegations of abuse, whether by a child, adult or member of staff. Consequently, the organisation offers support and guidance to employees at every opportunity, mindful of the need for the external agencies to be allowed to conduct their investigations.

1.8 Whilst not denying the child the opportunity to talk you must seek not to “contaminate” the information that they have given you by asking leading questions or encouraging them to elaborate. (There is a possibility that by doing so you may jeopardise future action by the Social Services Dept. or the Police).

If the child wants to talk to you then take care that at the earliest opportunity you record everything in detail including what was said by you. Staff are best advised to say as little as possible and to simply listen to the child. You must not ask ‘leading questions’ and this is a difficult skill to learn – so say as little as possible. The reason you should not try to elicit information from the child is that (a) you are not trained to do this and should you do so you will be seen to have contaminated the evidence, (b) it is for the police and Social Services Department to agree who should interview the child and the worst thing for the child is to be asked a number of times about events/circumstances. The police and Social Services Department plan very well to avoid what is known as multiple interviews.

You **must not** on any account assure the child that whatever they say you will treat as confidential. Children will, in most cases, wish to elicit this assurance from you. Given that all cases of abuse must be reported you are not able to agree to such an assurance. Remember also that the child is telling you because they want something to be done about it.

- 5.8 The Registered Manager (or alternative person as outlined above) will report the matter to the Child’s Social worker or team manager and to the Social Services Manager responsible for child protection in the Local Authority the home is situated who will then determine the need for an investigation by reference to their Child Protection Procedures. All referrals to Social Services must be followed up in writing within two working days.
- 5.9 All personnel employed or commissioned by Woodlands Ltd will co-operate fully with any ensuing investigation conducted by the Social Services Department.

Registered
Manager
Directors

5.10 The Social Services may subsequently call a **Strategy Meeting (Part 4 Review) and/or Child Protection Conference**. The purpose of such meetings is:

- * To share multi-agency information.
- * To determine who needs to be informed about the allegations.
- * To determine any immediate protective action.
- * To determine the scope and nature of the investigation.
- * To identify support for carers in cases involving foster care.
- * To set a date for reconvening the next Strategy Meeting/ Child Protection Conference.

Staff from Woodlands Ltd will attend and contribute to such meetings if invited to do so and will undertake such tasks and actions as recommended by such meetings.

5.11 If Woodlands Ltd personnel are required to attend such meetings, they will be offered support and/or advice from the Director/Registered Manager in preparation for their attendance.

5.12 Suspicion of abuse by member of staff.

Where a member of staff has cause to believe that an employee of Woodlands Ltd may be abusing a child/young person their concerns must be expressed and discussed with the Registered Manager. Should the concerned member of staff consider that they cannot discuss their concerns with the Registered Manager they must inform the Directors of their concerns.

5.13 The Director will take such action as they consider necessary. A consideration they will address is ensuring the safety of the children in the home and balancing the need not to warn the suspected abuser the police will need to be consulted as to the need to acquire evidence. Where they judge that the concern expressed is of concern they will:

- Contact the Social Services Manager responsible for Child Protection in the area the home is situated or
- Discuss with the police how this matter is to be investigated and take advice from the police as to how to proceed.
- Consider suspending the member(s) of staff concerned paying consideration to the police advice and balancing the need to protect the children in the Home/Unit.

Inform the Care Inspectorate for Wales in accordance with the Regulated Services (Service Providers and Responsible Individuals) – (Wales) Regulations 2017 (Part 15 Schedule 3)

- Email to them the proposed strategy for dealing with this matter and the subsequent outcome of the Child Protection

enquiry.

- Inform Social Workers or their Line Managers for the children resident in the home.

5.14 When the staff member has reported the alleged abuse to the Registered Manager the manager will inform them about the actions taken to address the allegation and protect the child. If the staff member:

- Has concerns that the actions taken by the Manager or Directors have failed to protect the child or other children from continuing harm
- Is unable to discuss concerns with the manager
- Suspects that the managers or directors are involved in or colluding with the abuse

The staff member will report their concerns directly to the social services manager responsible for child protection in the local authority the home is situated, and/or to the police.

5.14 In the event of a member of staff being dismissed or moved to another position as a result of child protection enquiries and/or a criminal investigation, Woodlands will submit the staff member's details under the Protection of Children Act 1999 (POCA) protocols and any other subsequent directions by the Welsh Assembly Government. Woodlands will not accept a resignation from a member of staff subject to a child protection enquiry and/or a criminal investigation but will follow disciplinary procedures to ensure a formal employment record of the investigation and its outcome and any disciplinary measures taken are clearly recorded.

5.15 New changes in safeguarding procedures section 1-5. These key changes emphasize aspects such as Co-Production, Person centered, Advocacy, Use of reflective practice and practitioners' judgements. Several new terms introduced (Report, Report Maker, Lead Practitioner, and Lead Co Ordinator).