

Lindale Community Trust

Safeguarding Children and Young People: Policy and Procedures

The Lindale Community Trust is committed to creating and maintaining a safe and positive environment. We accept our responsibility to safeguard the welfare of all children and young people involved in community activities connected with Lindale Church in accordance with relevant legislation.

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1 Introduction

The Lindale Community Trust is a local charity that exists to look after Lindale Church which is no longer used for worship, creating a facility to provide activities for the benefit of the local community. It is constituted as a charitable trust with a Committee and members. The committee are nominated by the members. There are no salaried employees.

The role of the Trust is to ensure repairs are made to the church to ensure it is safe, to convert its fixtures and fittings into a facility which can be used for a range of community activities, and then to make this facility available to members of the local community who are able to rent the space for their activities, which will include social, sporting and business functions.

The Trust has a duty of care to safeguard and promote the welfare of children and young people and is committed to ensuring safeguarding practice reflects statutory responsibilities, any government guidance and complies with best practice. We wish to encourage the involvement of all members of the community in the activities at the Church, including safeguarding the health, safety and general welfare of children and young people while in the company or care of Trust volunteers or members.

The purpose of this Policy is to describe the Trust's responsibility with regard to safeguarding, and to detail the procedures to be followed in the event that any form of abuse of a child or young person is observed or suspected. It applies to all individuals involved in the Trust.

The Trust will support anyone who, in good faith, reports his or her concerns that a child or young person is at risk of being, or may actually be abused. All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately, and handled with appropriate sensitivity.

This Policy is mandatory for all Trust members, whether in a Committee role or as ordinary members. It also applies to guests of the Trust attending any functions at or working on the premises.

2 Context

Children and young people may join a social activity, or take part in fundraising activities to raise funds for the church. Children are most likely to attend accompanied by parents or guardians, but there may be functions where they are attending an activity hosted by an adult who is not a parent or guardian. Some activities may be expressly aimed at children, such as a children's birthday party, for example.

Other situations may occur from time to time, and this Policy applies in all cases.

3 Principles and values

The Trust acknowledges the duty of care to safeguard and promote the welfare of children and is committed to ensuring safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice.

The policy recognises that the welfare and interests of children are paramount in all circumstances. It aims to ensure that regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation, socio-economic background, all children:

- have a positive and enjoyable experience of Trust activities in a safe and child centred environment
- are protected from abuse whilst participating in these activities

The Trust acknowledges that some children, including disabled children and young people or those from ethnic minority communities, can be particularly vulnerable to abuse and we accept the responsibility to take reasonable and appropriate steps to ensure their welfare.

As part of our safeguarding policy the Trust will:

- promote and prioritise the safety and wellbeing of children and young people
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is helped to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people
- ensure appropriate action is taken in the event of incidents/concerns of abuse
- provide support to the individual/s who raise or disclose the concern
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- ensure robust safeguarding arrangements and procedures are in operation

Accordingly, the Trust will:

- Provide a friendly welcome and promote the general welfare of all involved in its activities
- Recognise the rights of those at risk of harm as individuals and treat them with dignity and respect
- Raise awareness of the dangers to which children and young people may be susceptible
- Develop appropriate procedures for responding to accidents, incidents and alleged or suspected harm

4 Guidance and legislation

The practices and procedures within this policy are based on the principles contained within UK legislation and supporting government guidance. The relevant legislations contained in **Appendix A**.

Definitions

In law a child is a person under the age of 18, but this policy document recognises that older children may prefer to known as young people.

Abuse is a violation of an individual's human and civil rights by another person or persons. Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child either directly by inflicting harm, or indirectly, by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them; or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

Guidance on types of abuse, and the signs and indicators of abuse is contained in **Appendix B**

5 Prevention and good practice guidelines

Disclosure and Barring Service: members of the Trust, whether acting as Committee members or as ordinary members participating in Trust organised activities are not in Regulated Activity and as such not required to be checked in order to carry out volunteer duties with the Trust.

Good practice guidelines:

Trust members should:

- Remember that some actions, no matter how well intentioned, may be misinterpreted and leave all parties vulnerable
- Be alert to any potential harm or inappropriate behaviour
- Respect rights to privacy
- Provide access for children and young people to discuss any concerns they may have
- Speak to the Trust Designated Person if they have concerns about an individual's safety
- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging everyone else to work in an open environment)
- Treat all children and young people equally, and with respect and dignity
- Always put the welfare of each child or young person first, before achieving goals
- Involve parents/carers wherever possible (e.g. for the responsibility of their children in changing rooms)
- Give enthusiastic and constructive feedback rather than negative criticism
- Recognise the developmental needs and capacity of children and young people - avoiding excessive training and not pushing them against their will
- Secure parental consent in writing to act in loco parentis, if the need arises to give permission for the administration of emergency first aid and/or other medical treatment
- Keep a written record of any injury that occurs, along with the details of any treatment given

- Request written parental consent if Trust members are required to transport young people in their cars
- Exercise care when referring to young or vulnerable persons in any published material, either printed or on the internet. This includes activity reports, newsletter articles, etc. Particular care is required when publishing photographs of individual children, for which written parental consent should be obtained
- Share concerns on any matter relating to actual or suspected abuse with the appropriate Trust Committee member

Trust members should not:

- Permit abusive behaviour by others or engage in it themselves
- Be alone for substantial periods of time with a child or young person. If this is unavoidable through emergency or other event, then this should be with the knowledge of another Trust member
- Allow or engage in suggestive remarks, gestures or touching of a kind which may be misunderstood or unwelcome
- Use language which may be regarded as hurtful or disrespectful
- Let any allegations made by a child or young person go un-investigated, unrecorded or otherwise not acted upon

6 Designated persons

The Designated Safeguarding Officer has responsibilities which include review and maintenance of this Safeguarding Policy, providing advice and guidance to committee and members on Safeguarding issues, monitoring any incidents that are reported and ultimately ensuring that appropriate action has been taken by the Trust on any reported incidents of abuse.

The Designated Safeguarding Officer is the Chair of the Trust Committee.

7 Responding to accidents or incidents

In the event of an accident to a child or young person, the relevant accident reporting procedures should be followed.

7.1 Responding to alleged or suspected abuse

Members who become aware that abuse or poor practice is taking place, or who have been told about something that might be abuse or poor practice must report this to the Safeguarding Officer using the Pro Forma (**see Appendix D**).

In the event that the appropriate safeguarding officer is not available, or it is not appropriate to involve them, then concerns about or reports of safeguarding issues should be notified directly to any other member of the Trust Committee.

If it appears that someone is in immediate danger, then the police should be contacted at once.

If a child or young person wishes to talk about harm, then it is essential that the Trust member:

- Listens carefully, keeping calm and looking at them directly
- Avoids questioning and does not push for information
- Does not promise that no-one else will be told
- Lets them know that in order to help someone else must be told
- Reassures that they are not to blame, are right to talk and what they say is accepted
- Remains aware that they may have been threatened
- Lets them know what will happen next and undertakes to advise about the outcome

The Trust member must:

- Write down accurately what the person has said, using the child or young person's own words as much as possible, either at the time or as soon as possible afterwards
- Describe the circumstances in which the disclosure came about
- Take care when recording to distinguish between fact, allegation, observation and opinion.
- Be mindful of the need for confidentiality at all times, with the information being shared only with the safeguarding officer and others only on a strictly need to know basis.
- Complete the proforma and send to the safeguarding officer

If a Pro Forma is not readily available, then notes should include:

- date and time of the alleged incident or disclosure
- the parties involved
- what was alleged - action taken

Records should be as accurate as possible as they may be invaluable to any investigation and used as evidence in court. All handwritten notes should therefore be kept safely and securely, both when the Pro Forma is completed at once, or at a later date.

The Trust member should not:

- Act alone
- Start to investigate
- Make assumptions about the people involved

Guidance on storage and keeping of records is obtainable at 'Child protection records retention and storage guidelines' (NSPCC June 2018)

<https://www.nspcc.org.uk/globalassets/documents/information-service/child-protectionrecords-retention-and-storage.pdf>

7.2 Role of safeguarding officer

The safeguarding officer must inform and liaise with the relevant authorities (Local Authority Children's Services or Police, for the area in which the child or young person lives).

7.3 Allegations of harm or abuse by Trust members

Where it is suspected that a member may be involved in the abuse, other members should let the safeguarding officer know as soon as possible. The member concerned should be removed immediately from access to children and young people, but be assured that no presumptions have been made and that the allegation will be fully investigated by the relevant authorities. Where it is suspected or alleged that the Chair of the Trust may be involved in the abuse, another member of the Trust Committee must step into the role of Safeguarding Officer.

8 Confidentiality and sensitivity

When dealing with personal and emotive details of this nature, confidentiality must be maintained at all times since the allegations or suspicions may prove to be unfounded. Notes and records should be kept in a secure place and shared only with those who need to know about the incident or allegation.

A sensitive approach should be taken with the accused to explain why an investigation has to take place and to reassure them that the matter will be handled discreetly and even-handedly by the Trust.

No assumptions of guilt should be made unless and until an actual finding has been obtained in any proceedings.

9 Wellbeing of members

Being involved in reporting disclosures or allegations of abuse can be distressing for the person involved. Members concerned may wish to speak to a professional for reassurance: NSPCC Helpline- 0800 800 5000

10 Relevant policies

- The Constitution of the Trust

11 Review and publicity

This Policy and related Procedures have been adopted by the Trust. They will be reviewed every 3 years, or if there is a major change in the Trust's organisation, or in relevant legislation.

On an annual basis, the Trust Committee will review the number of recorded incidents, allegations or complaints, and make changes to the Policy and Procedures where relevant

The Policy will be made available to any Trust member on request.

Appendix A Relevant legislation

Children and Young Persons Act 1933

Provisions relating to prevention of cruelty to children and exposing them to moral and physical danger

The Children Act 1989

Currently provides the legislative framework for child protection in England and Wales. Key principles established by the act include the the paramount nature of the child's welfare and the expectations and requirements around duties of care to children

Children Act 2004

Strengthens 1989 legislation. Establishes accountability and partnership framework

Protection of Children Act 1978,

Prohibitions on the taking, making, circulation, and possession with a view to distribution of any indecent photograph or pseudo photograph of a child

Protection of Freedoms Act 2012

Established the Disclosure and Barring service and amended some of the provisions relating to vulnerable groups, changed scope of 'regulated' activity and abolished 'controlled' activity

Domestic Violence, Crime and Victims (Amendment) Act 2012

Created new offence of causing or allowing the death of a child or vulnerable adult

Equality Act 2010

Replaced all existing anti-discrimination legislation such as sex race and disability discrimination

Safeguarding Vulnerable Groups Act 2006 and Protection of Vulnerable Groups (Scotland) Act 2009

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance

Sexual Offences Act 2003

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children.

Data Protection Act 2018

Serious Crime Act 2015

Introduced new offence of controlling or coercive behaviour in intimate or familial relationships

Disclosure & Barring Service 2013

Criminal record checks: guidance for employers - how employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS). <https://www.gov.uk/dbs-update-service>

Working Together to Safeguard Children 2018

A guide to inter-agency working to safeguard and promote the welfare of children (HM Gov)

Appendix B Types of abuse (from 'Working Together to Safeguard Children' 2006)

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

Emotional abuse: is the persistent emotional maltreatment 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. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of others.

Sexual abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact including both penetrative and non-penetrative acts such as kissing, touching or fondling the child's genitals or breasts, vaginal or anal intercourse or oral sex. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect: Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. 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 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 child's basic emotional needs.

Bullying: Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms, but the three main types are physical (e.g. hitting, kicking, theft), verbal (e.g. racist or homophobic remarks, threats, name calling) and emotional (e.g. isolating an individual from the activities and social acceptance of their peer group).

Also relevant for safeguarding children and young people:

Discrimination: abuse which centres on a difference or perceived difference with respect to race, disability or gender or any of the protected characteristics of the Equality Act.

Cyber bullying: repeatedly making fun of another person online, or repeatedly picking on another through emails or text messages, or uses online forums with the intention of harming, damaging, isolating or humiliating another.

Forced marriage: term used to describe a marriage in which one or both parties are married without their consent or against their will. [Ref. Antisocial Behaviour, Crime and Policing Act 2014]

Radicalisation: attracting people to own reasoning, inspiring new recruits and embedding extreme views; persuading vulnerable individuals of the legitimacy of their cause, either directly or through social media.

Signs and indicators of abuse and neglect

Abuse can take place in any context and by all manner of perpetrator. Children and young people may be abused by someone within the organisation; group members and other volunteers may become aware that abuse or neglect is happening outside the setting of the Trust.

Recognising child abuse is not easy. It is not the responsibility of an individual member to decide whether or not child abuse has taken place or if a child is at significant risk of harm from someone. Individuals do however, have both a responsibility and duty to act, as set out in this policy and procedure, in order that the appropriate agencies can investigate and take any necessary action to protect a child.

The following publication offers help in learning about the signs and symptoms of abuse: 'Definitions and signs of abuse' NSPCC Fact Sheet December 2017:

<https://www.nspcc.org.uk/globalassets/documents/information-service/definitions-signs-childabuse.pdf>

Appendix C Relevant organisations

Child and young person safeguarding contact points:

Local Authority: Children's Services. Multi Agency Safeguarding Hubs (MASH)

Police: Child Protection units

NSPCC: Child Protection In Sport Unit <http://thecpsu.org.uk/>

Forced Marriage Unit-<https://www.gov.uk/guidance/forced-marriage>

Appendix D Proformas for reporting incidents of suspected or alleged abuse or harm.

Form A: to be completed by the person receiving a disclosure or witnessing signs of abuse

Form B: to be completed by Trust safeguarding officer

Form A: Report of disclosure or witnessing signs of abuse of child or young person

CONFIDENTIAL

Full name of person disclosing or showing signs of abuse

Age and date of birth (if known) Day Month Year

Gender

Address (if known)

Full name of the person with parental responsibility, their relationship to child or young person, and address (if different from address above)

Date and time of disclosure or when signs of abuse witnessed
(Day Month Year Time)

Describe the circumstances which led to the disclosure, or the concern about possible abuse

Record of what was said (in person's own words) or the signs of abuse seen
NB in addition, attach any original handwritten notes

Was there any other witness? If so, give name, address and status (e.g. whether a Trust Committee member or other member or relative)

Have they provided a report? Yes/no

Comments or observations by person completing this form

Name of person completing form

Phone number and address

Signature

Dated

Form A should be passed as soon as possible to the Safeguarding Officer. Where this is not appropriate, then the form is to be sent directly to another Trust Committee Member

Form B: Report of disclosure or witnessing of abuse of child or young person

To be completed by Trust Safeguarding Officer

CONFIDENTIAL

Name and status of representative (e.g. Chair of Trust)

Phone number and address

Date and time Form A received
(Day Month Year)

Action taken: in particular note any referral to Local Authority, police, with date and any outcome known directly.

Signature

Dated

Attach Form A and any hand written notes to Form B