

# CHILD PROTECTION POLICY

This policy arises from:

The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 12 – Arrangements for the Protection of Children and the National Minimum Standards for Adoption Support (Standard 2 – Safeguarding and Promoting Welfare)

- 1** Adoption Support Agency of Registered Therapists (ASART), “the agency”, is committed to ensuring the protection, from abuse or neglect, of individual children or groups of children with whom it comes into contact, directly or indirectly, and who it suspects may be being abused or are at risk of abuse.

This document outlines ASART’s policy with regard to these children and vulnerable adults.

It covers:

- Safeguarding Children from Abuse or Neglect
- Responding to Abuse or Neglect including Historical Abuse
- Recording incidents of Abuse or Neglect
- The process for Reviewing Child Protection Policies and Procedures

The policy applies to all ASART Associates.

The accompanying procedures are provided following this document.

Definitions of abuse and neglect are provided as an addendum to this policy document.

Child or children, in this context, includes anyone up to their eighteenth birthday.

## 1.1 **Safeguarding Children from Abuse or Neglect**

All therapists working for the purpose of the agency will be thoroughly vetted in terms of their suitability to safeguard and promote the welfare of children and vulnerable adults.

Each ASART therapist has satisfactory references, status and Criminal Records Bureau checks are also satisfactory.

The agency will ensure that all people working for its purposes have access to information that enables them to contact the appropriate local authority regarding any concern about child welfare or safety.

The agency will ensure its Associates disciplinary procedures including the following provisions are properly implemented:

- 1.1.1 that an associate will be suspended from their duties where they are under investigation for child abuse;
- 1.1.2 that failure on the part of an associate to report to an appropriate person (as defined in ASART's procedure document) an incident of abuse, or of suspected abuse of a child with whom it comes into contact, is a ground on which disciplinary proceedings may be instituted;
- 1.1.3 where an Associate is under investigation for gross misconduct.

## 1.2 **Responding to Abuse or Neglect**

*In all cases of allegations of abuse or neglect of a child received by the agency:*

- 1.2.1 Associates will immediately report the alleged abuse to the manager in the first instance or the assistant manager in the second instance or if neither is available, to another associate in order to discuss subsequent action and to consider how the support and protection needs of the child may best be met. Consideration will also be given as to who should be informed of the disclosure/allegations, and by whom;
- 1.2.2 in situations of urgent and immediate significant risk to a child, the Social Services Department and/or Police will be contacted without delay and in line with local Area Child Protection Committee (ACPC) procedures;
- 1.2.3 it will keep written records of all allegations of abuse or neglect and the action taken in response.

*In the case of historical abuse the agency:*

- 1.2.4 takes seriously and acts in relation to allegations of historical abuse;
- 1.2.5 promotes the welfare of service users who allege historical abuse;
- 1.2.6 safeguards children who may currently be at risk from alleged perpetrators;

1.2.7 shares information carefully and makes decision based on legal and best practice requirements;

1.2.8 provides information to all parties about the process of investigations.

In addition:

1.2.9 all Associates are trained in child protection and are aware of the agency's child protection policy and procedures;

1.2.10 all Associates and service users have access to the agency's child protections policy and procedures;

1.2.11 where an allegation relating to the abuse or neglect of a child is made against the agency's Associates, the agency will liaise and co-operate with any local authority which is or may be making child protection enquiries in respect of the child.

### **1.3 Recording incidents of Abuse or Neglect**

All Associates are required to record all allegations of abuse or neglect of children accurately and clearly on the relevant files, including details of the investigation, conclusion reached and action taken.

The agency will keep a separate record which brings together data on all allegations of abuse or neglect of children and their outcomes. This record is kept confidentially and securely by the manager.

### **1.4 The Process for Reviewing Child Protection Policies and Procedures**

The agency will review the records at least annually to check the satisfactory operation of its child protection procedures. It will take appropriate action from such a review in relation to its policies and procedures generally, as well as taking any necessary follow-up action in relation to individual cases. Such action will be recorded.

The agency will ensure that its child protection policy and procedures comply with the requirements of prevailing legislation, regulations, guidance and standards, and that they are consistent with its statement of purpose. It will also ensure that all people working for the purposes of the agency are provided with the policy and procedures and that a copy is readily available on request.

## 2 ADDENDUM: DEFINITIONS

Someone may abuse or neglect a child by inflicting harm or by failing to prevent harm. The following definitions are derived from criteria recommended by the Department of Health, Department for Education and Skills and the Home Office in a joint document "Working Together to Safeguard Children, 1999.

2.1 **Child protection** is the term used to describe the responsibilities and activities undertaken to prevent or to stop children being abused or ill-treated.

2.2 **Significant harm** - When deciding on whether a child has been or is being treated in an abusive or neglectful way, it can be helpful to consider if the child is, as a result, suffering significant harm. The concept of significant harm helps to focus on the likely consequences to the child, and to assess the seriousness of the concerns about the child's safety or welfare. Harm resulting from physical, sexual or emotional abuse, or from neglect, may take the form of impairment of the child's health and development, both in the short and long term e.g. many adult survivors of sexual abuse as children suffer the effect into and sometimes throughout their adult lives.

The level at which harm to a child can be regarded as significant is difficult to define but should nevertheless form the basis of discussions/consultations about any concerns.

Consideration must be given to the nature of the abuse and the level of concerns that exist, as well as to the context within which the abuse or harm takes place. **It is important to discuss all concerns with managers and relevant others in order to assess the levels of risk to children and to determine the action which needs to be taken.**

2.3 **Physical abuse**

The actual or likely physical injury to a child, or a failure to prevent physical injury or suffering to a child.

- May involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child.
- May also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after.

2.4 **Neglect**

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

- It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## 2.5 Sexual Abuse

Sexual abuse involves:

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

## 2.6 Emotional abuse

Emotional abuse refers to the severe and continuous adverse effects on the emotional and behavioural development of a child caused by persistent emotional ill treatment or rejection. It may involve: -

- Conveying to the child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.
- It may feature age or developmentally inappropriate expectations being imposed on the child.
- Causing the child frequently to feel frightened or in danger.
- The exploitation or corruption of the child.

Emotional abuse may occur alone but is also involved in all types of ill treatment of a child.

**All abuse is profoundly traumatic for the children involved. Its investigation is time-consuming and demanding work requiring specialist skills from both police and social work staff.**

It takes place within or outside of the family. Most abusers are already known to their victim(s) and are more rarely abused by strangers. Abuse of children by children is not uncommon. Recent cases have also highlighted the abuse of children by professionals or other adults who are employed in positions of trust where they care for or work with children.

**Abuse may also be perpetrated by individuals or groups of individuals.**

## 2.7 Organised or Multiple Abuse

Organised or multiple Abuse involves:

- abuse involving one or more abuser and a number of related or non-related children and young people.

It may involve:

- groups of abusers concerned acting in concert to abuse children, an individual abuser multiply abusing children but acting in isolation, and/or individuals or groups using institutional frameworks or positions of authority to recruit children for abuse.
- a network of abuse across families or local communities, or within institutions such as residential homes or schools.

## 2.8 Child Abuse may occur in situations of **Domestic Violence** which involves:

- harm done to a person by another with whom that person has been, or still is, in a close relationship.
- the use of behaviour designed to misuse power and exercise control. Domestic Violence can lead to physical, sexual, financial, psychological, verbal and emotional abuse within the living environment.

## 2.9 Abuse of a child by another child

Allegations or concerns regarding the abuse of a child by another child need to be responded to with particular sensitivity, although they must nevertheless be dealt with through the child protection procedures document which follows.

Many young abusers have been abused themselves, and so any subsequent process – including any Social Services/police investigation where this applies – must consider the needs and circumstances of both the 'abuser' and the 'abused', as well as taking account of the protection needs of both.

## 2.10 Historical allegations of abuse

Historical abuse refers in this document to actual or likely abuse that an adult reports as having suffered as a child or young person. It is often the case that an individual may not report abuse until many years after the event.

Any such allegations must be raised as a child protection concern through the Child Protection Procedures Document.

# CHILD PROTECTION PROCEDURES

Procedures for dealing with:

- **Allegations of abuse or neglect of individual children or groups of children with whom the agency comes into contact, directly or indirectly, and who it suspects may be being abused or are at risk of abuse**
- **Allegations of historical abuse**

These procedures arise from:

The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 12 – Arrangements for the Protection of Children and the National Minimum Standards for Adoption Support (Standard 2 – Safeguarding and Promoting Welfare)

## 1 INTRODUCTION

The purpose of this document is to outline ASART's procedures for:

- safeguarding children, with whom it comes into contact, from abuse or neglect;
- responding to children, young people, or adults who raise suspicions or allegations of abuse or neglect, including historical abuse;
- ensuring that all Associates working with the agency, have information that enables them to respond appropriately, regarding any child protection concerns;
- responding promptly in referring suspicions or allegations of abuse or neglect to the appropriate authorities;
- disclosing information in connection with child protection procedures;
- supporting the parties involved;
- following up the matter in relation to the child, young person, or adult.

## 2 **The agency's first aim is to safeguard children and vulnerable adults with whom it comes into contact from abuse or neglect.**

The agency will meet its commitment to safeguard children and vulnerable adults through the following means:

- 2.1 **Awareness:** Ensuring that all Associates are aware of the problem of child abuse and the risks to children and receive appropriate training.
- 2.2 **Prevention:** Ensuring, through awareness and good practice, that Associates minimize the risks to children.
- 2.3 **Reporting:** Ensuring that Associates are clear what steps to take where concerns arise regarding the safety of children and young people.
- 2.4 **Responding:** Ensuring that action is taken promptly to support and protect children where concerns arise regarding possible abuse.

In order that the above standards of reporting and responding are met, all Associates are required to ensure that s/he:

- 2.5 takes seriously any concerns raised regarding abuse or potential abuse.
- 2.6 takes positive steps to ensure the protection of children who are at risk or the subject of any concerns.
- 2.7 provides support to children, young people or adults who raise concerns and that those who are the subject of abuse are provided with support.
- 2.8 acts appropriately and effectively in instigating or co-operating with any subsequent process of investigation.
- 2.9 is guided through the child protection process by the principle of 'best interests of the child'.
- 2.10 listens to and takes seriously the views and wishes of children.
- 2.11 works in partnership with parents/carers and/or other professionals to ensure the protection of children.

### **3 In cases of allegations of historical abuse the agency**

- 3.1 informs the client, where the client is an adult, that the allegations will need to be investigated
- 3.2 offers support to the client through the process of the investigation.

**4** All Associates working for ASART ensure that all vulnerable adults with whom it comes into contact are given information to enable them to raise concerns about child abuse or neglect.

- 4.1 This information includes the way in which they can contact the agency or the Associate with whom they are working and to whom they can report an allegation;

- 4.2 This information will also include an alternative person at the agency to whom they can contact to report an allegation if it relates to the Associate (or other) with whom they are working;
- 4.3 Adults will be given written information on initial face-to-face contact with ASART of our child protection policy and procedures.
  
- 5 There are a variety of ways in which the issue of child abuse may be raised at the agency. Examples include:-
  - 5.1 A vulnerable adult discloses abuse or gives reason to suspect that they, or another child or children, were being abused – in their family, for example.
  - 5.2 An Associate abuses a vulnerable adult they are in contact with through ASART'S work.
  - 5.3 An Associate sees or suspects a child is being abused.
  - 5.4 An Associate abuses a child outside work.
  - 5.5 A vulnerable adult with whom ASART is working reveals that they are abusing a child.
  - 5.6 ASART Associates have a professional, ethical and moral duty to act where there are concerns in relation to vulnerable adults and children with whom they are in contact, directly or indirectly.
  - 5.7 Any suspicion or allegation of abuse or neglect must be taken seriously, no matter how unlikely it may seem at first sight.

## 6 Responding to Allegations of Historical Abuse

The procedure for responding to allegations of abuse, **when the alleged abuser is still alive**, is as follows:

- 6.1 All allegations of abuse or suspected abuse to be clearly recorded signed and dated;
- 6.2 immediately report the alleged abuse to the manager or another Associate in order to discuss subsequent action and to consider how the support and protection needs of the child may best be met;
- 6.3 consider who should be informed of the disclosure/allegations, and by whom;
- 6.4 keep written records of the action taken and all follow-up.

This procedure is required to be completed **on the same working day**.

When the allegation meets child protection criteria:

- 6.5 a verbal and written child protection referral is to be made to the local authority and/or police child protection team where the alleged perpetrator was/is based and also if relevant, the local authority/agency who approved the carer/s;
- 6.6 request feedback on the investigation from the Local Authority;
- 6.7 the client is to be informed of each step of the procedure and given copies of any reports.

Recording allegations of historical abuse

- 6.8 All work and contacts connected with these procedures must be recorded fully and clearly. A record of the allegation must be kept on the relevant files.
- 6.9 separate record must be placed on the agency's 'Child Protection/Vulnerable Adult – Allegations and Investigations' file (available from the Manager) and retained confidentially and securely for 25 years.

When the alleged abuser has died

- 6.10 All allegations of abuse or suspected abuse to be clearly recorded, signed and dated.
- 6.11 immediately report the alleged abuse to the manager or another Associate in order to discuss subsequent action and to consider how the support and protection needs of the child may best be met;
- 6.12 consider who should be informed of the disclosure/allegations, and by whom;
- 6.13 keep written records of the action taken and all follow-up;

This procedure is required to be completed **on the same working day**.

- 6.14 Relevant local authorities or police child protection teams may need to be informed as other children and adults may also have made similar allegations or been affected. Historical abuse procedures, as above, are to be followed.

## **7 Supporting vulnerable adults who disclose Historical Abuse**

Vulnerable adults should be given the opportunity to:

- 7.1 Discuss the implications of local authority and/or police investigations into their allegation.
- 7.2 Be listened to sympathetically and carefully.

- 7.3 See and check recordings made.
- 7.4 Be informed about the assistance ASART can offer and of other sources of advice and support that are available to them.

## **8 Process for informing the Police of allegations of Historical Abuse**

Adults alleging historical abuse should be informed that criminal allegations are passed to the police. Consideration should be given to whether:

- 8.1 The individual wishes to inform the police themselves.
- 8.2 The individual wishes ASART to inform the police on their behalf.
- 8.3 The individual agrees to their contact details being passed to the police at the initial stage.
- 8.4 There should be recorded discussion with informants on how this process will be managed.
- 8.5 The letter reporting allegations should be agreed with and copied to the informant.

## **9 Staff Disciplinary Implications of the Regulations**

The Adoption Support Regulations 2005 – 21(1a) and 21(1b) – require adoption support agencies to operate a disciplinary procedure that;

- 9.1 provides for the suspension of an associate where necessary in the interests of the safety or welfare of children placed for adoption;
- 9.2 provides that the failure on the part of an associate to report, to an appropriate person, an incident of abuse, or suspected abuse of a child placed for adoption is a ground on which disciplinary proceedings may be instituted.

ASART's disciplinary procedures include such provision

An "appropriate person" referred to above is:

- "the registered provider" (ASART) or the "Manager" (Kunu Gordon)
- an officer of the registration authority
- a police officer
- an officer of the local authority in whose area the agency is situated (Guilford)

- an officer of the local authority in whose area the child is placed for adoption

Details of the registration authority are provided below.

## **10 Registration Authority:**

OFSTED

NBU 3rd Floor

Royal Exchange Buildings

St Ann's Square

Manchester M2 7LA

Tel: 08456 404040

E-mail: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Web: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

### **Note:**

**Confidential information should not be e-mailed or faxed to these addresses or numbers, which should only be used to ascertain the name and contact details of a particular person to whom confidential information can be sent.**

## **11 Monitoring and Review of the Child Protection Procedures**

ASART will review these procedures annually, to ensure they comply with current legislation, regulations, guidance and standards, and also to ensure that they provide an effective tool for safeguarding children and responding to suspicions or allegations of abuse.

- 11.1 The review will include considering any allegations received during the year and their follow-up, deciding whether they were dealt with correctly in accordance with these procedures, and making changes as necessary.
- 11.2 The review will be instigated by the Manager and Associates and if necessary revised procedures will be presented to quarterly meetings of ASART for consideration and approval.

