

North East Derbyshire District Council's Child Safeguarding Policy

December 2016



We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

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CONTROL SHEET FOR CHILD PROTECTION POLICY

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1.0 INTRODUCTION

- 1.1 Local authorities have a duty under Section 11 of the Children Act 2004 to ensure that their functions and services, provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

North East Derbyshire District Council (hereby referred to as 'the Council') is committed to ensuring that all children and young people are protected and kept safe from harm.

We have a responsibility to safeguard and promote the well being of children and young people so that they enjoy a safe and positive atmosphere free from harassment and bullying. However, not all children and young people have positive experiences in their life, and we are committed to promote the welfare of children and young people by encouraging good practice.

Definition of a child: A child or young person under 18 years of age.

2.0 THE AIMS OF THIS POLICY

The aims of the policy are to:

- Implement and maintain systems of working practice to safeguard children and young people at Council activities;
- Ensure that children/young people and their parents have confidence in Council employees, policies and practices in respect of the safe supervision of children and young people;
- Ensure that concerns about abuse are reported promptly to the appropriate authorities;
- Offer guidance and support to all employees, volunteers and Councillors involved in Council activity to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations;
- Ensure that the Council's role and responsibility in protecting children and young people from abuse is clear;
- Raise awareness around safeguarding children and young people;
- Supporting our Corporate Plan aim of supporting our communities to be safer, cleaner and greener
- Raise awareness of safeguarding issues and procedures;
- Work in compliance with the Derby and Derbyshire Safeguarding Children Board Procedures (www.derbyshirescb.org.uk) including the Child Sexual Exploitation Strategy 2014.

2.1 Key principles

The guidance given in this policy document is based on the following key principles:

- The welfare of children and young people is the primary concern

- It is the responsibility of all employees, Councillors and volunteers to report any concerns regarding suspected abuse against children and young people
- All children and young people, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse;
- All incidents of suspected poor practice and/or allegations should be taken seriously and responded to quickly and appropriately. This includes allegations of poor practice against employees, volunteers and Councillors.

2.2 **Shared information** (Appendix A)

All employees have a statutory obligation to safeguard the confidentiality of personal information. Access to personal information should be on a strict need-to-know basis when you are sharing information within the Council and with other agencies.

Children and young people have equal rights to confidentiality. If a child or young person is making a disclosure you must always explain that some of this information will need to be shared with appropriate people and/or agencies.

2.3 Definition of abuse Grooming - Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of [sexual abuse](#), [sexual exploitation](#) or [trafficking](#). Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They could be any age. Many children and young people don't understand that they have been groomed or that what has happened is abuse.

Physical abuse - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional abuse – is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the need of another person. It may be expecting someone to behave in a way that is above their age or ability. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or young people. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

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

Child Sexual Exploitation (CSE) -

Child sexual exploitation is a form of child abuse.

Current statutory guidance defines child sexual exploitation as:

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child’s immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person’s limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Neglect – is the persistent failure to meet a child’s or young person’s basic physical and/or psychological needs, likely to result in the serious impairment of the individual’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or young person from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person’s basic emotional needs.

Financial Abuse – misappropriation of an individual’s funds, benefits, savings etc. or any other action that is against the person’s best interests, e.g.:-

- Theft of money, possessions, property or other material goods;
- Misuse of money;
- Fraud or extortion of material assets;

2.4 **Scope of Policy**

The policy covers all of the functions and services of the Council, as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf.

The policy covers all children and young people up to the age of 18 years of age who are affected by the services delivered by or on behalf of the Council.

The Council recognises that Derbyshire County Council's (DCC) Children's Social Care Service and the police are the lead agencies in the Council with regard to child protection. The Council also recognises that everyone has a responsibility for child protection, including all employees and Councillors who come into contact with children and young people. Young people and families within our community also have a role to play as well as the community at large.

As a service provider the Council is committed to equality. The Council will endeavour to work with parents and other relevant parties to organise the environment and to plan activities to ensure that all children and young people are able to take part at levels appropriate to their needs. Language and cultural requirements will also be taken into account. It considers that all children and young people should be treated equally and fairly.

Certain professional bodies, e.g. the National Coaching Foundation, may have additional policies. Members of professional bodies need to contact their body to find out about any additional child protection policies they must apply. If the allegations are made against a qualified coach/leader/teacher, the senior manager will also need to inform the relevant National Governing Body and the Leading Authority. The Local Authority Designated Officer (LADO) contact details for Derbyshire are 01629 531940.

2.5 Working Partners

The Council regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

2.6 Contractors

Contractors will be expected to follow the policy unless they have their own policy which has been recognised as an adequate substitute.

Safe recruitment practice will include those persons who may not have direct contact with children or young people, but because of their presence will still be seen as safe and trustworthy.

The principles of safe recruitment will therefore be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for, or adults to work with, children and young people.

The Council will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

3.0 THE POLICY STATEMENT

3.1 RECOGNITION OF ABUSE AND BULLYING (Appendix B)

It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Council employees are not expected to be experts at recognising such situations but employees do have a responsibility to act if they have any concerns about the behaviour of an adult or child towards a child or young person. All employees have a duty to discuss any concerns they may have about the welfare of a child or young person with one of the Council's identified link Officers (see appendix K) or their line manager or another appropriate senior manager as soon as possible.

3.2 RESPONDING TO SUSPICIONS AND ALLEGATIONS OF ABUSE AND POOR PRACTICE

We take any allegation seriously and investigate immediately and thoroughly.

There are a number of barriers that exist which prevent a child or young person from telling others about abuse, some of the main barriers are that they may:

- Be scared because they may have been threatened;
- Think they will be taken away from home;
- Believe they are to blame, or they may feel guilty;
- Think it happens to others;
- Feel embarrassed;
- Not want their abuser to get in trouble;
- Have communication or learning difficulties;
- Not yet have the vocabulary to describe what has happened;
- Be afraid that they won't be believed;
- Think they have already told e.g. by dropping hints;
- Have told someone before and weren't believed, so what's the point in trying again.

Action to be taken if a disclosure or allegation is made:

- React calmly;
- Reassure the person that they were right to tell you;
- Do not make promises of confidentiality, let the person know that you may have to tell another adult;
- Try to reduce any questions you may choose to ask to an absolute minimum and concentrate on listening to the person. Questions should never be leading, they should only consist of Who ...? Where ...? When ...? What ...?

- Make a full written record of what has been said, heard and/or seen as soon as possible.
- This report should then be discussed with a Child Protection Link Officer, your line manager or other senior manager.

Actions to be avoided:

- Panic;
- Allow shock and/or distaste to show;
- Probe to find out more information than offered;
- Speculate or make assumptions;
- Make negative comments about the alleged abuser;
- Make promises to agree to keep it a secret;
- Discussing the issue with anyone other than the appropriate line manager or senior manager.

It is not the responsibility of any employee of the Council to decide whether or not abuse has taken place. There is, however, a responsibility to act on any concerns and to protect children and young people in order that appropriate agencies (in our case DCC Children's Social Care and the police) can make enquiries and take necessary action to protect the child or young person (Appendix D – flowchart summary of responding to suspicions).

3.2.1 Quick Guide

To assist staff and Child Protection Link Officers (CPLO) there is a quick reference guide “**Safeguarding Children and vulnerable adults**” attached at appendix C. These guides are available from the CPLO's and Human Resources.

3.2.2 Sharing concerns with parents

The Council is committed to work in partnership with parents or carers where there are some concerns about a child or young person. In most situations it is important to talk to parents and carers to help clarify any initial concerns. The appropriate senior manager should liaise with the parents or carers. There are some circumstances in which a person may be placed at even greater risk if concerns are shared (e.g. where a parent or carer is responsible for the abuse or not able to respond to the situation appropriately). If in doubt speak to Children's Social Care.

3.2.3 Reporting procedure

The procedures set out below are mandatory for all employees

3.2.4 Designated Child Protection Link Officers (CPLO)

The Council has several Officers who have been designated as Adult and Child Protection Link Officers. (see Appendix K for details).

The link Officers have been appointed to act as contact points for any employee that needs to report any incidents or concerns they may have.

There is also a Child Protection Safeguarding Lead Officer and SAMT Lead (see Appendix K for details).

The CPLO will have a specific responsibility for:

- reporting any allegation or suspicion of child abuse or neglect to Children's Social Care or the Police
- being fully familiar with relevant sections of Derby and Derbyshire Safeguarding Children Boards Procedures.
- championing the safeguarding of children within the Council
- informing the Safeguarding Lead Officers within the Council; Contact details can be found in Appendix K
- attending regular training from Derbyshire County Council's Safeguarding Boards Training team.

If CPLO's are unsure about whether to refer, they should ring Call Derbyshire on **01629 533190** and discuss their concerns.

Any CPLO making referrals to Call Derbyshire must ensure the information is forwarded to the Child Protection Lead Officer for recording and monitoring purposes.

3.2.5 Employees

Employees responding to a suspicion of abuse, neglect or poor practice should complete full notes of the incident and liaise with one of the designated CPLO. It is also recommended that they keep their line manager informed. The CPLO will then decide what appropriate action needs to be taken, usually contacting either or both DCC Children's Social Care section and the police in respect of the child. The Council will co-operate fully with any investigation carried out by these agencies in line with their procedures.

There is also helpful advice available for employees and Councillor's on the Council's intranet pages, NEDi.

3.2.6 Call Derbyshire

If you contact Call Derbyshire, (this will usually be a CPLO), a customer care assistant will take down the details of the child and will ask you to confirm it in writing. Link Officers should confirm in writing using the new Starting Point electronic referral record – located at www.derbyshire.gov.uk/startingpoint

Before you make the telephone call it is important to have all the notes and information available to hand. When you telephone Children's Social Care initially you will be answered by the Customer Services Adviser. It is important to make it clear at this point that you wish to discuss an individual child and wish to talk to a social worker. You will then either be put through to the duty social worker or the social worker will ring you back. This person will take all the details and will be able to discuss with you any concerns you have about your immediate course of action with respect to the child. For example, if the person's parent or carer is about to collect them shortly you will need to be clear about how to act. Referrals telephoned to the Children's Social Care section should be confirmed in writing within 24 hours.

Be sure to take the name and job title of the person you speak to. The social worker's first job is to make a number of enquiries such as obtaining information from other professionals who are involved in the person's welfare. In terms of action the response time will vary depending on the situation. You can expect to be kept informed. If this does not happen within three working days you should phone back.

If you are not a CPLO and have had to contact Call Derbyshire please ensure you pass full details of the referral to the Child Protection Lead Officer for recording purposes.

3.2.7 Allegations against Staff

Any concerns about the welfare of a child or young person arising from abuse or harassment by an employee of the Council must be reported immediately. It can often be difficult to report a fellow employee, but the Council assures all employees that it will fully support and protect anyone who, without malicious intent, reports their concerns about a colleague's practice or the possibility that a child or young person may be being abused or harassed.

Whilst we take any allegation seriously and investigate immediately and thoroughly, we also recognise that it is possible for an employee to become a victim of false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times. Examples of how to create a positive environment when working with children and young people are set out in Appendix E.

3.2.8 Types of investigation

If there is an allegation about an employee, there may be three types of investigation:

- Criminal;
- Child Protection;
- Disciplinary.

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

3.2.9 Action to be taken if there are concerns about an employee

If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager (usually Service Manager) should deal with it as a misconduct issue and follow the Council's usual disciplinary procedure.

Where it is suspected that abuse has taken place the following should happen:

- Any suspicions that an employee has abused a child or vulnerable adult should be reported to the Joint Assistant Director of Human Resources and Payroll;
- The Joint Assistant Director of HR and Payroll will then seek advice from the DCC Children's Social Care contact, who may then involve the police. If the incident is out of hours the report should be made directly to the police;
- The disciplinary procedure will then be followed.

In line with disciplinary procedures, the Council will take a neutral stance and suspend any employee accused of abuse pending further investigations by the police, DCC Children's Social Care section and internally. The Council will assess all individual cases under its disciplinary procedures, to decide whether an employee can be reinstated and how this can be handled. The Council will reach a decision on the available information.

3.2.10 Confidentiality

Every effort should be made to maintain confidentiality, and information should be handled on a need to know basis. This includes the following:

- Members of the team leading the internal investigation;
- The parents/guardian/carer of the person who is alleged to have been abused;
- The person making the allegation;
- DCC Children's Social Care and the police;
- The alleged perpetrator.

Sharing the confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or young person, reasonable concerns identify that their health or development will be impaired without the provision of services;
- Where there is evidence that a child or young person is suffering or is at risk of suffering significant harm;
- Where there is reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm;
- To prevent significant harm arising to children and young people, including through the prevention, detection and prosecution of serious crime.

Sharing information as part of preventative services

- Obtaining consent should be the first consideration;
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question;
- In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, make a decision based on reasonable judgement and record it.

Any information should be stored in a secure place with limited access and in line with data protection laws.

3.2.11 Expert advice

If you are not sure what to do, contact Derbyshire County Councils Advice and Consultation line on 01629 535353 or alternatively for a referral **01629 533190**. They will give you guidance and support through the process.

3.2.12 Request for support/early help

Request for support/early help: If staff or CPLO's feel that a child and their family require early help, family support from a Multi-Agency team, they should complete the electronic referral record at www.derbyshire.gov.uk/startingpoint. Staff should indicate on the form what support they have provided to the child and whether they have completed an early help assessment. All electronic referral records are received by Starting Point and prioritised and triaged by staff. If staff have completed the electronic form requesting support for a child, they may be contacted by Starting Point as part of the information gathering process to help gather a broader picture of the child's needs.

3.2.13 Advice and consultation line

Starting Point includes a new telephone advice and consultation line for professionals to use when they want to discuss a child's circumstances. The line is staffed 8am – 6pm Monday to Friday by a Social Worker/Senior Practitioner and the number is 01629 535353. This line is not a referral line or available to members of the public and all referrals about child protection must be called through to Call Derbyshire on 01629 533190 or early help requests made on the electronic referral record at www.derbyshire.gov.uk/startingpoint

3.3 HANDLING OF DIFFICULT SITUATIONS (Appendix E)

3.3.1 There may be situations when individuals pose an immediate risk to others, property or themselves. For additional health and safety advice refer to the Council's Employee Protection Policy.

3.3.2 Where dialogue and diversion tactics fail, there are two types of simple control methods that can be used.

(1) Simple physical presence as control. This involves no contact e.g. standing in front of an exit;

(2) Holding or touching to persuade a child or young person to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation;

3.3.3 If a situation is approaching the point where these methods will not or do not work, or if the person is threatening or using violence then the police should be contacted immediately.

3.3.4 Set procedures must be applied if these control methods are used (Appendix E).

3.4 RECRUITMENT AND EMPLOYMENT (Appendix F)

3.4.1 North East Derbyshire District Council will take all reasonable steps to prevent unsuitable people from working with children and young people. In particular, it will:

- Ensure all employees with responsibility for recruitment and selection are trained;
- Evaluate the need for Disclosure and Barring Service Checks (DBS) Disclosure check for all vacancies/new posts;
- As appropriate, identify requirement in job advertisement/candidate profile;
- As appropriate, ensure previous experience of working with children and vulnerable adults (and also any apparent gaps in employment history) is covered at interview;
- Confirm identity of prospective appointee;
- Take up two references (one from current or most recent employer) and, as appropriate, Enhanced Disclosure check from DBS, prior to commencement of appointment.

Please refer to the Council's Policy on Recruitment and Selection in respect of all appointments. A summary of the key steps to be followed is shown at Appendix F.

3.5 LEARNING AND DEVELOPMENT

3.5.1 The Council has a responsibility to ensure all new employees undertake an induction programme which includes both corporate and service induction. As part of this induction programme, the Council will ensure employees are made aware of and understand their responsibilities in respect of the Child Protection Policy.

3.5.2 The Council will also provide on-going learning and development to ensure employees are confident and competent in carrying out their responsibilities and that they are aware of how to recognise and respond to safeguarding concerns.

3.5.3 All new appointments undergo the Council's formal induction modules. In addition, have access to policies via the Intranet. Child protection training will be provided for all employees who come into contact with children and young people as part of their job. Managers will be requested to identify those staff. Training may include internal courses, workshops, external courses, seminars and workshops organised by Child Protection agencies.

3.5.4 All CPLO's will undertake training on their roles and responsibilities prior to undertaking this role and at regular intervals to update on any change in legislation.

3.6 WORK EXPERIENCE PLACEMENTS (Appendix G)

3.6.1 All individual and group work experience and unpaid work placements must be managed in accordance with the policy on Work Experience

Placements. When placing students under the age of 18, the steps highlighted in the above mentioned document must still be completed.

3.7 HEALTH AND SAFETY

3.7.1 Under health and safety law, the Council has the same legal and moral responsibilities for the health, safety and welfare of children and young people, as it has for its employees.

3.7.2 Protecting the health and safety of children and young people should comply with the Council's legal responsibilities but at the same time not restrict the child's/young person's right to autonomy, privacy or dignity.

3.7.3 We should also take into account that children or young people may be:

- inexperienced;
- have not been trained; and
- may not pay enough attention to health and safety.

3.7.4 Risk assessments will be carried out for all activities involving children and young people before they start in employment, on work-experience, or participate in supervised Council activities. The risk assessment will determine the level of supervision the child or young people requires.

3.7.5 All children and young people will be inducted before they start in employment and work-experience or undertake supervised Council activities. This will provide them with the information and instruction to enable them to carry out their tasks safely, or participate in activities safely.

3.7.6 An accident, incident or a near miss to a child or young person should be reported using the health and safety accident report form on the Council's intranet.

3.8 GUIDELINES FOR PHOTOGRAPHY AND FILMING AT COUNCIL MANAGED FACILITIES AND EVENTS

3.8.1 Anyone wishing to use photographic/film/video equipment at the Council's indoor facilities and/or events may do so only with the permission of the Council. Permission will only be granted once a photographer has signed to say he or she will abide by the conditions of photographic and filming equipment.

These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form;
- Any images are taken with the permission of the subjects (Appendix H);
- Proof of identity may be required in order to grant permission to use the photographic filming equipment;
- The Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police;
- The photographer should be sensitive to other users/participants and as far as reasonably possible restrict the images taken to those of the subject(s);
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately;
- If in the case of private hiring of Council facilities, it is the responsibility of the organisers/hirers to inform parents/carers of the individuals attending the event that photographs will be taken;
- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication;
- Images may only be taken in the areas shown and on the date indicated on the Photography and Filming Permission Request form;
- If, for any reason, the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the photographer and Council, copies of the permission request, permission to use photographic and filming equipment will be withdrawn.

3.8.2 Photography and filming during external hire of facilities

The control of the use of photographic/film/video equipment by external hirers of Council facilities is the responsibility of the hirer. This responsibility extends from who is allowed to use photographic/film/video equipment, to where and where not equipment is used and what images are and are not allowed to be taken.

It is the hirer's responsibility to ensure that all participants, and their parents if under 16, are aware that photographic/filming/video equipment is going to be used. Where appropriate, they may be required to get written permission from participants or their parents/guardians/carers to use the photographs in publicity promotional or media material.

3.8.3 Guidelines for taking photographs of children and young people

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken:

- If a photograph is used, avoid naming individuals;
- Before the images are taken the written permission of the individual's parents should be sought;
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use;
- There are some activities, e.g. swimming, gymnastics and athletics, where the risk of potential misuse is much greater. With these sports, the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example, photographs of children and young people in a pool would be appropriate or, if on poolside, from the waist or shoulder up.

3.8.4 Vigilance by the general public

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of "peeping tom" type activity make it very difficult to police. In recognition of this, the Council asks users of their facilities to be alert to any suspicious activity, particularly where children and young people may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.

4.0 RESPONSIBILITY FOR IMPLEMENTING THIS POLICY

SAMT Lead Officer – Executive Director, Paul Hackett telephone 01246 217543

Child Safeguarding Lead Officer – Karl Apps, Housing Strategy and Growth Manager, Telephone: 01246 217289

Child Protection Link Officers

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 217218
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 217658
- Karl Apps, Housing Strategy and Growth Manager Tel: 01246 217289
- Di Parker, Joint Housing Policy and Intelligence Officer Tel: 01246 217292
- Rachel Pope, Customer Services Manager Tel: 01246 217544
- Janice Bartrop, Human Resources Advisor Tel: 01246 217013

5.0 GLOSSARY

This glossary sets out what is meant in the Policy by some key terms.

Term	Meaning
Abuse and neglect	Form of maltreatment of a child or vulnerable adult.
Child(ren) / young person/people	Anyone who has not yet reached their 18 th birthday.
Employees	Those employed by North East Derbyshire District Council, its Councillors, partners, contractors as well as volunteers involved in the delivery of Council activities or in Council premises or facilities.
Local Authority	County and borough councils.
Parent	Generic term to include birth parents, step-parents, carers including adoptive parents and same sex parents who have a legal responsibility for the child. The term will specify parental responsibility where necessary.
Safeguard and promote the welfare of children	The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.
The Council	North East Derbyshire District Council

Shared Information

Key points for sharing information

- Employees should explain to the child, young person and parent at the outset, openly and honestly, what information will, or could be shared. They should explain how and why it needs to be shared, and seek their agreement. The exception is where to do so would put the person or others at risk of significant harm, or undermine prevention, detection of prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.
- Employees must always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual's safety and welfare must be the overriding consideration.
- Employees should, wherever possible, respect the wishes of children, young people or their parents who do not consent to share confidential information. Employees may still share information, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent.
- Employees should seek advice where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, young person or to others.
- Employees should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.
- Staff should always record the reasons for their decision – whether it is to share information or not.

Obtaining consent

The individual's consent should always be sought. However a lack of consent should never compromise the safety or welfare of a child or young person. However, consideration should be given to why consent is being withheld in line with their human rights. Written consent to share information should be sought wherever possible.

Recognition of Abuse and Bullying

Definitions of abuse

The following definitions below are adapted from Department of Health (2006) *Working Together to Safeguard Children 2015*.

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse

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

Child Sexual Exploitation (CSE) -

Child sexual exploitation is a form of child abuse.

Current statutory guidance defines child sexual exploitation as:

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the

main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Neglect

Neglect is the persistent failure to meet a child's or young person's basic physical and/or psychological needs, likely to result in the serious impairment of the individual's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

Indicators of Abuse

Indicators that a person may be experiencing abuse could include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries. Bruises that reflect hand marks or fingertips could indicate pinching or slapping. Cigarette burns and scalds would also be a concern.
- An injury for which the explanation seems inconsistent.
- The child or vulnerable adult describes what appears to be an abusive act involving him or her.
- Someone else (a child or adult) expresses concern about the welfare of another person.
- Unexplained changes in behaviour e.g. becoming very quiet, withdrawn or having severe temper outbursts.
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Discomfort when walking or sitting down.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty making friends.
- Is prevented from socialising with other people.
- Displays variations in eating patterns including overeating and loss of appetite.
- Loses weight for no apparent reason.
- Becomes increasingly dirty and unkempt.

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place.

Abuse of Children and Young People with a Disability

Children and young people with a disability are at increased risk of abuse and those with multiple disabilities are at even more significant risk both of abuse

and neglect. Parents of children with a disability may experience multiple stresses. This group of children and young people may be particularly vulnerable to abuse for a number of reasons including:

- Having fewer social contacts than other children.
- Receiving intimate personal care from a larger number of carers.
- Having an impaired capacity to challenge abuse.
- Having communication difficulties resulting in difficulties in telling people what is happening.
- Being reluctant to complain for fear of losing services.
- Being particularly vulnerable to bullying or intimidation.
- Being more vulnerable to abuse by peers than other children.

Grooming - Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of [sexual abuse](#), [sexual exploitation](#) or [trafficking](#).

Children and young people can be groomed online or face-to-face, by a stranger or by someone they know - for example a family member, friend or professional.

Groomers may be male or female. They could be any age.

Many children and young people don't understand that they have been groomed or that what has happened is abuse.

Bullying

In some cases of abuse it may not always be an adult abusing a child or young person. In the case of bullying, the abuser may be another child or young person. Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those being bullied to defend themselves.

Anyone can be a target for bullying, sometimes victims are singled out for being overweight, physically small, having a disability, being shy and/or sensitive or belonging to a different race, faith or culture. Bullying can and does occur anywhere there is inadequate supervision.

Bullying may include:

- Physical - including hitting, kicking and theft.
- Verbal - including name calling, teasing, racist or homophobic taunts, threats and graffiti.
- Emotional - including tormenting, ridiculing, humiliating and ignoring.
- Sexual - including unwanted physical contact or abusive comments.
- Cyber bullying - e.g. e-mail, text messaging etc.

Bullying can cause a considerable amount of stress to children and young people, it can affect their health and development, and in extreme cases it can cause them significant harm including self-harm.

Indicators that a child or young person is being bullied could include:

- Behavioural changes such as reduced concentration, becoming withdrawn, clingy, depressed, tearful, having mood swings, having a reluctance to go to training, events or sports clubs.
- A drop in performance at training, events, rehearsals etc.
- Physical signs such as stomach aches, headaches, scratching and bruising and damaged clothes.
- A shortage of money or frequent loss of possessions.

Action if bullying is suspected

The following action to help the victim and prevent bullying should be taken:

- All signs of bullying should be taken seriously.
- All children and young people should be encouraged to share their concerns.
- The victim should be helped to speak out and tell the person in charge or someone in authority.
- All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully(ies) should be spoken to separately.
- Employees should reassure the victim that they can be trusted and will help them, but do not promise not to tell anyone else.
- Records should be kept of what is said.

The following action should be taken towards the bully(ies):

- The situation should be explained to the bully(ies).
- An effort should be made to get the bully(ies) to understand the consequences of their behaviour.
- An apology to the victim should be sought.
- Any items belonging to the victim should be returned.
- Encouragement to the bully(ies) to change their behaviour should be offered.
- Meetings should be held with parents or carers to report on progress.
- All appropriate employees should be informed of action taken.
- A written record of action taken should be kept.

Anti-bullying Policy

The Council is committed to a standard of individual and corporate behaviour that is respectful, courteous and just. The Council will not accept or condone any form of bullying within service led activities.

Updated Quick Reference Guide

The information below is available in a small credit card size to enable it to be used for easy reference. This is available from the Child Protection Link Officers and Human Resources.

Safeguarding children and vulnerable adults

Definition of a child

A child or young person under 18 years of age.

Definition of a vulnerable adult

A Vulnerable Adult is any person aged 18 years or over who appears to be eligible for Local Authority or mental health services by reason of mental illness, age or disability and may be unable to take care of themselves or protect themselves against significant harm or serious exploitation. Includes vulnerable adults who make arrangements for their own care and/or support.

Mental Health Issues

We all have mental health, like we all have physical health. Both change throughout our lives, and, like our bodies, our minds can become unwell. One in four of us will be affected by mental health issues in any year. Mental health problems cover a wide spectrum from mild stress-related symptoms, to severe acute conditions such as bipolar, depression, psychosis and schizophrenia.

The following can often be indicators that someone may need help: Suicidal thoughts, social withdrawal, delusions, paranoia, confusion, self-harm, marked mood swings, severe anxiety.

For more information on mental health see the intranet or pick up a 'Rethink Mental Illness - SOS' guide in one of our contact or leisure centres. For more immediate concerns, contact one of the Safeguarding Link Officers, or for employee concerns contact HR.

What is abuse? - some examples

- Physical – examples: physical assault, rough handling, shaking, throwing or unreasonable physical restraint
- Emotional – examples: emotional maltreatment such as conveying they are worthless or unloved, or preventing someone from interacting socially with others, it could be bullying or exploitation
- Sexual – examples: any non consenting sexual act or behaviour, inappropriate physical contact, involving children or vulnerable adults in pornographic materials, encouraging children to behave in sexually inappropriate ways
- Neglect – examples: failure to meet a child's, young person's or vulnerable adult's basic physical and/or psychological needs, failing to provide adequate food and clothing, failing to maintain the child's or vulnerable adults hygiene standards, inadequate supervision, unresponsive to the individual's emotional needs

- Financial – examples: misappropriation of funds or action that is against the person’s best interest, theft of money or possessions, fraud or extortion

Indicators of abuse - some examples

- Unexplained or suspicious injuries such as cuts, bruises, burns or in unusual places or parts of the body
- An injury for which the explanation seems inconsistent
- The child/young person/vulnerable adult describes what appears to be an abusive act involving them
- Unexplained changes in behaviour
- Inappropriate sexual awareness
- Distrusting of adults
- Difficulty making friends
- Is prevented from socialising with others
- Becomes increasingly dirty or unkempt.

How to respond to suspected abuse

- React calmly
- Reassure the person that they were right to tell you
- Do not make promises of confidentiality, let the person know that you may have to tell another adult
- Keep questions to an absolute minimum and concentrate on listening
- Keep questions to Who? Where? When? What?
- Make a full written record of what they have said as soon as possible.

How to report it

The Council has a number of designated child and vulnerable adults protection link officers. These officers are the point of contact for any employee that needs to report any incidents or concerns they may have.

At BDC the contacts are;

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 242225
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 242214
- Alison Donohoe, Customer Services Manager Tel: 01246 242230
- Diane Bonsor, Housing Needs Manager Tel: 01246 593062
- Deborah Whallett, Housing Enforcement Manager Tel: 01246 593057
- Janice Barltrop, Human Resources Advisor Tel: 01246 217013

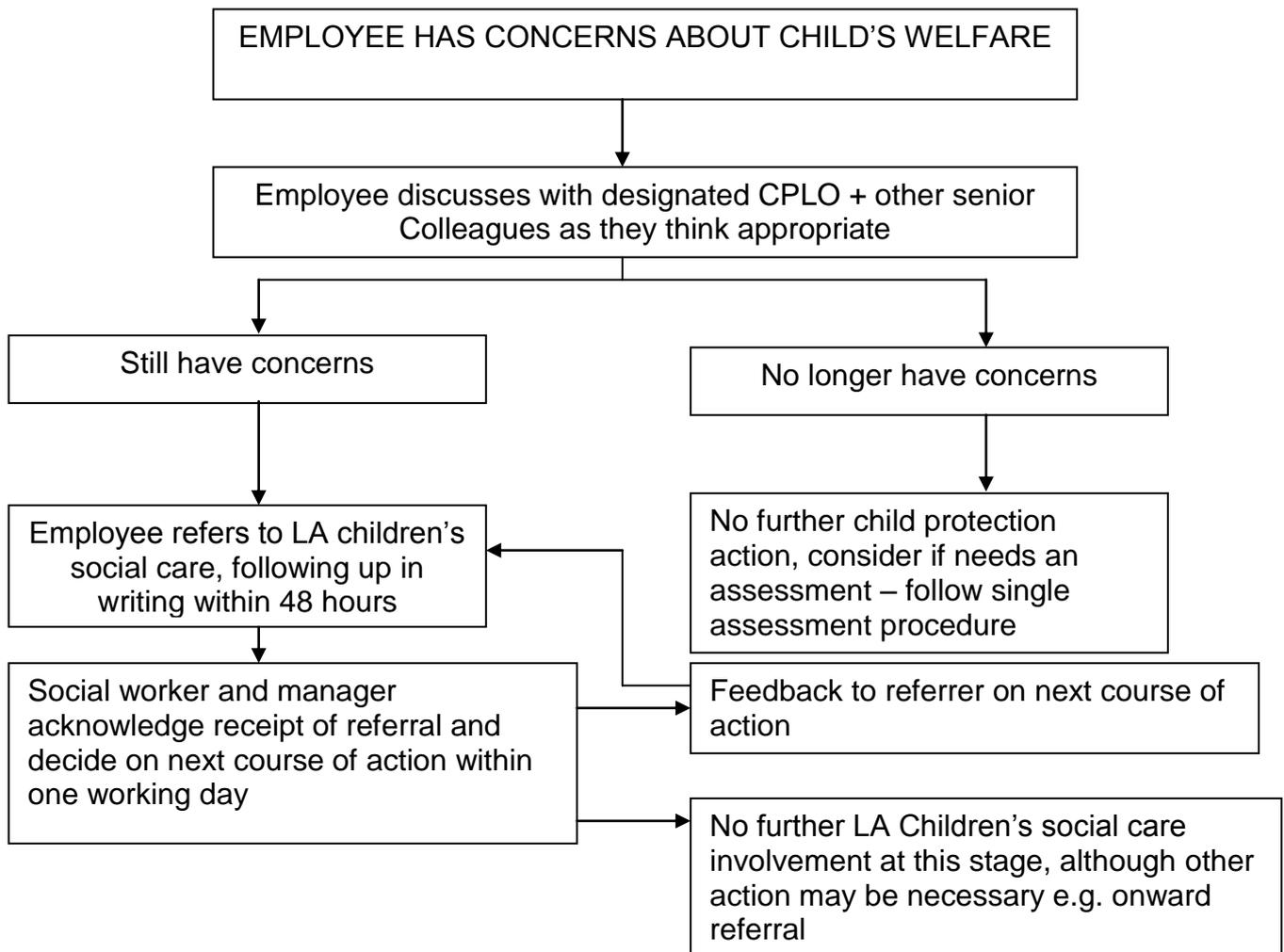
At NEDDC the contacts are;

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 217218
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 217658
- Karl Apps, Housing Strategy and Growth Manager Tel: 01246 217289
- Di Parker, Joint Housing Policy and Intelligence Officer Tel: 01246 217292
- Rachel Pope, Customer Services Manager Tel: 01246 217544
- Janice Barltrop, Human Resources Advisor Tel: 01246 217013
-

**Or alternatively out of hours - you can call ‘Starting Point’
24 hrs a day 7 days a week on; 01629 533190.**

Summary of Responding to Suspicions

Appendix D



For referral where there are concerns about the welfare of a child or vulnerable adult

<p>Agency:</p> <p>Derbyshire County Council Children's Social Care</p>	<p>Starting Point 9-5pm Monday - Friday</p> <p>Out of Hours Social Care emergency out-of-hours Countywide Social Care support between 5pm and 9am Monday to Friday and 24 hours per day during weekends and bank holidays.</p> <p>Derbyshire Constabulary – police call centre (24 hours) *****</p>	<p>01629 533190</p> <p>Tel: 01629 532600</p> <p>101</p>
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Good Practice Guidelines for Employees

Examples of how to create a positive environment when working with children and young people:

- Work in an open environment, avoid private or unobserved situations.
- Treat all children and young people with equal dignity and respect.
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals.
- Make activities enjoyable and promote fair play.
- Maintain a safe and appropriate distance with children and young people.
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first.
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse.
- Keep up-to-date with technical skills, qualifications and insurance requirements.
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and young people in any work related environment.
- Give constructive feedback rather than negative criticism.
- Recognise the development needs of the children and young people and avoid excessive training or competition.

Things to Avoid

You should NEVER allow or take part in any of the following:

- Engage in rough physical or sexually provocative games.
- Engage in or allow any form of inappropriate touching.
- Allow children and young people to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child or young person to tears, as a form of control.
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for a child or young person that they can do for themselves including things like applying sun cream
- Transport or take children or young people to their home unsupervised.
- Administer medication unless specifically trained and approved by the person's parents to do so.
- Take a child or young person to the toilet unsupervised.

Control

Two types of simple control methods can be used in order to prevent injury to the child or young person, other children and young people or significant damage to property.

- Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
- Holding or touching to persuade a child or young person to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

Wherever possible steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the police should be contacted immediately. If other children or young people are present in the area they should, if possible, be moved away from the situation.

Procedure to be followed if these control methods are used

- Notify your line manager immediately after the incident has occurred.
- Complete an incident report form (found on the Council's intranet under Accident Reporting Policy providing details of the incident and submit a copy of this to your line manager.
- Complete an accident report form (found in the Council's intranet under Accident Reporting Policy) if necessary and send this to the Health and Safety Officer.

Line managers should then:

- Ensure the report is comprehensive.
- Ensure that the parents of a child or young person are informed of the incident and are provided with a copy of the report (Appendix C)
- Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible.
- Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes.
- Keep all records of the incident in a secure locked cabinet.
- Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies.

Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line manager where possible or senior manager.

Recruitment and Employment

The Council's Policy on Recruitment and Selection must be followed for all appointments.

For the specific purpose of protecting young people and young people, the recruitment process incorporates the following steps:

- i) all employees with responsibility for recruitment and selection shall receive appropriate training.
- ii) all new posts/vacancies shall be subject to a risk assessment to determine whether and to what extent the post has access to children/young people.
- iii) the risk assessment will determine whether a Disclosure and Barring Service (DBS) check is required (Appendix I).
- iv) the nature and extent of access to children/young people will be clearly identified in the job description (Appendix J).
- v) any DBS disclosure requirement will be clearly identified in the advertisement and candidate profile.
- vi) the recruitment process will be based on the Council's standard application form, including.

Name, address and National Insurance number.

Relevant experience, qualifications and training.

Details of work history.

Names and contact details of two referees.

The specific question: 'Do you have any unspent criminal convictions? If yes, please provide details.'

- vii) any gaps/omissions must be covered at interview.
- viii) once the successful candidate has been selected, his/her identity will be confirmed from official documentation (e.g. birth certificate, passport or driving licence).
- ix) the appointment will not start until satisfactory references and DBS clearance has been received.
- x) all appointments will be subject to a probationary period of employment and annual performance appraisal.
- xi) DBS checks will be renewed in accordance with Council policy.
- xii) The HR Section will maintain a record of DBS clearances.

Managing Work Experience Policy Guiding Principles and Procedures

Before a child or young person commences in a placement or work experience, managers will:

- Contact the Human Resource Section before any arrangements are put in place, or agreement is given, to offer a placement or work experience to a child or young person.
- Arrange for the referring organisation or individual to complete and return a Work Experience Application Form to the Human Resource Section.
- Carry out risk assessments of all activities to be undertaken by the child or young person.
- Inform the parents/guardian, child/young person and/or referring organisation of the risks and the measures in place to control them.
- Prepare a draft programme of activities to discuss and agree with the child or young person, and/or referring organisation before the start of the placement.
- Identify any restrictions placed on work activities.
- Determine the level of supervision required.
- Identify a named person responsible for the supervision.

On commencement in placement, managers will:

Ensure the following induction is covered on day one:

- Nature of the tasks to be undertaken.
- Issue and explain risk assessments in place relating to these tasks.
- Discuss the main hazards of the tasks and the environment, and the measures in place to control them.
- Fire and emergency safety – location of fire assembly point, extinguishers, and fire exits, evacuation procedures, bomb procedures.
- First aid facilities – first aiders and location of first aid box.
- Accident reporting procedure – how and who to report an accident or near miss to.
- Issue and explain relevant Safety Advice Notes.
- Give task specific instruction in manual handling.
- Undertake an assessment of the DSE and workstation, if appropriate.
- Issue and explain the use of personal protective clothing, if appropriate.
- Introduce supervisor, buddy, and other staff.
- Undertake tour of the premises and site, including kitchen and toilet facilities.

Following induction on day one, managers and those undertaking work experience will sign and date the Induction Checklist which should be forwarded to Human Resources, who will retain a copy on file. Further induction will take place over a number of days. Managers will also ensure those on a long term work placement also attend Corporate Induction.

Undertaking Risk Assessments

Under health and safety law, we must assess the risks to children and young people before they start in placement. We must also tell them what these risks are.

Risk assessments should be carried out in accordance with the document 'Further Guidance – the Purpose of Risk Assessments' using the Council's standard risk assessment template. Managers will also need to take into account that children and young people may be:

- Inexperienced
- Lack training
- Mentally or physically immature

We should take specific account of:

- How the workplace is fitted and laid out.
- What type of equipment will be used and how will it be handled.
- How the work is organised.
- What training is needed to carry out the tasks safely.
- Any hazardous substances they may be exposed to.
- What are the risks from the work hazards.

Restrictions on work:

A child or young person must not undertake any tasks where a significant risk remains in spite of the best efforts made to take all reasonable steps to control it, for example:

- Work or tasks that cannot be adapted to meet any physical or mental limitations they may have.
- Exposure to substances which are toxic or cause cancer.
- Exposure to radiation.
- Works or tasks involving extreme heat, noise or vibration.

Training and supervision:

All children and young people undertaking work experience placements need to be trained to do the work without putting themselves and other people at risk. It is important to ensure that processes are in place to check that they have understood the training, which should cover:

- The hazards of the workplace.
- The control measures in place.
- A basic introduction to health and safety.

Children and young people will face unfamiliar risks from the job they will be doing and from their surroundings, and for this reason, may require more supervision.

Managers will ensure:

- The supervision of the child or young person at all times, including breaks.
- Clearly defined work tasks.
- Clear methods of working and safe instruction.
- A relevant training programme.
- Any work restrictions are clearly defined and checked that they have been understood.

CONSENT FORM FOR PHOTOGRAPHS OF CHILDREN AND YOUNG PEOPLE

A. Name of parent, carer or head teacher:

B. Name of child/young person

Home address (if required)

School address (if required)

North East Derbyshire District Council would like to take photographs at a Council organised event/your child's school(delete as appropriate). These photographs may appear in our printed publications, on our web site, or both.

Note to parent/carers: Before taking any photographs of the person named above, we need your permission. Please answer questions 1 and 2 below, then sign and date the form where shown. **Please return the completed form to a Council Officer attending the event or send to the address at the bottom of this form.**

Note to head teachers: If group photographs are organised and individual children cannot be easily identified, head teachers must find out whether any parents do not want their child to be in the photograph. In this instance we ask the head teacher to answer declaration 3 below and sign the consent form. **Head teachers should return the completed form to the address shown below**

To the parent/carers	<i>Please circle</i>
1. May we use the photograph of the person named in B above in printed publications produced by North East Derbyshire District Council?	Yes/No
2. May we use the photograph of the person named in B above on our web site?	Yes/No
To the Head Teacher	
3. Have you established, in writing, which parents are happy for their children to take part in photographs for use in North East Derbyshire District Council's printed publications or on its web site (or both)	Yes/No

Please note that web sites can be viewed throughout the world, not just in the United Kingdom where UK law applies.

This form is valid for four years from the date of signing. The Council will seek renewed consent if the photograph(s) are to be re-used after that time.

Signature: _____ Date: _____

Please return this form to: APPROPRIATE SERVICE TO INSERT ADDRESS DETAILS

All personal information provided to North East Derbyshire District Council will be held and treated in confidence in accordance with the Data Protection Act 1998. It will only be used for the purpose for which it was given

Information provided will be shared with Derbyshire County Council in the interest of Child Protection

POLICY ON CRIMINAL BACKGROUND CHECKS

1 Policy Statement

This policy applies to all employees of North East Derbyshire District Council and includes both paid and volunteer positions.

The Council aims to promote equality of opportunity for all and welcomes applications from all members of the community.

The Council is committed to safeguarding the welfare of those accessing our services and has a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act (2006) and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013. However, this duty must be carried out with due regard to all other legislation including the Protection of Freedoms Act 2012, the Data Protection Act (1998) and the Human Rights Act (1998).

As an organisation using the Disclosure and Barring Service (DBS), formerly the Criminal Records Bureau (CRB), the Council fully complies with the DBS Code of Practice.

The Council recognises the importance of employment in the rehabilitation of ex-offenders and will only take criminal records into account for recruitment purposes when the conviction is relevant. After a certain length of time, some sentences are considered spent and must be disregarded. Unless the nature of the work means that a role is exempt, applicants are not required to disclose convictions which are spent under the Rehabilitation of Offenders Act 1974.

Having an unspent conviction will not necessarily bar applicants from employment.

2. Disclosure and Barring Service Code of Practice

- 2.1 North East Derbyshire District Council complies fully with the Code of Practice issued by the Disclosure and Barring Service, ensuring that information released in disclosures is used fairly and handled and stored appropriately

- 2.2 The subjects of disclosures should be reassured that the Council will not use disclosure information unfairly against them.
- 2.3 All employees involved in the disclosure process and in making employment related decisions are provided with guidance on employing people with convictions, legislative requirements and the DBS Code of Practice.

3. DBS Checks

For applicants who are offered employment in posts which require undertaking any form of regulated activity an Enhanced DBS Check must be undertaken and this must include a check to ensure that the successful candidate is not barred from working with children and/or adults in vulnerable circumstances.

Regulated activity is defined by the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012, and includes roles where individuals are required to work unsupervised with children or in a limited range of establishments with opportunity for contact with children; or working with adults providing healthcare, personal care, social work, assistance with cash, bills and/or shopping, assistance in the conduct of a person's own affairs or conveying children or adults for particular reasons.

It is an offence for individuals on the Barred Lists to apply for posts in Regulated Activity. We will not employ someone to work in Regulated Activity with children if they have been barred through the DBS Children Barred List, or someone to work with vulnerable groups who are barred through the DBS Adult Barred List. In addition if the Council receives an application from a person for either paid or voluntary work who is barred from working with children or adults, the Council will make a referral to the DBS to notify them of the individual's attempt to apply for barred work.

The minimum age that someone can have a DBS check is 16 years old.

4. Lead counter signatory and counter signatories

- 4.1 The Executive Director - Transformation will act as the council's Lead Counter Signatory.
- 4.2 The following posts are Counter signatories:
- Janice Barltrop, Human Resources
 - Janis Curry, Human Resources
- 4.3 The Lead/Counter signatories are cleared and registered with the DBS.

4.4 The Lead Counter signatory is a senior figure who has management responsibility for the use of the disclosure service and:

- Acts as the principal point of contact with the DBS.
- Validates Counter signatory application documents.
- Liaises with Counter signatories on the receipt of local police non-conviction information.

4.5 Counter signatories are responsible for:

- Ensuring that positions for which disclosures are requested are covered by the exceptions Order to the Rehabilitation of Offenders Act 1974, and disclosures are requested at the appropriate level.
- Countersigning applications and receive disclosures.
- Controlling the use of, access to and security of Disclosures.
- Ensuring compliance with the DBS Code of Practice.

5 Cost of Disclosure

The cost of the DBS Disclosure checks relating to appointments to Council posts will be met by the Council

Checks for volunteers are free. A volunteer is currently defined by the DBS as a person who performs an activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives.

6 Requesting a Disclosure

A disclosure is only requested for the successful candidate following the selection process.

Re-checks for existing employees who are subject to a DBS clearance should be completed every three years until ratification with the DBS Online Update Service.

As the DBS no longer issue Disclosure Certificates to organisations, when an individual receives their certificate from the DBS they must take it into HR and Payroll for verification. This applies to prospective employees as well as current employees.

7 Update Service

All existing employees who require an enhanced DBS check will need to subscribe to the online update service (DBS Online Update Service). This means that if an employee moves to another position within the Council, providing it is with the same workforce that is on their DBS certificate, they will not need another DBS check as the Council will be able to carry out an online status check to ensure that their disclosure is still valid. The online status check will be carried out on an annual basis.

For new applicants to the Council who already have an enhanced DBS certificate for the relevant workforce and who are signed up to the online update service, the Council will accept this disclosure and carry out an online status check to ensure that their disclosure is still valid.

If the online status check reveals a change in the disclosure status then a new DBS check will be required.

If existing or new employees are applying for a position within a different workforce - moving from adult workforce to children's workforce or vice versa - then a new DBS check will be required.

The Council will reimburse employees the cost of the annual subscription to the online update service.

8 Spent or Unspent Convictions

If a disclosure or online status check reveals information about spent or unspent convictions which may make the individual unsuitable for the applied post, or continuing in their current post, the appointing or line manager, along with HR and Payroll, will discuss the situation with the individual in line with the DBS Code of Practice and through use and completion of a Checklist for Employees with Adverse Disclosures. The individual will be asked to sign the completed risk assessment to verify the information provided and give permission for the risk assessment to be stored securely and later destroyed in accordance with the policy on the secure storage, handling, use, retention and disposal of disclosures and disclosure information.

When assessing any disclosure or declared conviction information received, consideration will be given to a range of issues and the risk assessment will support a manager's decision enabling them to assess the suitability of the applicant for their proposed position in light of matter(s) disclosed on their DBS certificate.

If a candidate has made a false declaration on their application form then the Council will not be able to confirm the appointment. If the disclosure certificate contains information that was not revealed by the candidate or additional information from the Police is received, it will be necessary to hold a further discussion with the candidate and undertake a further review against any risk assessment before deciding to confirm or withdraw the offer of employment. HR and legal advice should be sought at this point.

9 Security and Confidentiality

Disclosure information will be treated with the utmost confidentiality and will be kept in a secure place in line with the Data Protection Act. Access to disclosure information is restricted to only those individuals who have a requirement to see it in the course of their duties. Information will only be disclosed to third parties in exceptional circumstances and with the consent of the DBS.

10 Retention

Disclosures will be kept by the Council for a maximum of 6 months after a recruitment decision has been made. Disclosures will then be destroyed by secure means.

11 Disputes

If an employee believes that the information provided in a DBS check is inaccurate or incorrect, then it is the responsibility of the individual to raise this with the DBS. The Council will base any decision on the information provided by the DBS and this decision will be final.

12 Employees with Adverse Disclosures

Where existing employees, who have not been previously checked, or their post requires a re-check and subsequently have an adverse disclosure result, HR and Payroll will discuss this with the employee and relevant line manager. Legal advice may also be sought. It may be appropriate to move the employee to an alternative post with no access to children and/or vulnerable groups depending on the nature of the disclosures and pending the outcome of a full investigation. If there are no suitable duties the employee could undertake during this period which does not bring them into contact with children/vulnerable adults the manager will give consideration to suspending the employee on full pay pending the outcome of a disciplinary investigation.

Roles and Responsibilities to Safeguard Children

A range of local authority services has the potential to impact upon the lives of children and young people.

Staff, volunteers and contractors who provide the following services will have various degrees of contact with children and young people.

Growth Directorate

Environmental Health

Environmental Health services are regularly alerted to adverse situations.

- Environmental Health officers may become aware of conditions that impact adversely on a child or young people.
- Routine inspections in child care facilities and care homes may reveal abusive situations. Employees need to be especially aware of the risk of neglect, emotional abuse and domestic abuse.

Transformation Directorate

- Sport and leisure centres.

Appropriate arrangements and codes of practice are in place to report concerns about a child or young person in line with “What To Do If You Are Worried A Child Is Being Abused”.

(www.dh.gov.uk/assessRoot/04/06/13/03/04061303.pdf)

Operations Directorate

Housing Department

Housing authorities that assess the needs of families requiring housing repairs or adaptations are a key link within the community.

- Housing employees in regular contact with families and tenants, have the opportunity to identify concerns.
- Homelessness employees play a front line emergency role managing re-housing or repossession when adults and children become homeless or at risk of homelessness as a result of domestic violence.
- All housing employees are well placed to observe situations that may warrant referral.

Community Safety

Employees involved with Anti-Social Behaviour working with children and young people liaise with other organisations to reduce unacceptable activities.

- The Community Safety Team should adopt a multi-agency approach in response to suspicions of abuse to children and young people.

Street Scene

Daily street maintenance requires employees to be amongst the community.

- Street cleansing teams should also be vigilant of abusive situations that may otherwise go unnoticed, and be aware of the referral procedure.
- Play facilities.
- Parks and gardens.
- Events and attractions.

Revenues Section

The Revenues section may be alerted to adverse situations in the following areas:

- Benefits visiting officers may become aware of conditions that impact adversely on a child or young person.
- Benefits employees may be alerted to adverse situations by telephone.
- Benefits employees may be alerted to adverse situations by processing Benefit applications.

Voluntary, Private and Community Sectors

Voluntary organisations, private and community sector providers working in partnership with the Council involving children and young people will be made aware of the Council's Policy on Child Protection. Organisations that are grant aided will be encouraged to develop an appropriate policy as a condition of financial support.

Councillors/Managers

Cabinet will be responsible for approving the Child Protection Policy and for ensuring that it is reviewed regularly.

Senior Management Team will ensure that the policy is implemented by ensuring that:

- Child Protection Link Officers are nominated as required and allowed time to undertake relevant training as required
- Key front line Officers are identified to attend introductory sessions on safeguarding to increase their awareness of potential situations.

Incidents and concerns are monitored and reviewed and lessons learned are fed into subsequent revisions of the policy.

Key contact points

SAMT Lead Officer – Paul Hackett, Executive Director, 01246 217543

Child Protection Lead Officer – Karl Apps, Housing Strategy and Growth Manager Tel: 01246 217289

Adult Safeguarding Lead Officer, Karl Apps, Housing Strategy and Growth Manager Tel: 01246 217289

Child Protection Link Officers

- Paul Hackett, Executive Director - Transformation Tel: 01246 217543
- Lee Hickin, JAD - Leisure Tel: 01246 217218
- Dawn Clarke, JAD - Finance, Revenues & Benefits Tel: 01246 217658
- Karl Apps, Housing Strategy and Growth Manager Tel: 01246 217289
- Rachel Pope, Customer Services Manager Tel: 01246 217544
- Janice Barltrop, Human Resources Advisor Tel: 01246 217013
- Di Parker, Joint Housing Policy and Intelligence Officer Tel: 01246 217292

Rykneld Homes

Safeguarding Lead Officer - Heather Summers, Head of Neighbourhoods, telephone; 01246 217386