



Safeguarding Children policy & procedure

1. Purpose and scope

To protect children who are at risk of or experiencing abuse and/or neglect. In addition, this policy will ensure that legislation and relevant safeguarding guidance is complied with.

The arrangements detailed within this policy and procedure apply to all Selwood Housing residents and properties including communal areas, domestic properties, sheltered schemes, care homes, supported housing, shops and Selwood Housing's offices.

In exceptional circumstances where work is not covered by the regulations, the principles and good practices contained within the regulations should be applied where possible.

2. Reference

The Children Act 2004

Working together to safeguard children 2018

Sex Offences Act 2003

Safeguarding Vulnerable Groups Act 2006

Children and Young Persons Act 2008

General Data Protection Regulation and Data Protection Act 1998 (GDPR & DPA)

Protection of Freedoms Act 2012

3. Policy details

1. Introduction

This policy sets out Selwood Housing's approach towards safeguarding children at risk from harm and abuse. It is supported by safeguarding



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procedures, training, and related policies such as Selwood Housing's safeguarding vulnerable adults' policy and procedure.

The safeguarding children policy will:

- Define Selwood Housing's organisational and management responsibilities, including the roles and responsibilities of contractors working on behalf of Selwood Housing.
- Detail the potential signs of abuse and neglect to children and guidance in identifying signs of abuse.
- Detail the processes staff will follow, including how Selwood Housing will ensure a multi-agency approach to reporting and dealing with safeguarding concerns and incidents.

Failure to comply with this policy may result in a risk to the health and safety of customers as well as negative reputational and financial impact to the organisation.

This policy applies to all staff and agents working on behalf of Selwood Housing and any person who accesses our services. This will include non-residents of Selwood Housing, for example, attendees at estate open days or visitors to Selwood Housing properties.

2. Background

Selwood Housing are in contact with children throughout their day to day activities and are required through law, their regulator, and their organisational objectives to have clear policies and procedures on safeguarding and working with local agencies. These requirements are detailed in **Appendix A: Legal and Regulatory Provisions**.

Local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. They have a number of statutory functions under the 1989 and 2004 Children Acts which makes this clear, including specific duties in relation to children in need and children suffering, or likely to suffer, significant harm, regardless of where they are found, under sections 17 and 47 of the Children Act 1989. The Director of Children's Services and Lead Member for Children's Services in local authorities are the key points of professional and political accountability, with responsibility for the effective delivery of these functions.



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Local authorities have a statutory duty to run Local Safeguarding Children's Boards. They are the lead agencies with responsibility for coordinating safeguarding and conducting case management reviews. They will have expertise in handling cases of abuse and providing support and counselling to victims and assisting the police with any criminal investigations.

3. Legal and regulatory framework

The Children Act 2004

This act created Local Safeguarding Children Boards and places duties on a range of statutory organisations. Although Registered Providers of Housing such as Selwood Housing are not subject to this act, they are expected to mirror organisations that are by:

- Having a designated lead person for child safeguarding matters
- Sharing information with other professionals
- Having safe recruitment practices and whistleblowing procedures
- Training their staff on child safeguarding
- Having a clear child safeguarding policy; and
- Having a procedure for responding to child protection concerns, including making referrals to local authorities or the police.

Working together to safeguard children 2018

The statutory guidance issued under the Children's Act, on inter-agency working to safeguard and promote the welfare of children applies to statutory bodies such as the police, schools, and local authorities. However, the guidance and expectations detailed in this guidance will be reflected by Selwood Housing throughout this policy and the procedure.

4. Definitions

Selwood Housing will adopt the following definitions:

Child

A child is anyone who has not yet reached their 18th birthday and includes unborn children. Due to immaturity and dependency on others, all children are at risk of abuse.

Parent



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The term parent includes carers or guardians. It means, in usual circumstances, someone who is legally entitled to take decisions on behalf of the child.

Abuse and neglect

Abuse and neglect take many forms and can be caused by single or repeated acts or a failure to act by any other person or persons, or in the case of self-neglect, the victim themselves. The circumstances of each individual case will be considered as to not limit what constitutes abuse or neglect. However, Selwood Housing will reference the *Working Together* definition for abuse:

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing 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 others (e.g. via the internet). They may be abused an adult or adults, or another child or children.

Guidance on the types of abuse and neglect is detailed in the Safeguarding procedure. Selwood Housing will treat as a child safeguarding concern where a child is suspected to be involved in either of the following categories:

- Physical abuse
- Sexual abuse
- Emotional or psychological abuse
- Neglect and acts of omission
- Involved in modern slavery

Other categories or specific acts of abuse and neglect may be categorised differently by other organisations and we will be aware that abuse may also include but is not limited to acts such as online abuse, child sexual exploitation, female genital mutilation, bullying and cyber bullying, domestic abuse, child trafficking, grooming and sexual behaviour. Staff will receive training which covers the indicators of abuse and neglect, and these categories will be explored.

Safeguarding children

Safeguarding in regards to Selwood Housing means protecting our customers' right to live safely, free from abuse and neglect through



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Selwood Housing working with our partners and other organisations to prevent and stop both the risks and the experience of abuse or neglect, whilst at the same time making sure their wellbeing is promoted and their preferences taken into account.

5. Promoting welfare

Safeguarding forms of the requirement of statutory authorities to promote the overall welfare of a child by:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best life chances.

This means local authorities may need to take significant decisions in the best interests of a child, for example, removal from their current housing situation.

6. Differences and similarities between safeguarding adults and safeguarding children

Selwood Housing acknowledge the universal similarities in safeguarding practice irrespective of whether the vulnerable group are adults or children. However, we will remain conscious of the essential differences that exist between safeguarding children and safeguarding adults. The key difference is that adults have their own rights and responsibilities and can make their own decisions and live independent lives. This means that they have a legal right of consent and participation in progressing safeguarding concerns.

For children, due consideration must be given to the wishes and feelings of a child as far as reasonable before making decisions on what services to provide or action to take. However, authorities have a duty to act in the best interests of the child which may mean contradicting their wishes.

7. Policy statement

Selwood Housing will aim to protect and maintain a child's safety and wellbeing through their approach to safeguarding children. Selwood Housing will achieve this by working with their partners by applying the following policy standards:



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Taking a child centred approach to prevention and empowerment

- We will place a child's needs at the forefront, which means listening, and understanding what we are told, and respecting their needs and views in how we respond to ensure that every child receives the support they need before a problem escalates.
- We will aim to ensure our customers are aware of how to report safeguarding concerns, and the support we can provide
- Allocations will be undertaken in line with the **allocations policy**.
- Where a resident is proven to have committed child abuse, Selwood Housing will consider legal action where a breach of the terms and conditions of the tenancy has occurred or other appropriate action relevant to the circumstance.

Enabling our staff and taking proportionate actions

- We will ensure safeguarding is the responsibility of everyone who works for us and works on our behalf and that staff who come into contact with children and families are alert to their needs and of any signs of abuse, including any risks abusers or potential abusers may pose to children.
- We will undertake relevant disclosure and barring checks on employees that have access to, or work with children. Anyone found to have been convicted of a sex offence or abuse of a child will not be permitted to work or volunteer in a position that provides access to children under the age of 18.
- Staff must comply with all policies that govern the appropriate use of IT. Access to chat rooms or news groups without expressed permission to do so is not permitted. Email must not be used to distribute pornographic material and the internet must not be used to access such material. Breaches of the policies in this respect will be regarded as gross misconduct and managed through the disciplinary procedures for staff. In the case of temporary staff or volunteers this may be regarded as breach of contract. In all cases where it is proven the employee has undertaken such actions full details of the activity will be reported to the appropriate authorities, which may include the police.

Working with partners

- We will co-operate and develop strong relationships with safeguarding partners who investigate allegations of harm, abuse,



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and neglect to a child, and take actions to safeguard that child. This includes:

- Appropriately referring our safeguarding and wellbeing concerns to the relevant local authority, and/or if necessary, the police
- Supporting and contributing to enquiries and assessment as directed by our statutory partners after a referral has been made
- Taking swift action to ensure the safety of the child and taking appropriate action against the perpetrators of abuse
- Participating in Local Safeguarding Children Boards
- Supporting and learning from serious case or child death reviews
- Keep accurate, confidential, and secure records of all safeguarding concerns and associated actions; and
- Sharing information with relevant safeguarding partners.

Accountability and transparency

- We will ensure our policy and processes that we put in place provide accountability and transparency in delivering safeguarding including:
 - Identifying a 'Safeguarding Lead' within Selwood Housing to ensure that this policy and our procedures are effective, kept up to date, delivered in a timely manner and disseminated to all staff
 - Identifying designated safeguarding officers within each of our departments to co-ordinate our responses to safeguarding concerns.
 - Convening regular Safeguarding Panels which will co-ordinate investigations, share best practices and improvement.
 - Ensuring that all staff receive suitable safeguarding training and understand their roles and responsibilities in safeguarding
 - Learning from incidents and case reviews, revising and improving work practices, induction, training, policy and procedure as appropriate and reporting to board to maintain transparency and governance.

8. Key responsibilities of all staff

We will expect that all staff:

- Alert to concerns for welfare, and indicators of abuse and neglect



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- Report all cases of suspected abuse or neglect to the appropriate individual in the organisation. Designated safeguarding officers will liaise with the relevant neighbourhood managers, who will monitor incidents, report concerns to, and liaise with the relevant local protection teams as necessary. This is due to their close working knowledge of our customers and whether or not the concern is already recognised and reported.
- Are vigilant about their actions so that they cannot be misinterpreted, and are aware of appropriate behaviour when working with residents (for example, appropriate boundaries of personal contact)
- Attending safeguarding training and refresher training where relevant
- Are aware of situations which may present risks and manage these (for example, if allocating a property to a registered offender, that consideration is given to the location)

Whilst safeguarding responsibilities sit with all staff, the responsibility structure at Selwood Housing is as follows:

Strategic Lead

The organisation is not required by law to have a safeguarding lead at executive team level, but Selwood Housing want to ensure safeguarding is given appropriate levels of consideration at all levels.

The strategic lead is the group transformation and people director and ensures safeguarding is considered independently of operations.

The strategic lead is responsible for:

- Ensuring that safeguarding is appropriately considered by the Board during relevant meetings, and that members are aware of the governance and reputational risks of failing to safeguard children and vulnerable adults.
- Presenting an annual report to the Board on Selwood Housing's management of safeguarding during the year, including the number of referrals made to relevant agencies.

Operational Lead

The group head of health, safety, and facilities is the operational safeguarding lead.



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The role of the operational lead is to:

- Ensure that any changes to legislation or good practice lead to corresponding policy and procedure updates.
- Ensure that Selwood Housing provides appropriate resource each year to adequately train and supervise staff managing and/or reporting safeguarding concerns.
- Set the terms of reference and chair Selwood Housing's safety panel meetings, which will be used as the platform for discussing issues, monitoring incidents and performance in relation to safeguarding.
- Notify the strategic lead in the event of a serious safeguarding incident and/or pending serious case review for report to the Board on an annual basis. Assisting the operational lead in learning lessons following serious case reviews
- Report to the group board of directors on a regular basis.
- Review the safeguarding children policy and procedure on an annual basis and ensure other policies have regard to safeguarding as appropriate.
- Ensure processes are in place to see that training is undertaken for new staff within their probation period and refreshed every two years or earlier if there are significant changes to legislation or good practice which result in changes to Selwood Housing's policies and procedures.
- Report to the board in relation to any issues of note, as part of health and safety papers.
- Ensure systems are in place to accurately and appropriately record and monitor safeguarding cases.
- Measure Selwood Housing's performance in relation to safeguarding vulnerable adults.
- Promote awareness and understanding of safeguarding within the organisation.
- Work with external organisations as appropriate in relation to safeguarding of children.

Designated Safeguarding Officer's

There will be DSO's within each customer-facing department to support the work of the operational lead.

The role of the DSO is to:



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- Ensure relevant staff record and report safeguarding cases for children in accordance with procedures.
- Ensure that staff are appropriately supervised.
- Ensure that safeguarding is regularly discussed at team meetings and in one-to-one meetings.
- Set staff objectives in relation to safeguarding vulnerable adults.
- Attend quarterly safety panel meetings which will discuss safeguarding.
- Attend external multi agency meetings representing Selwood Housing.
- Promote safeguarding within the organisation.

9. Recording and reporting

Full details on recording and reporting allegations of abuse are provided in the Safeguarding Children Procedures which form **Appendix 2** of this document.

When managing any allegations of abuse, it is essential that information is recorded accurately and in a timely manner. In addition, staff may also be called upon to complete relevant forms for the local authority, the local Safeguarding Team and/or the police.

10. Specific services within Selwood Housing

This policy applies to all staff. The following services are highlighted as they may be potentially more exposed to safeguarding issues and have specific requirements:

Housing management and frontline services will come into contact with children at risk during their housing management day to day functions, including at sign-up, during a settling in visit, when investigating allegations of anti-social behaviour or when a customer requests a service.

Tenancy support services – the profile of customers receiving specialist support services may be more susceptible to certain types of abuse within their households, for example, children living in chaotic environments.

Involvement team members involved in community investment or development, due to the client group, require particular vigilance to Safeguarding issues. Additionally, agents providing these services will be expected to have increased verification and disclosure checks.



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Maintenance and caretaking staff – due to the nature of their role, maintenance staff carry out their duties within Selwood Housing's properties and therefore may witness abuse or spot indicators that abuse may be taking place within the home.

Customer Services Centre – whilst not visiting tenants in their properties, staff will be providing telephone advice and are likely to pick up on areas of concern as a result of the phone conversation. Staff must be vigilant to the indicators of abuse in the context of being on the phone to residents.

11. Agency managed properties

Agencies providing support services will be expected to have their own equivalent safeguarding policies in place. Their responsibilities in this regard will be managed through Selwood Housing's contractual relationship with them. Agencies are required to report safeguarding concerns to the police, their service regulator if a registered activity (e.g. Care Quality Commission) and to Selwood Housing.

12. Contractors and agents

Contractors working on behalf of Selwood Housing and visiting homes may encounter evidence of abuse and neglect within the property. Residents may also choose to disclose incidents directly to contractors, so awareness in sensitively preserving or taking evidence and handling reports will be necessary. Contractor organisations will be expected to ensure they comply with Selwood Housing's safeguarding practices by signing up to the sub-contractor or sole trader agreements. This will also require them to:

- Ensure staff are DBS checked
- Ensure staff are suitable for the capacity employed
- Ensure staff receive suitable training on how to deal with residents, including how to report any concerns they have
- Cooperating with Selwood Housing and their statutory partners regarding any concerns and allegations received
- Having systems in place that enable disciplinary action to be taken where appropriate

Contractors should ensure that their employees are able to raise concerns where they see that a child has suffered, is suffering or potentially could



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suffer harm. Selwood Housing will support all contractors that report a concern in good faith, where there is the belief that a child has been abused, is at risk of abuse or believe that a colleague may pose a risk to children.

Contractors are not to knowingly enter a property alone where the sole occupant(s) is or appears to be, under 18 years of age. An appointment will be rearranged at a time where an appropriate adult is present.

Selwood Housing will monitor the performance of their contractors, compliance with the policies and procedures shared with them through regular contract meetings.

13. Whistle blowing

If a member of staff suspects that children are being abused by another member of Selwood Housing staff, they should immediately speak to their Designated Safeguarding Lead, the head of service or the human resources department. Where there is a failure to respond appropriately to allegations of abuse, or where staff have concerns that a colleague or superior is responsible for the abuse, staff must follow Selwood's whistleblowing policy.

The Public Interest Disclosure Act (1998) protects workers from detrimental treatment or victimisation from their employer if they blow the whistle on wrongdoing, such as the abuse of customers. Staff who whistle blow can remain anonymous, however, this cannot necessarily be guaranteed if it results in a criminal investigation.

14. Confidentiality

We will respect confidentiality at all times and will not share any information given in confidence unless justified by the assessed risk to the child at risk or required by law.

We will discuss our approach to confidentiality with the customer where there are safeguarding concerns. We will be honest and explain that information might need to be shared with other organisations in order the respond or resolve a safeguarding issue.

15. Complaints



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Residents that do not feel satisfied with our service in relation to Safeguarding may wish to make a formal complaint. Selwood Housing has a **complaints policy** providing information about how to complain about our services. Alternatively, a resident may also wish to contact the relevant Local Authority Safeguarding Adults Board if they feel that we have not provided an adequate service.

16. Training and safe recruitment

Selwood Housing will ensure that staff across the organisation receive training to give them an understanding of children's safeguarding and enable them to fulfil the requirements of our policy and relevant procedures.

Training will be appropriate to individual roles and the requirements of these roles in relation to children's safeguarding. Training will be refreshed every two years or earlier if there is a significant change to legislation or good practice which result in changes to Selwood's policy and procedures.

We will also provide training to board members, volunteers, and contractors as appropriate.

17. Staffing

Selwood Housing will ensure that staff are appropriately recruited to roles and will ensure relevant role recruitment procedure include a DBS check. This check will be repeated at three yearly intervals.

Support will be provided to staff dealing with safeguarding cases where necessary, including confidential counselling if appropriate through the use of our employee assistance programme and through supervisory support from the safeguarding leads.

Staff will be given guidance around professional boundaries when working with children and families, and this will be made clear within our safeguarding procedures.

Where we receive an allegation about a member of staff that constitutes a children's safeguarding issue, an investigation will be conducted in accordance with the disciplinary policy and procedure and a safeguarding referral made to the appropriate local authority. When allegations of this



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nature are received the member of staff may be suspended pending the outcome of the investigation.



Decision-making record

Policy owner: Fee Nunn
Last updated: 04.06.2021
Review date: 04.06.2022



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Appendix

Appendix 1 – other legislation and regulations

Sex Offences Act 2003

This act strengthened measures to protect the public from sexual offending.

Part 1 of the act:

- Sets out that any sexual activity involving children under the age of 16 is unlawful, even with consent – this includes exploitation; and
- Provides specific protection from abusive sexual activity for those adults with an 'arrested or incomplete development of mind, psychiatric disorder and any other disability of the mind'.

Safeguarding Vulnerable Groups Act 2006

This act sets out the responsibility we have for vetting and barring people working with children and vulnerable adults.

Children and Young Persons Act 2008

This act sets out the statutory framework for children in care in England and Wales and to ensure that such young people receive high quality care and services that are focused on and tailored to their needs.

Working Together to Safeguard Children (updated March 2018)

This is a guide to inter-agency working to safeguard and promote the welfare of children. It states that 'children are best protected when professionals are clear about what is required of them individually and how they need to work together'.

This encourages registered providers:

- Put the child's needs at the heart of their safeguarding approach;
- Be alert to the risks of harm that individual abusers, or potential abusers, may pose to children;
- Make a referral to local authority children's social care or the police if necessary;



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- Share appropriate information in a timely way and discuss any concerns about an individual child with colleagues and local authority children's social care; and
- Contribute to whatever actions are needed to safeguard and promote a child's welfare.

Children Act 1989

Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare.

Section 47 of this act requires local authorities to undertake assessments of the needs of the individual children to determine what services to provide and action to take. The police, health professionals, teachers, and other relevant professionals (such as registered providers) should help the local authority in undertaking its enquiries.

General Data Protection Regulation and Data Protection Act 1998 (DPA)

The regulation controls how personal and sensitive information is used by organisations, such as registered providers.

Organisations must ensure data is:

- Used fairly and lawfully;
- Used for limited, specifically stated purposes;
- Used in a way that is adequate, relevant and not excessive;
- Accurate;
- Kept for no longer than is absolutely necessary;
- Handled according to people's data protection rights;
- Kept safe and secure; and
- Not transferred outside the UK without adequate protection.

Protection of Freedoms Act 2012

Part 5 of this act created the current disclosure, vetting and barring scheme, which applies to people working with or has to children and vulnerable adults.



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The Disclosure and Barring Service is now responsible for assisting employers, such as Registered Providers, in England and Wales make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups.

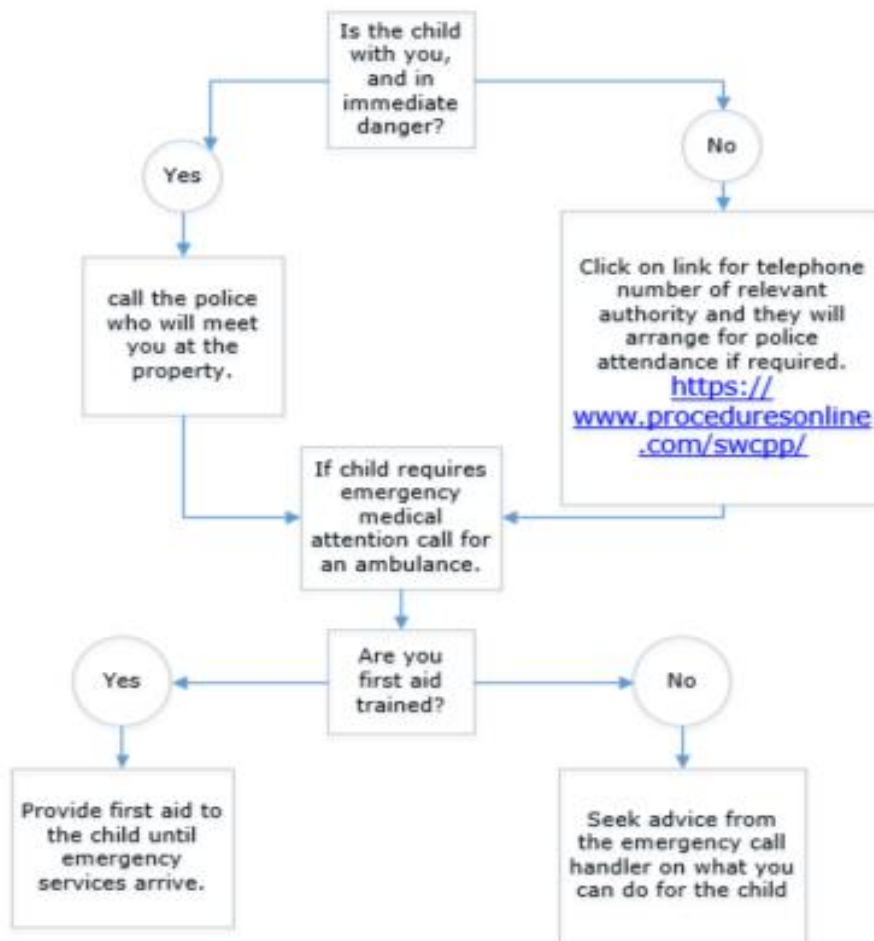


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Appendix 2 – Procedure

What to do in an emergency:

The procedure for staff to follow in an emergency situation is set out on page 10 in a section entitled:
'Helping a child in immediate danger or in need of emergency medical attention'.



In a non-emergency situation:

Staff should click on the link where a member of staff will be able to help:
<https://www.proceduresonline.com/swcpp/>



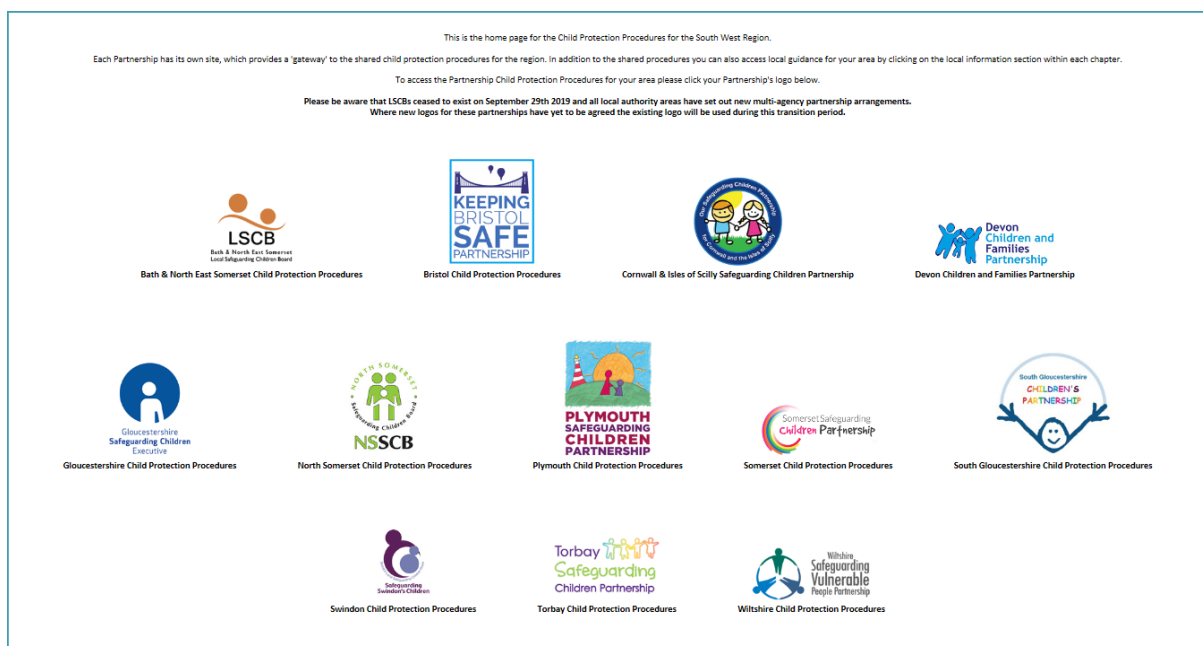
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Local Safeguarding Children Boards (LSCB)

Local Safeguarding Children Boards child protection procedure sets out how agencies and individuals should work together to safeguard and promote the welfare of children and young people.

The guidance issued by the various local safeguarding children boards is amended on a regular basis and contains local protocols and information specific to each organisation. Any employee with a concern for the welfare of a child should direct themselves to the website for the relevant Board to find the most up to date procedures, guidance and protocols regarding child protection for the area covered by each Board. They can do this by following the process detailed below:

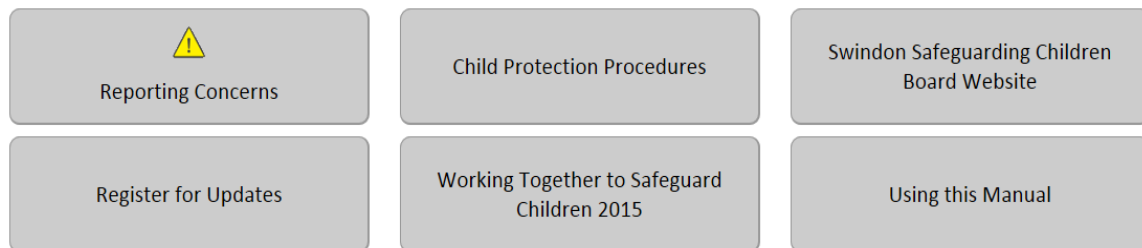
- Click on the following link: <https://www.proceduresonline.com/swcpp/>
- A graphical representation of what you will see after you click on the link is shown below. The page contains each of the websites of the 12 Local Safeguarding Children Boards in the South West region.



- Click on the relevant Board's logo. A graphical representation of what you will see after is shown below.



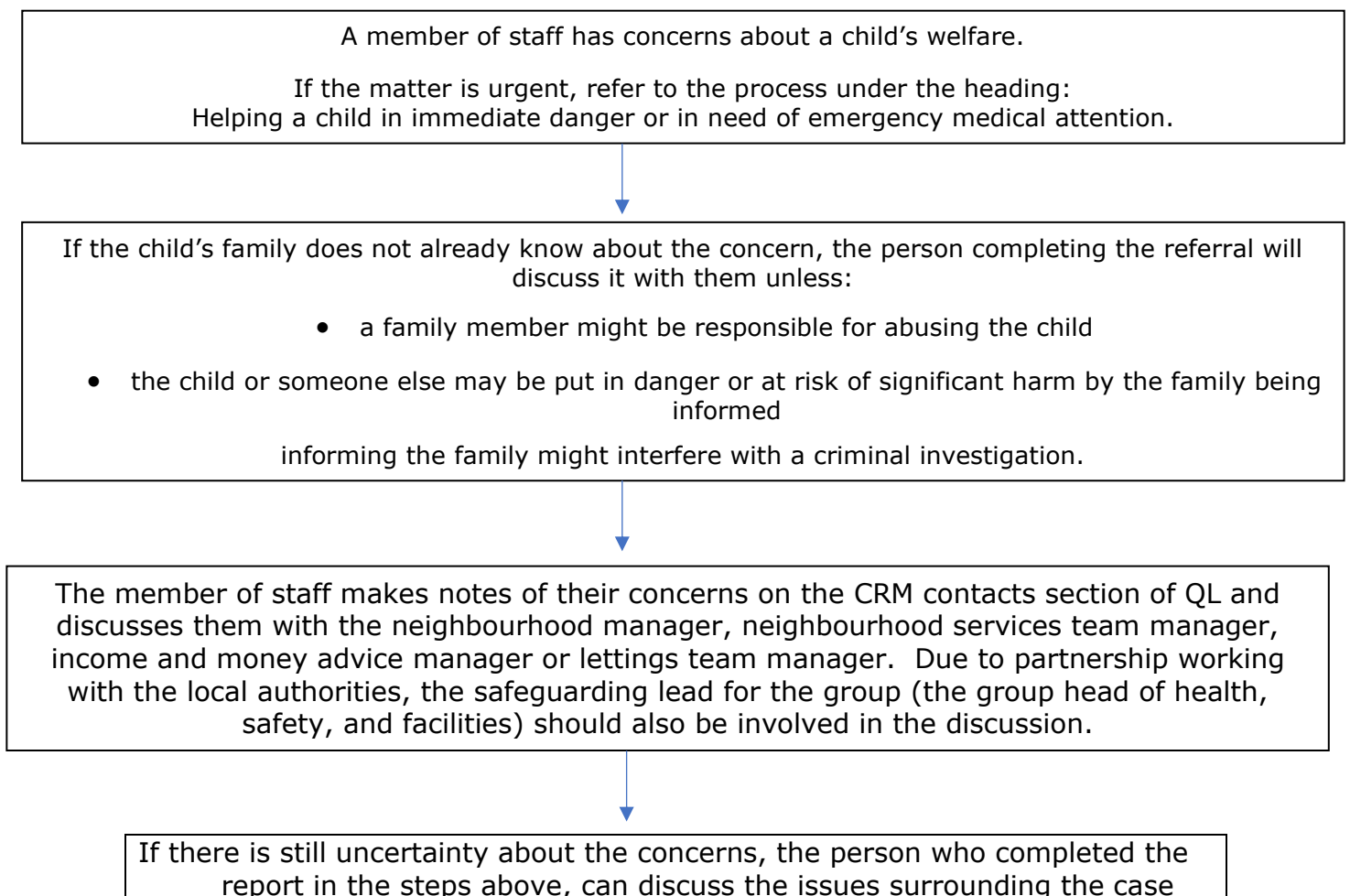
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- Click on the reporting concerns box in emergency situations otherwise click on the Child Protection Procedures box.

Making a referral

Reporting concerns procedure flowchart





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with the safeguarding lead, or the local authority children's social care department or with the NSPCC Helpline, without disclosing the identity of the child/family.



If any of these circumstances apply, discussions with the family should only take place after this has been agreed with the local authority children's social care department.

If after the above steps have been completed concerns remain, a referral should be made to the local authority children's social department by following the steps detailed below.

- Click on the relevant Local Safeguarding Children Boards website for the local authority children's social care department for the area where the child is living or is found.
- Click on the 'Child Protection Services' box to bring up the contents page.
- Click on 'Referrals' under section 1. Core Procedures.
- Click on the 'Referral form' which you will find at the bottom of the page under the heading 'Local Information'. Where an assessment has been completed prior to referral, these details should be conveyed at the point of referral.
- If the child is known to have an allocated social worker, the referral should go to them or, in their absence, to the social worker's manager or a duty children's social worker. In all other circumstances, referrals should be made through the website links.
- The referrer should confirm verbal and telephone referrals in writing within 48 hours.

The local authority children's social care department should, within 1 working day of receiving the referral decide about what type of response that will be required to meet the needs of the child. If this does not occur within 3 working days, the referrer should contact the social care department again, and if necessary, ask to speak to a line manager to establish a process.

If you don't receive the response that you require it is important to report this to the safeguarding lead for the group, to allow them to escalate this as necessary to the local authority.



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Concern raised by a member of the public

When a member of the public telephones or approaches us about the welfare of a child or young person or an unborn baby, the employee who receives the contact should always:

- Gather as much information as possible to be able to make a judgement about the seriousness of the concerns.
- Take some basic details such as the name, address, gender and date of birth of the child or young person.
- The name and contact details for the parent(s), name of the nursery or school attended, name of medical practice and doctor, and the names of any professionals providing services
- Discuss the case with neighbourhood services team manager, income and money advice manager or lettings team manager and the safeguarding lead (the group head of health, safety, and facilities) to decide whether to:

A) Make a referral to the local authority children's social care department

B) Make a referral to the person leading a case if it is still open

The person raising the concern should record it carefully detailing the information received in full, using only facts, not opinion or supposition. The opportunity for a face to face meeting or interview should be offered to the member of the public, to clarify the information received and offer advice if needed.

The member of the public should also be given the number for the local authority children's social care department and encouraged to contact them directly. However, as we have received the initial concern and they may not take this advice, we should always make a referral to the local authority children's social care department and to the lead professional if there is one.

Some people may prefer not to give their name to the local authority children's social care department or may disclose their identity but not wish for it to be revealed to the parent(s) of the child concerned. Wherever possible, the neighbourhood manager, tenancy sustainment coordinator, account manager or lettings coordinator should not give any guarantees of confidentiality, as there are certain limited circumstances in which the identity of the referrer may have to be given, e.g., court



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proceedings, although consideration for the referrers safety may be an issue in some cases.

Keeping a record of your concerns

The information should be stored on CRM contacts on QL , and a rent account warning should also be entered onto QL, 'information held on the confidential information folder', to alert staff to the fact we hold information on the customer which is not on their tenancy file.

Information and sharing procedural guidelines

The neighbourhood manager, tenancy sustainment coordinator, account manager or lettings coordinator may find themselves wishing to or being asked to share information of a confidential nature about children or families using their service. This is because:

- They are of the view someone in the family may benefit from additional support.
- Someone from another agency has requested information about the family's involvement with our service.
- Someone in the family has asked to be referred for further help.
- The neighbourhood manager, tenancy sustainment coordinator, account manager or lettings coordinator is concerned that a child may be at risk of serious harm, or there is a serious crime that may have been committed or about to be committed involving someone in the family.

Before sharing the information, the neighbourhood manager, tenancy sustainment coordinator, account manager or lettings coordinator should record what they wish to share, with who, and the purpose of doing so. If the reason involves a risk of harm to a child or young person, then they should immediately refer to the 'Helping a child in immediate danger or in need of emergency medical attention' section of this procedure.

If the child or young person can understand it, the neighbourhood manager, tenancy sustainment coordinator, account manager or lettings coordinator should discuss consent and the need to share information as we must consider their maturity and ability to participate in the decision-making of their own protection.



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Whilst we uphold a child's right to a response appropriate to their age and self-determination, this must be always considered in conjunction with the need to protect them from harm. If it is believed the child or young person is competent to give consent, then this should be sought unless the urgency or seriousness of the situation prevents this.

Guidance for professionals when trying to decide whether a child is competent to give consent is often referred to as the 'Gillick competency' and 'Fraser guidelines'. A copy of this guidance can be found by clicking on the following link:

[The Gillick competency and Fraser guidelines](#)

Advice on whether consent to share information should be obtained from the child or young person's parents or guardian is contained in the document.

[Information sharing advice for practitioners](#)

If the child's family does not already know about the concern, the person reporting it should discuss it with them unless:

- A family member might be responsible for abusing the child.
- The child or someone else may be put in danger or at risk of significant harm by the family being informed.
- Informing the family might interfere with a criminal investigation.

If any of these circumstances apply, discussion with the family should only take place after this has been agreed with the local authority children's social care department.

Unless inappropriate, when seeking consent, the person requesting it should ask for this in writing if possible. If written consent is not possible, then they should record that it has been obtained verbally. Before being asked to give consent, families and children or young people should be made aware of what information is to be shared and the consequences of it not being shared.

The person reporting the concerns should do so without delay, i.e. within one week of consent being obtained or sooner if circumstances require. This should be done within the following parameters of good practice and recorded. They should:



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- Make a conscious decision on how much information to share based on the public interest, which will normally be the interests of the child.
- Ensure it is shared securely. This means checking who exactly is receiving the information and that they are doing so in a confidential environment.
- Make sure it is accurate and as up to date as possible. If they are unsure of any of it but still decide to share it, then they should make sure that the recipient is aware of any areas of uncertainty.
- Distinguish fact from opinion.
- Ask what the recipient is going to do with the information and whether they will need to pass it on to anyone else.
- Inform the person who is the subject of the information that it has been passed on, unless it would be unsafe or inappropriate to do so.

If consent is withheld, or it cannot be sought because of:

- A risk of harm to someone
- The risk of a serious crime being committed
- The investigation of a serious crime being compromised

The person raising the concern should consult with their line manager or safeguarding lead on whether the information should be shared without consent.

In such a situation, the line manager or safeguarding lead must weigh up whether sharing the information is in the public interest, as defined in the Data Protection Act 1998. It can refer to the interests of the whole community, or to a group within the community, or to individuals.

Normally, it would be in the public interest for the confidentiality of service users to be protected but this may be outweighed by the public interest involved in:

- Protecting people from harm
- Preventing crime or disorder
- Promoting children's welfare by making sure that they have access to safe and effective care.

The person raising the concern, in consultation their line manager or safeguarding lead must decide whether, on balance the public interest is served by information being shared without consent.



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If the decision is to not share the information, this must be recorded and the reasons for not sharing must be stated. If the decision is to share the information this must be done by either the person raising the concern, their line manager or the safeguarding lead (it must be clearly understood between them and documented who will do it) within one week of the decision being made or sooner if circumstances require. The parameters of good practice outlined under point 5 should be used to inform the process of sharing the information.

The person submitting the concern and the line manager should record the:

- Decision to share the information without consent.
- Reasons for doing so.
- Details of how this was done.

This record must be signed by both.

In situations where a referral is deemed necessary, but the parents of a child or young person has been consulted but are not in agreement with the decision, the following action should be taken.

- The reason for proceeding without parental agreement must be recorded.
- The parents withholding of permission must form part of the verbal and written referral to the local authority children's social care department.
- The parents should be contacted to inform them that, after considering their wishes, a referral has been made.

A child protection referral from a professional cannot be treated as anonymous, and where court proceedings may follow either in the criminal or family courts, information related to the referral may be made available.

The person with the concern/making the referral should also refer to the guidance issued by the relevant Local Safeguarding Children Board, by going to their website and clicking on the Child Protection Procedures box.

They should also refer to the guidance issued by the Government – Information sharing:



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Advice for practitioners providing safeguarding services to children, young people, parents, and carers – June 2018. It can be found by clicking on the following link:

[Information sharing advice for practitioners](#)

Monitoring

If the person submitting the report has not received an update from social services on the status of the referral within 3 working days, they should contact social services for an update.

If they are not satisfied with the response, then they should immediately advise their line manager or the safeguarding lead.

If social services ask us to monitor a situation, we must observe and record incidents and not investigate or evaluate evidence. The person who submitted the report should receive clear direction from social services on:

- Why the situation needs monitoring.
- Who else is involved in monitoring and who is coordinating any reports of concern.
- How the situation is to be monitored.
- What signs need to be reported.
- How regularly the need for monitoring will be reviewed.

Support for service users and staff

We will ensure anyone using our services receives adequate support and advice. Where we are unable to provide this support or advice ourselves, we will refer service users to relevant support agencies or organisations.

As far as staff are concerned, we acknowledge that child abuse and protection issues can in some cases be traumatic; therefore, support will be offered to staff through an independent counselling service.

Useful contact details

Emergency tel. 999
Local police Tel. 101



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NSPCC Helpline – 08088005000

Childline Tel. 0800 1111 (textphone 0800 400 222)

Website: www.childline.org.uk

Local authority children's social care department

- Click on the following link: [South-west child protection procedures](#)
- This will take you to a list of the 12 Local Safeguarding Children Boards in the South West region. Each Board has its own website.
- Click on the relevant Local Safeguarding Children Board's logo and contact details and other information can be found there.