

Policy Title: **Children, Young Persons and Vulnerable Adults Protection Policy**



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## **Legislative Framework**

1. **Rehabilitation of Offenders Act 1974** – is designed to prevent people being rejected for employment on account of an offence committed in their past. Most people whose convictions are 'spent' and who are therefore 'rehabilitated' must be treated for all purposes as if their conviction had never occurred. A conviction becomes 'spent' after the elapse of a defined period of time, allowing a job applicant to be treated for most purposes as if his or her conviction had never occurred. Not all convictions become spent. Job applicants are, in most cases, permitted to withhold details relating to spent convictions from a prospective employer.
2. **Police Act 1997** – sets out standards in relation to the use of disclosure information provided to registered bodies and provides for a system of certificated criminal record checks to be run by the Criminal Records Bureau.
3. **Data Protection Act 1998** - information about an individual's actual or alleged criminal offences is regarded as 'sensitive data'. This means that any recorded data about the individual's criminal offences must be held on file only if the individual has expressly consented, or if one of a restricted number of conditions is fulfilled. One of these conditions is where the data is necessary in order that the employer can comply with a legal obligation in connection with employment.
4. **CRB Code of Practice** – sets out specific standards in relation to use of disclosure information by organisations.
5. **Children Act 1989** – provides legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm.
6. **Protection of Children Act 1999**– under this act childcare organisations (defined as those that are 'concerned with the provision of accommodation, social services or health care services to children or the supervision of children') must make use of the Disclosure Service in their recruitment and reporting processes and urges other organisations working with children to also do so.
7. **Care Standards Act 2000** – this act sets out the Protection of Vulnerable Adults scheme.

8. **Criminal Justice and Court Services Act 2000** – covers Disclosures and child protection issues. It contains the list of convictions that bar offenders from working with children in ‘regulated positions’.
9. **Protection of Vulnerable Adults (POVA) scheme** – was launched in 2004 by the Department of Health and includes the POVA list.
10. **The Children Act 2004** – places a duty on key statutory agencies to safeguard and promote the welfare of children. The Act embodies five principles that are key to well-being in child, young person or vulnerable adulthood and later life:
  - Being healthy
  - Staying safe
  - Enjoying and achieving
  - Making a positive contribution
  - Achieving economic well being

In practical terms this means that the Council has a responsibility to provide a safe environment for children, young people or vulnerable adults and in which their welfare is of paramount importance.

## **Policy Statement**

Children, young persons and vulnerable adults have the right to be safe in the services provided for them and the activities they choose to participate in.

Cannock Chase Council is committed to a delivery of service that promotes good practice and protects children, young persons and vulnerable adults from harm. This policy sets out the Council’s protection procedures and specifies the roles and responsibilities of the Council’s representatives for whom this policy is mandatory.

Cannock Chase Council will:

- Implement procedures to safeguard children, young people and vulnerable adults and protect them from abuse.
- Respect and promote the rights, wishes and feelings of children, young people and vulnerable adults.
- Promote good practice that encourages a safe environment, protects all parties and avoids mistaken allegations of abuse.

- Recruit, train and supervise representatives to ensure that they are properly equipped to:
  - identify where there may be a problem
  - know how to obtain speedy and professional advice
  - refer concerns to relevant specialists
  - protect themselves from false accusations of abuse.
- Ensure representatives of Cannock Chase Council who have substantial access to children, young people or vulnerable adults are subject to an appropriate Criminal Records Bureau check prior to appointment and that this check is repeated every three years.
- Require employees/volunteers to adopt and abide by the Council's Code of Conduct and the Children, Young Persons And Vulnerable Adults Protection Policy and its associated procedures.
- Respond to any suspicions or allegations involving employees promptly and implement the appropriate disciplinary and appeals procedures.
- Review this policy every three years or whenever there is a major change in the organisation or in the relevant legislation.
- Ensure that where the council is working in partnership with other organisations to deliver services it will require written confirmation that any employees provided by partners have been subject to appropriate disclosures.

**No individual will be permitted to commence duties that require a CRB check (including employment, agency or voluntary work) until a CRB disclosure has been received and assessed.**

## **Guidance on How to Apply the Policy**

### **Terms of reference**

For the purposes of this policy a child or young person is defined as anyone under the age of 18 years.

A vulnerable adult is defined as anyone over the age of 18 years who is or may be:

- in need of community care services
- unable to care for themselves
- unable to protect themselves against significant harm or exploitation.

Cannock Chase Council **representatives** are defined as:

- Employees
- Agency staff / Consultants
- Elected Members
- Contract staff
- Volunteers - when working for and on behalf of Cannock Chase Council.
- Employees of partner organisations delivering services for and on behalf of Cannock Chase Council.

The term **parent** is used throughout this document as a generic term to represent parents, carers and guardians.

**Substantial** Access to children, young people or vulnerable adults is defined as situations:

- where individuals are regularly caring for, training or supervising a child, young person or vulnerable adult;
- where an individual has sole charge of children, young people or vulnerable adults.

## **Principles**

The procedures contained within this policy are based on the following principles:

- The welfare of the individual is the primary concern.
- Everyone has the right to protection from abuse.
- All representatives have a responsibility to report concerns of suspected abuse or poor practice to a Designated Children, Young People and Vulnerable Adults Protection Officer (“Designated CYPVA Officer”)
- All incidents of poor practice and allegations or suspicions of abuse shall be taken seriously and responded to swiftly and appropriately.
- Employees should work in an open and transparent way and should avoid any conduct that may lead to a reasonable person to question their motives and intentions.
- Confidentiality shall be upheld in line with current data protection and human rights legislation.

Each department will have local child protection/vulnerable adult procedures in relation to their own specific areas of work.

## **Eligibility**

This policy applies to all employees, potential employees, volunteers or other representatives/workers carrying out work for, or on behalf of, Cannock Chase Council and elected members of Cannock Chase Council.

## **Specific Responsibilities**

### *Managers:*

- Are responsible for making sure that all of their employees, volunteers etc are aware of, and understand the importance of this policy and related guidance and that they understand how to comply with it.
- Are responsible for ensuring that their particular service has adequate policies and procedures for safeguarding children, young people and vulnerable adults in accordance with this policy.
- Must make sure that any contractors, agents or other representatives whom they engage to undertake duties on their behalf, which involves working with children, young people or vulnerable adults, understand and comply with both this policy and any local policies and procedures.

### *Human Resources:*

- Will, through the recruitment and selection processes, ensure CRB checks and references that refer to the candidates' suitability to work with children, young people or vulnerable adults are taken up for all appropriate posts.
- Will include appropriate training in the Corporate Training Programme and ensure that children, young people and vulnerable adult protection training is part of the induction programme for all new employees with substantial access to children, young people or vulnerable adults.
- Will maintain a record of all employees and volunteers that have completed a CRB check and are considered suitable for work involving substantial access to children, young people or vulnerable adults.
- Will ensure that CRB checks are renewed every three years in accordance with the CRB policy.
- Will ensure that CRB disclosures of employees are kept secure and confidential in compliance with the CRB Code of Practice.

### *Designated CYPVA Officers*

- Will provide a point of contact for employees who want to test concerns about children, young people or vulnerable adult's protection or take forward a child, young person or vulnerable adult protection disclosure.
- Will provide a point of contact with the appropriate statutory agencies such as police and social services.

### *All Employees and other representatives of the Council:*

- Should be aware of this policy and any local related policies and procedures for their service area.
- Should attend appropriate children, young person and vulnerable adult protection training if their role involves substantial access to children, young people or vulnerable adults.
- Should not begin any unsupervised activity involving substantial access to children, young people or vulnerable adults prior to receiving a satisfactory CRB check in accordance with the procedure described in the CRB policy.
- Should be aware of appropriate and inappropriate behaviour for employees in charge of children, young people and vulnerable adults.
- Should know who their Designated CYPVA Officer is.
- Are expected to act on any suspected or potential case of children, young person or vulnerable adult abuse. Cannock Chase Council will support anyone who, in good faith, reports his or her concerns that a child, young person or vulnerable adult is being abused or is at risk of abuse, even if those concerns prove to be unfounded. Anyone wishing to make a report may use the corporate Confidential Reporting Policy as the mechanism for doing so.

## **Provisions**

### **1. Recruitment, Employment and Deployment Procedures**

All reasonable steps will be taken to ensure unsuitable people are prevented from working with children, young people and vulnerable adults. The procedures relating to recruitment of people working with children and vulnerable adults are set out in detail in the CRB Policy.

## **Advertising Posts**

Prior to advertising a post managers will review the job description to identify whether there will be access to children, young people or vulnerable adults. In accordance with the CRB policy managers must complete a CRB evaluation form setting out the details of any duties, which may justify a CRB disclosure. See CRB policy appendix 5. This form should be forwarded to Organisational Development along with the “application to fill vacancy” form.

Where there is substantial access to children, young people or vulnerable adults, applicants will be sent a summary of the Children, Young Persons and Vulnerable Adults Protection Policy as part of the application pack.

## **Checks and references (for posts involving substantial access to children, young people or vulnerable adults)**

On completion of an interview, to include specific child protection questions, an appropriate Criminal Record Bureau disclosure shall be requested (after applicants have been recommended for appointment but before they are appointed to the post). In accordance with the Council recruitment and selection procedures the applicant will also be asked to supply evidence of their identity.

The disclosure shall be applied for by a Countersignatory who is authorised to request and receive this information. The results are confidential, although any concerns will be highlighted to the recruitment panel in accordance with the procedure detailed in the CRB Policy.

## **Portability**

Cannock Chase Council will not accept previous CRB checks carried out on potential employees or volunteers by another organisation.

## **Contractors and Agency Personnel**

Any contractor or sub-contractor, engaged by the Council in areas where workers are likely to come in to contact with children, young people or vulnerable adults should have their own Child, Young Person Or Vulnerable Adult Protection Policy or failing this, must comply with the terms of this policy. This includes responsibility for ensuring that workers with substantial access to children, young people or vulnerable adults are subject to the

necessary Criminal Records Bureau checks. This includes sub-contracted workers employed through agencies. The contractor must certify that workers in this situation have been subject to CRB disclosures and are suitable for the work. Where a contract is to be tendered for, the above stipulations should form part of any tender document. Production of the Contractor's children, young person and vulnerable adult protection policy must form part of any tender submission and must be received and considered satisfactory by the Council prior to any formal engagement. In the event that the Council is not satisfied with the Contractor's children, young persons and vulnerable adults protection policy, the selected Contractor shall adopt the Council's policy and be required to sign the declaration at [Appendix D](#).

Alternatively for smaller contracts not requiring a tender, a signed declaration must be submitted as shown in [Appendix D](#).

The manager engaging the contractor is responsible for ensuring that the above procedures are adhered to; further advice may be obtained from the Council's Procurement Officer and/or the Legal Department or from the Procurement Handbook. Further guidance on Contractors and CRB is found in the CRB policy.

Cannock Chase Council reserves the right to investigate the validity of any declaration.

### **Agency Personnel**

Managers engaging agency personnel for work, which has been assessed (using appendix 5 of the CRB policy) as requiring substantial contact with children and vulnerable adults should seek assurances from the agency that the proposed worker has been subject to an appropriate level of CRB check.

### **Volunteers**

Where volunteers participate in activities that involve access to children and vulnerable adults such Volunteers can take part in activities, on behalf of the Council, only if they have a valid CRB check and are appropriately qualified. Where the use of a volunteer is contemplated the relevant manager should evaluate the anticipated duties to be carried out by the volunteer – using the questionnaire in appendix 5 of the CRB policy - to determine whether a CRB disclosure is required. If a disclosure is required the relevant managers should contact Organisational Development to initiate the request for a disclosure.



## **Members**

Councillor Members should follow the general guidelines contained in this policy in terms of good practice in relation to children and vulnerable adults. Should a Councillor Member be invited to undertake involvement in an activity that will involve unsupervised contact with children or vulnerable adults or in setting and determining policy in relation to the welfare of children and vulnerable adults they should contact the Director of Governance and Organisational Development for guidance on whether it would be appropriate to undertake a CRB disclosure check. Advice will be sought from the Criminal Records Bureau in these circumstances.

## **Partner Organisations**

When entering into partnership arrangements that have particular focus on services for children or vulnerable adults formal agreements should incorporate appropriate child and vulnerable adult protection arrangements in accordance with the Council's Children, Young Person and Vulnerable Adult Protection Policy.

Where employees of other organisations working in partnership with the Council are required to carry out work for or on behalf of the council they must receive the appropriate disclosure check related to the duties of the post. It will be the responsibility of the employing organisation to ensure that such checks are carried out.

## **Induction**

All Cannock Chase Council workers (employees, regular volunteers) will undergo an induction within three months of appointment in which the children, young people and vulnerable adults protection procedures are fully explained.

## **Training**

Appropriate training will be provided to all Cannock Chase Council employees/volunteers whose duties have been assessed as requiring a CRB disclosure because the normal duties of the post involve work with children, young people and vulnerable adults. The level of training required shall be identified by line managers and Organisational Development. For new employees, training will be provided as soon as possible after commencement, in all cases within six months.

**Level 1** - For Cannock Chase Council representatives who will work with children, young people and vulnerable adults. Training to cover general children, young person and vulnerable adult protection issues and this policy. Refresher training shall take place after any significant change to this policy. Additional specific training may need to be carried out in respect of service level procedures.

**Level 2** – Training for Designated Children, Young People And Vulnerable Adults Officers. Training to cover the role of a Designated CYPVA Officer and detail regarding this policy. Refresher training every two years.

**Level 3** – Lead Child Protection Officer; specific training on children protection issues and this specific role. Update training on a regular basis. Refresher training at least every two years.

### **Coaches (e.g. Aerobics instructors, swimming instructors etc)**

Coaches working in sport shall be required to attend the Sports Coach UK course ‘Good Practice in Children, Young Person or Vulnerable Adult Protection’ unless they can demonstrate that they have attended a sports governing body approved training course in children, young person or vulnerable adult protection within the last 12 months.

### **Renewing CRB Checks**

All representatives of Cannock Chase Council who have substantial access to children, young people or vulnerable adults are required to renew their enhanced Criminal Records Bureau Check every three years.

### **Existing Employees**

All existing representatives of Cannock Chase Council who have substantial access to children, young people or vulnerable adults will be subject to an enhanced CRB check.

## **2. Recognition of Abuse**

### **Abuse and Neglect**

**It is not the responsibility of a Cannock Chase Council representative to decide that abuse is occurring, but it is their responsibility to act on any concerns by reporting any suspicions that they have.**

Somebody may abuse a child, young person or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Even for those experienced in working with abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place.

There are different types of abuse, and an individual may suffer more than one type. The following definitions are based on those from the Department of Health Guidance 'Working Together to Safeguard Children' (1999).

- **Neglect** — where adults fail to meet a child, young person or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the child, young person or vulnerable adult's health or development (e.g. failure to provide adequate food, shelter and clothing, failure to protect an individual from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment). It may also include refusal to give an individual love, affection and attention.
- **Physical abuse** — where an adult or another young person physically hurts or injures an individual by hitting, shaking, throwing, poisoning, burning, biting, scalding, suffocating, drowning or otherwise causing physical harm. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child, young person or vulnerable adult whom they are looking after.
- **Sexual abuse** — where an adult or another young person uses a child, young person or vulnerable adult to meet his or her own sexual needs. This could include any sexual act. Showing children, young people or vulnerable adults pornographic material is also a form of sexual abuse.
- **Emotional abuse** — the persistent emotional ill treatment of an individual. It may involve conveying to an individual that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children, young people or vulnerable adults. It may involve causing an individual to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make them very nervous and withdrawn. Some level of emotional abuse is involved in all types of abuse.

### **Indicators of Abuse**

Indications that a child, young person or vulnerable adult may be suffering abuse could include the child, young person or vulnerable adult describing what appears to be an

abusive act involving him / her, or someone else expressing concern about the welfare of another child, young person or vulnerable adult. Some physical signs and behavioural indicators are shown in the following table.

<b>PHYSICAL ABUSE</b>	
<b>Physical Signs</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li>• Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.</li> <li>• Bruises that reflect hand marks or fingertips (from slapping or pinching).               <ul style="list-style-type: none"> <li>• Cigarette burns</li> <li>• Bite marks</li> <li>• Broken bones</li> <li>• An injury for which the explanation seems inconsistent.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Fear of parents/carers being approached for an explanation.</li> <li>• Aggressive behaviour or severe temper outbursts.</li> <li>• Flinching when approached or touched.</li> <li>• Reluctance to get changed or covering up (e.g. wearing long sleeves in hot weather).</li> <li>• Depression.</li> <li>• Withdrawn behaviour.</li> <li>• Running away from home.</li> <li>• Distrust of adults, particularly those with whom a close relationship would normally be expected.</li> </ul>

<b>EMOTIONAL ABUSE</b>	
<b>Physical Signs</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li>• A failure to thrive.</li> <li>• Sudden speech disorders.</li> <li>• Developmental delay, either in terms of physical or emotional progress.</li> </ul>	<ul style="list-style-type: none"> <li>• Neurotic behaviour, e.g. hair twisting, rocking.</li> <li>• Is prevented from socialising with others.</li> <li>• Fear of making mistakes.</li> <li>• Self harm.</li> <li>• Fear of parent/carer being approached regarding their behaviour.</li> </ul>

<b>SEXUAL ABUSE</b>	
<b>Physical Signs</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li>• Pain or itching in the genital/anal areas.</li> <li>• Bruising or bleeding in genital/anal areas.</li> <li>• Sexually transmitted disease.</li> <li>• Vaginal discharge or infection.</li> <li>• Stomach pains.</li> <li>• Discomfort when walking or sitting down.</li> <li>• Pregnancy.</li> <li>• Self-harm or mutilation, sometimes leading to suicide attempts.</li> <li>• Bedwetting.</li> </ul>	<ul style="list-style-type: none"> <li>• Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn.</li> <li>• Fear of being left with a specific person or group of people.</li> <li>• Having nightmares.</li> <li>• Running away from home.</li> <li>• Sexual knowledge that is beyond their age or development age.</li> <li>• Sexual drawings or language.</li> <li>• Bedwetting.</li> <li>• Saying they have secrets they cannot tell anyone about.</li> <li>• Self-harm or mutilation, sometimes leading to suicide attempts.</li> <li>• Eating problems such as overeating or anorexia.</li> </ul>

<b>NEGLECT</b>	
<b>Physical Signs</b>	<b>Behavioural Indicators</b>
<ul style="list-style-type: none"> <li>• Constant hunger, sometimes stealing food from others.</li> <li>• Constantly dirty or 'smelly'.</li> <li>• Loss of weight, or being constantly underweight.</li> <li>• Inappropriate dress for the conditions.</li> </ul>	<ul style="list-style-type: none"> <li>• Complaining of being tired all the time.</li> <li>• Not requesting medical assistance and/or failing to attend appointments.</li> <li>• Having few friends.</li> <li>• Mentioning their being left alone or unsupervised.</li> </ul>

It should be recognised that the presence of one or more of the indicators is not proof that abuse is actually taking place. There may well be other reasons for changes in behaviour such as bereavement, a birth in the family, relationship problems between parents/carers, etc.

### **3. Responding to Disclosure, Suspicions and Allegations**

#### **Introduction**

If a child, young person or vulnerable adult indicates that he or she is being abused, or information is obtained which raises concern of abuse, it is important to act immediately.

**It is not the responsibility of a Cannock Chase Council representative to decide that abuse is occurring or to investigate it, but it is their responsibility to act on any concerns by reporting any suspicions that they have.**

## **Responding to Disclosure**

If an employee or other representative of the Council receives information concerning disclosure they should:

- React calmly so as not to frighten the child, young person or vulnerable adult.
- Tell the child, young person or vulnerable adult that he/she is not to blame and that he/she was right to tell.
- Take what the child, young person or vulnerable adult says seriously, recognising the difficulties inherent in interpreting what is said by a child, young person or vulnerable adult who has a speech disability and/or differences in language.
- Keep questions to the absolute minimum to ensure a clear and accurate understanding of what has been said.
- Reassure the child, young person or vulnerable adult but do not make promises of confidentiality that might not be feasible in the light of subsequent developments.
- Make a full written record of what had been said, heard and/or seen as soon as possible, ensuring that it is in the words of the speaker. Ensure that a record of the date and time is made on the document and that the document is passed to the supervisor or manager for further action.
- Inform the relevant supervisor or line manager except in the following circumstances:
  - a) The allegation concerns the supervisor or line manager – in which case inform the relevant Head of Service.
  - b) The allegation concerns another member of staff, volunteer or other representative of the Council – in which case inform the relevant Head of Service.
  - c) The allegation concerns a Councillor Member – in which case inform the Director of Governance.

## **Actions to be taken by Supervisor or Line Manager**

- On receipt of information from an employee concerning a disclosure the relevant supervisor/manager should contact the Designated CYPVA Officer immediately (or as soon as practically possible if out of hours). Reporting the matter should not be delayed by attempts to obtain further information.

- The Designated CYPVA Officer to whom information is reported should ideally be that in your service. In the absence of this person however, the issue should be passed on to any other Designated CYPVA Officer without delay.
- The manager should ensure that the employee reporting the incident is reassured that their concerns will be appropriately addressed and is appropriately supported in what are likely to be stressful and distressing circumstances

#### Actions to be taken by Designated CYPVA Officer

- Where the concerns relate to a **child** the Designated CYPVA Officer should seek advice and/or report the matter to the Staffordshire County Council First Response Team, based at the Wedgwood Building, Tipping Street, Stafford. The contact number for the First Response Team is on **0800 1313126** and it can be contacted between **8.00am and 6.00pm**. Alternatively contact the team via its e-mail address [frist@staffordshire.gov.uk](mailto:frist@staffordshire.gov.uk). A further referral option is to complete the multi-agency referral form at appendix A and fax it to the First Response Team on 01785 854223.
- Outside the hours of 8.00am and 6.00pm child protection issues are handled by the Emergency Duty Team on 01785 354030.
- Where the concerns relate to a **vulnerable adult** the Designated CYPVA Officer should seek advice and/or report the matter to the Access Team based at the Social Services Cannock Area Office, 202 Wolverhampton Road, Cannock on 01543 510300.
- The Designated CYPVA Officer should also consider whether police involvement is appropriate given the particular circumstances – in consultation with the relevant Head of Service/HR Manager/Director of Governance.

#### Emergencies

Where it is believed that the child, young person or vulnerable adult is in immediate danger of harm the person receiving the disclosure should make a written record of the disclosure – as described above then personally contact the Police (using the 999 service) ensuring that the relevant Manager and Designated CYPVA Officer are made aware at the earliest opportunity, in accordance with the guidance described above. A record should be made of the name and title of the police officer to whom the concerns were passed together with the time and date of the call, in case any follow-up is needed.

If the immediate danger relates to suspected abuse by a parent/carer, do not allow the child, young person or vulnerable adult to go home with them without calling the Police to the scene – but under no circumstances should any employee or representatives of the Council put themselves at risk.

**NB** It may be that the child, young person or vulnerable adult is unable to express himself or herself verbally. Communication difficulties may mean that it is hard for them to complain or be understood. Sometimes it is difficult to distinguish the signs of abuse from the symptoms of some disabilities or conditions. However, where there are concerns about the safety of a disabled child, young person or vulnerable adult, record what has been observed in detail and follow the procedures to report these concerns.

### **Actions to avoid**

If you receive a disclosure:

- Do not panic.
- Do not allow any shock or distaste to show.
- Do not probe for more information than is offered or ask leading questions.
- Do not speculate or make assumptions.
- Do not make negative comments about the alleged abuser.
- Do not approach the alleged abuser.
- Do not make promises or agree to keep secrets.
- Do not try to investigate the allegations.

### **Reporting poor practice or concerns of abuse, against Cannock Chase Council representatives**

The Council assures all professional and voluntary organisations that it will fully support and protect anyone who, in good faith (without malicious intent), reports his or her concern about a colleague's practice or the possibility that a child, young person or vulnerable adult may be being abused. For further information please refer to the Council's Whistleblowing Policy.

Such allegations could emerge in a number of ways, for example:

- Direct observation from an employee that a colleague is perceived to be behaving inappropriately toward a child or vulnerable adult
- Telephone call to the contact centre



- Telephone call or letter or complaint to a manager or other employee of the Council

Where such an allegation is received against an employee or representative of the Council the details of the complaint should be passed immediately to the relevant Head of Service/Director (or Director of Governance if the complaint concerns a Councillor). They, in turn will inform the Designated CYPVA Officer for action.

Where it is believed that the child, young person or vulnerable adult is in immediate danger of harm then the recipient of a disclosure should follow the guidance on what to do on receipt of a disclosure as described above and then personally contact the Police (using the 999 service) ensuring that Manager and Designated CYPVA Officer are made aware at the earliest opportunity. A record should be made of the name and title of the police officer to whom the concerns were passed together with the time and date of the call, in case any follow-up is needed.

#### **Action to take:**

- The relevant Head of Service or Director should inform the Designated CYPVA Officer **and** the Human Resource Manager (or Deputy Chief Executive) that an allegation has been made. Reporting the matter should not be delayed by attempts to obtain further information. In relation to employees immediate consideration will be given to whether a disciplinary investigation will be initiated as a result under the auspices of the Council's disciplinary policy.
- The Designated CYPVA Officer should inform the First Response Team or Access Team as appropriate as described above and consider whether police involvement is necessary

#### **Internal complaint procedures**

##### **Employees**

Any investigations of complaints or allegations made against Cannock Chase Council's employees regarding children, young people or vulnerable adults protection matters will be handled by the HR Manager in conjunction with the relevant service's Director in accordance with the Council's Disciplinary Procedures.

Additionally:

- The Police will also be consulted/informed at any point at which it becomes apparent that a criminal offence may have been committed, so that a full and appropriate police investigation can be conducted.
- If appropriate, this policy may be reviewed as a result of the complaint.

## **Volunteers**

The Council is unable to take disciplinary action against volunteers, as they are not 'employees' within the scope of the discipline policy so any allegations concerning volunteers must be referred to the police for investigation. The volunteer should cease to be used whilst the investigation is in progress.

## **Council Members**

Complaints made against Councillors may be referred to the Standards Committee for investigation and action as appropriate.

Additionally:

- The Police will also be consulted/informed at any point at which it becomes apparent that a criminal offence may have been committed, so that a full and appropriate police investigation can be conducted.
- If appropriate, this policy may be reviewed as a result of the complaint.

## **Poor practice**

If, after careful investigation, the allegation is clearly about poor practice, the Organisational Development Division shall arrange for further information, training and supervision for the employee as well as making any recommended changes to the practices and procedures of the service.

**The welfare of children, young people and vulnerable adults shall always remain paramount.**

## **Allegations of previous abuse**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child). Where such an allegation is made, the Designated CYPVA Officer at Cannock Chase Council shall follow the procedures as detailed above.

Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children. This is reinforced by the Protection of Children Act 1999 and the Children Act 2004.

### **Approach by a potential abuser following Referral**

Should an employee be approached by someone who has been identified as a potential abuser on a referral form, then the employee should adopt a 'no comment' approach and contact a Designated CYPVA Officer as soon as possible.

### **Confidentiality**

Efforts shall be made to ensure that confidentiality is maintained for all concerned in accordance with the requirements of the Data Protection Act. However it should be noted that information concerning the allegation may be disclosed in order to co-operate with subsequent police investigations and/or court or tribunal proceedings. Otherwise information will be handled and disseminated on a need to know basis only. Information will be stored in a secure place with access limited to designated individuals.

## **4. Code of Conduct for all Cannock Chase Council Representatives**

### **Introduction**

It is not practical to provide definitive instructions that would apply to every situation when Cannock Chase Council representatives come in to contact with children. However the following points cover the standards of behaviour expected of representatives to protect themselves and the individuals they come in to contact with and are supplementary to the existing Cannock Chase Council Code of Conduct.

### **Employees must:**

- Implement the children, young people and vulnerable adults protection policy at all times.
- Never engage in rough, physical or sexually provocative games, including horseplay.
- Never share overnight accommodation with a child, young person or vulnerable adult except in circumstances where employees are legitimately escorting young people on organised trips in partnership with social services and other partner agencies.

- Never allow or engage in any form of inappropriate touching. The main principles of touching are:
  - It should always be in response to the individual's needs.
  - It should always be appropriate to the individual's age/stage of development.
  - It should always be with the individual's permission.
- Never physically restrain a child, young person or vulnerable adult, unless the restraint is to:
  - Prevent physical injury to the individual or to another person.
  - Prevent damage to any property.
  - Prevent or stop the child, young person or vulnerable adult committing a criminal offence. (In all circumstances physical restraint must be appropriate or reasonable; otherwise the action could be defined as assault.)
- Never allow the use of inappropriate language to go unchallenged.
- Never make sexually suggestive comments, even in fun.
- Never reduce a child, young person or vulnerable adult to tears as a form of control.
- Never allow allegations to go unchallenged, unrecorded or not acted upon.
- Never do things of a personal nature that an individual can do for himself or herself or that a parent can do for them.
- Never invite or allow children stay with you at your home.
- Never leave children unattended or with employees who have not been subject to a Criminal Records Bureau check.
- Never issue medication to a child or vulnerable adult unless there are specific and detailed instructions from the relevant parent, guardian or carer and these instructions are strictly adhered to. If medication is issued to a child or vulnerable adult in a record should be made of the time and date and the name of the person administering the medication.

**With the exception of emergencies employees must:**

- Never have children in their own vehicle, unless parents have been notified. (Where circumstances require the transportation of children, another Cannock Chase Council representative must be present and the driver must have adequate insurance to use their vehicle for work. In extreme medical emergencies where it is required to transport a child, young person or vulnerable adult on their own it is essential that another Cannock Chase Council representative or the parent is notified immediately.)

- Avoid where possible taking an individual to the toilet unless another adult or group of children is present.
- Never spend time alone with a child, young person or vulnerable adult. If you find you are in a situation where you are alone with a child, young person or vulnerable adult make sure you can be clearly observed by others or that you have gained the consent of the parent (for example on a home visit if the parent leaves the room for a period of time.)

## **Implications for Representatives**

It may sometimes be necessary for employees or volunteers to do things of a personal nature for children. These tasks should only be carried out with the full understanding and written consent of parents and the individual involved. There is a need to be responsive to a person's reactions, if a person is fully dependent on you, talk with him / her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting an individual to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

## **5. Guidelines for Use of Photographic Equipment at Organised Events – including Mobile Phone technology**

### **Introduction**

There is evidence that some people have used public events as an opportunity to take inappropriate photographs or film footage of children. All representatives organising events where children will be participating must remain vigilant and ensure the following guidelines are adhered to. The guidelines apply to all forms of technology that can be used to record images.

In addition, when using an external venue, you need to check the venue's policy on the use of photographic equipment. For example leisure centres may not allow the use of filming equipment (including camera and videos on mobile phones) in the changing rooms or swimming pool areas.

**If a professional photographer, the press or representatives are invited to cover services, events, activities, the event organiser must:**

- Inform participants and parents that a photographer will be in attendance and ensure they consent to both the taking and publication of films or photographs by asking them to complete a consent form. Consent forms are available on the Corporate Intranet under Home/Information/policies, procedures and plans/data protection.
- Ensure that the photographer wears their identification or is provided with identification at the event.
- Ensure that the photographer has no unsupervised access to children.
- Ensure that the last names of children are not used in photographs or film footage, unless with the express permission of the child, young person or vulnerable adult's parent.

### **Additional Guidelines:**

At open public events the use of photographic equipment cannot be regulated. However the following additional procedures should be considered by the event organiser and adopted where it is practical to do so:

**Professional photographers** wishing to record the event should seek accreditation with the event organiser by producing their professional identification for the details to be recorded. Ideally they should request this at least five working days before the event.

**Students or amateur photographers** wishing to record the event should seek accreditation with the event organiser by producing their student club or registration card and a letter from their club / educational establishment outlining their motive for attending the event.

**All other spectators** wishing to use photographic equipment should register their intent with the promoter of the event.

### **Accreditation Procedure**

A system should be adopted whereby a record should be made of the individual's name and address and club. Professionals should register prior to the event and their identification details should be checked with the issuing authority prior to the event. On registering, promoters of events should consider issuing an identification label on the day, which can serve to highlight those who have accreditation but must ensure that where regular events occur, the identifying label is changed to prevent unofficial replication.

## **Public information**

The specific details concerning photographic equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of the event.

### **The recommended wording is:**

*“In line with the recommendation in the Cannock Chase Council children, young people and vulnerable adults protection policy, the promoters of this event request that any person wishing to engage in any photography should register their details with employees at the entry desk before carrying out any such photography. The promoter reserves the right of entry to this event and reserves the right to decline entry to any person unable to meet or abide by the promoter’s conditions.”*

### **If you have concerns**

If you are concerned about any photography taking place at an event, contact the promoter or event organiser and discuss it with them. If appropriate, the person about whom there are concerns should be asked to leave and the facility manager should be informed.

### **Frequently Asked Questions**

None

### **Other Sources of Information**

#### **Trade Union**

There are several trade unions working within Cannock Chase Council who can assist with this policy. It is recommended that a trade union representative be contacted at the earliest stage so that appropriate advice, guidance and support can be offered to the employee.

#### **Organisational Development Division**

The Organisational Development Division can provide supplementary information and assist with the application of this policy. It is recommended that an OD representative be

contacted at the earliest stage so that appropriate advice, guidance and support can be offered to both the manager and employee.

### **Related Internal Policies**

See also:

- Recruitment and Selection Policy
- Criminal Records Bureau Policy
- Disciplinary Procedure
- Employee Code of Conduct
- Whistleblowing Policy

### **External Sources**

The NSPCC/FA Child, Young Person or Vulnerable Adult Protection Helpline  
Western House 42 Curtain Road London EC2A 3NH  
020 7825 2500 Helpline: 0808 800 5000

[www.nspcc.org](http://www.nspcc.org)

Childline UK

[www.childline.org.uk](http://www.childline.org.uk)

Child, Young Person or Vulnerable Adultline UK  
Freepost 1111 London N1 OBR

[www.childyoungpersonorvulnerableadultline.org](http://www.childyoungpersonorvulnerableadultline.org)

Further information concerning the Criminal Records Bureau and the disclosure process, including the CRB code of practice can be found on the following website:

[www.crb.gov.uk](http://www.crb.gov.uk)

Please note that Cannock Chase Council takes no responsibility or liability for any material produced by or contained in external sites or for any advice or services given by external organisations. It is the responsibility solely of each person to decide whether or not they use any such material, advice or service.



## Glossary

Additional Information	For enhanced disclosures only, additional checks will be carried out with police forces for any non-conviction related information they hold concerning an individual. Where such information is supplied it is supplied to the Registered body only and <b>not</b> to the prospective employee. The detail of such additional information must not be disclosed to any other individual though the Registered body may, under the portability rules, inform another Registered body that such information had been supplied – though not the detail of what was in it.
Contractor	A person engaged under a contract to provide a service on behalf of Cannock Chase Council - for example, where a tendering process has taken place and an approved contractor appointed. Individual personnel will normally be managed by a manager from within the contracting organisation but there will be a manager within the Council with responsibility for managing the contract.
Countersignatory And Lead Countersignatory	A person within a Registered Body that is authorised to sign and submit CRB disclosure forms to the CRB and to receive disclosures from the CRB. The Countersignatory must abide by the code of practice particularly in relation to the storage and retention of information contained in the disclosure.  The Lead Countersignatory is responsible for the Council's registration with the CRB and for the conduct of other Countersignatories within the organisation
Disclosure	The document produced by the criminal records bureau, which details whether a person has convictions or not. A copy is sent to the Registered body and to the applicant
Normal duties	The work is a regular and necessary feature of the

	employment.
Personal Care/caring for	Toileting, dressing or undressing, medical examination or treatment, feeding etc.
Registered Body	An organisation that is permitted to receive CRB disclosure checks. A Registered body must adhere to the CRB code of practice.
Supervisory responsibility	<p>Where person has control over the actions of a child or vulnerable adult or is solely responsibility for their safety and security - as a regular feature of their work.</p> <p>Where a person is in a post that requires them to have unsupervised access to a child or vulnerable person – as a regular feature of their work.</p>
Child and young person	A child or young person is legally defined as anyone under the age of 18.
Unsupervised contact	Where there are children present during the course of an employee’s normal duties and the employee has contact (seeing, conversing with, directing the activities of, being in the presence of) without the presence of an additional responsible person (such as a parent, teacher or person who has been subject to an enhanced CRB check). Such contact has to be a normal part of the duties of the person – not just occasional.
Vulnerable adult	A vulnerable adult is someone who is over the age of 18 who receives services such as social services, social care, accommodation and nursing or other personal care services by virtue of having some form of learning or physical disability or mental health conditions which renders them dependent on other people for assistance with basic physical functions (feeding, toileting, dressing etc), communication or protection from harm

## **Standard Documents/Appendices**

- Appendix A – Multi-Agency Referral Form
- Appendix B – Roles and Responsibilities of designated children, young person or vulnerable adult Protection Officers
- Appendix C – Guidance for safe working practices
- Appendix D – Self declaration for contractors engaged in work on behalf of Cannock Chase Council

This information can be made available in a range of formats and languages, including Braille and large print. If this would be useful to you or someone you know, please contact the Organisational Development Division.

Multi-Agency Referral Record to Staffordshire Social Services Department  
Child Protection/Children in Need

<b>1 Details of child/young person</b>					
Family name		Forename(s)		Aliases	
Male/Female	DoB (dd-mm-yy) or approx. age			Religion	
Current address					
Postcode			Telephone number		

<b>2 Details of child/young person's principal carers</b>			
Name		Relationship to child	
Address			
Who has parental responsibility? Parent/carers/mother/father/other/unknown			

<b>3 General Practitioner</b>		
Name		
Address		

<b>4 Playschool/nursery/school/other</b>	
Name	
Address	

<b>5 Person making referral</b>					
Name		Agency			
Designation					
Address					
Date of Referral		Time		Telephone number	

<b>6 Person receiving referral</b>					
Address					
Date of Referral		Time		Telephone number	
Fax		E-mail			

<b>7 Child Protection/Children in Need</b>	Y/N/Not applicable
<b>7a</b> Has the child previously been on the Child Protection Register?	Y/N/Not applicable

<b>8 Child on Child Protection Register</b>	Y/N/Not known
<b>8a</b> Has the child previously been on the Child Protection Register?	Y/N/Not known

<b>9</b> Has information been shared with parent/carer?	Y/N
If not why not?	

<b>10</b> Has information been shared with child?	Y/N
If not why not?	

<b>11</b> Details of other members of the family household/social networks			
Name	Age	Relationship to child	Contact with child

<b>12</b> Reason for referral/request for service

<b>13</b> Does the child/young person have a disability?	Y/N/Not known
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<b>14</b> Does communication with the child/young person or family require additional support?	Y/N/Not known
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<b>15</b> Has the child/young person or family member been looked after by a local authority?	Y/N/Not know
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<b>16</b> Are any court orders in force?	Y/N/Not know
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<b>17</b> Are any voluntary sector agencies involved with the child/young person or family?	Y/N/Not known
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<b>18</b> Additional information i.e. A&E attendances (include other key professionals)

<b>19</b> Agreed action	
Talk to team manager	
Already know about the situation	
NLA	
Refer elsewhere	

## **Roles and Responsibilities of designated Children, Young Person And Vulnerable Adult Protection Officers**

Each Cannock Chase Council service with the potential for access to children has nominated one person as that service's main contact for children, young people and vulnerable adults protection.

There is also an overall Cannock Chase Council Lead children, young people and vulnerable adults Protection Officer.

These two roles and their responsibilities are detailed below and are the designated children, young people and vulnerable adults Protection Officers referenced to throughout the document:

### **Lead Children, Young People And Vulnerable Adults Protection Officer**

This role is that of an overall Children, Young People and Vulnerable Adults Protection Officer for Cannock Chase Council. The person nominated to take on this role is responsible for:

- Liaising with the Director's Management Team to maintain and update the Cannock Chase Council children, young people and vulnerable adults Protection Policy at a minimum of once every three years.
- Keeping an up-to-date knowledge and understanding of the area of children, young people and vulnerable adults protection. This will include attending relevant or identified training.
- Acting as a point of contact for the Council on issues of children, young people and vulnerable adults protection, both internally, and for members of the public and other external contacts.
- Ensuring all relevant information is communicated to the designated children, young people and vulnerable adults Protection Officers.
- Providing guidance on relevant matters to designated children, young people and vulnerable adults Protection Officers as and where necessary.
- Representing Cannock Chase Council on local children, young people and vulnerable adults protection groups.

- Promoting interest in children, young people and vulnerable adults protection throughout the Council in conjunction with the Director's Management Team. For example publicising new editions of the Policy. Delegating the above tasks as and when this proves necessary.
- Receiving and acting upon any reports or incidents of suspected or actual abuse.
- Reporting incidents and seeking advice from the relevant agencies
- Advising the referrer of the action they will take (further feedback will only be provided if appropriate).

### **Designated Children, Young People and Vulnerable Adults Protection Officers**

This role is that of a Children, Young People and Vulnerable Adults Protection Officer specific to a given service within Cannock Chase Council.

These services are those that have been identified as working with or around children young people and vulnerable adults. The persons in these roles are responsible for:

- Receiving reports or incidents of suspected or actual abuse in liaison with the Lead children, young people and vulnerable adults Protection Officer where necessary and according to the terms of the Policy.
- Reporting the incident / seeking advice from the relevant agencies
- Advising the referrer of the action they will take (further feedback will only be provided if appropriate).
- Ensuring that employees in their service are familiar with and work towards any minimum operating standards that have been set in relation to the Policy. This may include employees to children, young person or vulnerable adult ratios, knowledge of emergency procedures, having a first aider on site etc.
- Passing on records and reports of any incidents of suspected or actual abuse to the Organisational Development Division for secure storage.
- Providing guidance on any other relevant matters to employees in their service.
- Acting in support of the Lead Children, Young People and Vulnerable Adults Protection as appropriate, and undertaking any necessary actions in their absence.

<b>Children, Young People and Vulnerable Adults Protection Role</b>	<b>Post</b>	<b>Work Telephone</b>
Lead Children, Young People and Vulnerable Adults Protection Officer	Head of Leisure and Major Projects	01543 464416

Service Improvement Designated Children, Young People and Vulnerable Adults Protection Officer	Director of Service Improvement	01543 464429
Organisational Improvement Designated Children, Young People and Vulnerable Adults Protection Officer	Director of Organisational Improvement	01543 464347
Governance Designated Children, Young People and Vulnerable Adults Protection Officer	Director of Governance	01543 464223
Deputy Chief Executive Designated Children, Young People and Vulnerable Adults Protection Officer	Deputy Chief Executive	01543 464670
Chief Executive Designated Children, Young People and Vulnerable Adults Protection Officer	Chief Executive	



## Guidance for safe working practices

The following list outlines important considerations when working directly with children. All employees will be made familiar with this on appointment.

- Treat everyone with respect.
- Ensure all have an equal opportunity to participate.
- Do not engage in physical contact without clearly explaining your reasons.
- Remember that someone else might misinterpret your actions, no matter how well intentioned.
- Do not permit abusive activities (e.g. bullying).
- Do not allow yourself to be drawn into inappropriate attention seeking behaviour, but deal firmly and fairly with such behaviour at all times.
- Do not show favouritism to any individual or isolate any individual.
- Do not participate in games involving physical contact.
- Do not do things of a personal nature that individuals can do for themselves.
- Do not allow the use of inappropriate language or use it yourself.
- Do not allow allegations to go unchallenged, unrecorded or unreported. Do not take children in your vehicle or into your home.
- Do not allow any one-to-one contact to take place at any time
- Ensure that appropriate clothing is worn by yourself and children, young people and vulnerable adults participating at all times.
- When working outside, ensure activities, breaks and clothing are suitable for the weather conditions and that shelter is available (where possible).
- Ensure the register is fully complete and that children, young people and vulnerable adults are marked in and signed out (under 10's must be collected by a parent/carer).
- Ensure you have access to a first aid kit and telephone. If you are on a school or other unfamiliar site, please be aware of where these are and that you know the fire procedures.
- Ensure that no one takes any photographs or videos of any person without gaining their parent/carers written permission.
- Ensure that all toilet trips and first aid is carried out in pairs/groups or in the latter case where you can be seen.

## **Supervision Ratios**

The supervision of children, young people and vulnerable adults must be adequate, whether at the organisation's venue or on a journey or visit. The ratio of adults required is dependent on the magnitude of risk and the ability of the group or individual. As the required ratios vary from sport to sport please follow the standards set out by the relevant National Governing Body and Government DFES.

**Self declaration for contractors engaged in work on behalf of Cannock Chase Council**

<p><b>Self declaration for contractors engaged in work on behalf of Cannock Chase Council</b> (To be completed by contractors likely to have contact with children or vulnerable adults)</p>
<p><b>Name of Contractor:</b></p>
<p>I have read and understood the Council's children, young people and vulnerable adults Protection Policy and agree to abide by the procedures set out in the document I confirm that I/we hold a current children, young people and vulnerable adults Protection Policy that is available to view on request. (<i>Delete as appropriate</i>)</p> <p>I confirm that all workers engaged by the above named contractor and who are likely to come in to contact with children have been subject to the appropriate level of Criminal Records Bureau check as defined by the Criminal Records Bureau guidance.</p>
<p><b>Signature:</b></p>
<p><b>Name:</b></p>
<p><b>Position:</b></p>
<p><b>Date:</b></p>

**NB:** Cannock Chase Council reserves the right to investigate the validity of the above declaration.