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Author	Youth Focus NW
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Care Act 2014 https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance	Lone Working Policy  Lone Working Policy
Charity Commission Guidance	Whistle Blowing Policy  YFNW Whistle Blowing Policy.docx
Working together to protect children 2018 https://www.gov.uk/government/publications/working-together-to-safeguard-children--2	H&S Policy  H&S Policy.docx
	Grievance & Disciplinary  YFNW Grievance & Disc.docx

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1 What is Safeguarding?:

Safeguarding is a term used in the United Kingdom and Ireland to denote measures to protect the health, well-being and human rights of individuals, which allow people — especially children, young people and adults who may be less able to protect themselves because of ill health, disability or life circumstances — to live free from abuse, harm and neglect

What are our legal responsibilities?

Child	Duties placed on voluntary organisations to safeguard children under the ‘Working together to safeguard children’ Act 2018	Duties placed on charities by the Charity Commission to safeguard beneficiaries, staff, volunteers and those connected with the charity from harm
Adult	Duties on care providers and voluntary organisations to safeguard adults under the Care Act 2014	

1.1 Policy Statement

Youth Focus North West’s (YFNW) mission is to improve the lives of young people by providing opportunities for them to become active citizens with the support of good quality youth work.

We will do all we can to ensure that children and adults’ experience of our organisation is one that is free from any form of exploitation or abuse and that they feel respected and safe. We will not tolerate abuse in any form.

It is YFNW’s policy to create and proactively maintain an environment that aims to prevent and deter any actions or omissions, whether deliberate or inadvertent, that places children or young adults at the risk of any kind of abuse. We have a duty of care towards those children and young adults (up to the age of 25 years) that engage with our services and activities.

This policy applies to both children and young adults as we work with them through our varied activities, staff, volunteers and indeed anyone connected to the work of the Charity.¹

YFNW believes that:

¹ The UK legal definition of a child is any person up to the age of 18 years. As YFNW’s remit includes working with people up to the age of 25 years we also have arrangements in place to protect any of those young adults that might be at risk of harm and therefore our policy and procedure covers child and adult protection.

- All children have an equal right to protection from abuse and neglect, regardless of their age, disability, gender identity, gender reassignment, sex, nationality, race, religion or beliefs, sexual orientation, marriage and civil partnership, pregnancy or maternity, or any other additional vulnerability.
- The best interests of the child are paramount in all considerations about their welfare and protection, including when to maintain confidentiality and when to share information.
- The entire staff contingent, volunteers, consultants and visitors all have a role to play in safeguarding children and young adults.
- Concerns or allegations that YFNW staff, volunteers, consultants or visitors have abused or neglected a child or adult will be managed sensitively and fairly in accordance with this policy, relevant legislation and local safeguarding procedures.
- Working together with children, their parents, carers and authorities is essential in promoting welfare and ensuring the protection of children and adults at risk. In limited circumstances, it will not be appropriate to engage with parents/carers in order to protect a child or adult at risk.
- As part of working together, YFNW expects the relevant authorities to act on our concerns. We will escalate our concerns, where necessary, in our efforts to be satisfied that our concern has been taken seriously and the child or adult at risk has been protected.

1.2 Purpose and Scope

The policy and the accompanying procedures are essential because they provide a clear process for all our staff, volunteers (including trustees), consultants and visitors. This ensures that everyone is clear about their roles, responsibilities and expectations to protect children and adults at risk from harm. YFNW's safeguarding policy and procedures must be followed alongside local inter-agency procedures, protocols and arrangements.

It is the responsibility of staff, volunteers, consultants and visitors to act if there is a cause for concern about a child or the behaviour of an adult towards a child but it is not their responsibility to determine if abuse has occurred or what action is required to protect the child. Rather responsibility for deciding whether to escalate a concern to the appropriate authority lies with YFNW's designated safeguarding staff.

YFNW requires that our partners, current and future, share our commitment to safeguarding. We expect them to demonstrate this to us by having their own safeguarding policy and procedures in place that are 'fit for purpose' before any partnership agreement is agreed or continued.

1.3 Breaches

The senior management team is committed to taking all appropriate corrective action, including disciplinary, legal or other action in response to any breaches of the Safeguarding Policy, Procedures and the Safeguarding Code of Conduct.

1.4 Our commitment to safeguard

YFNW will fulfil its commitment to safeguarding by:

- Valuing, listening to and respecting children and young people
- Providing a safeguarding code of conduct for staff, volunteers, consultants and visitors which also links to our capability/disciplinary procedures
- Ensuring suitable staff and volunteers are recruited to work with children and young people by adopting safer recruitment, selection and vetting processes
- Providing effective management through induction, supervision, appraisal and support
- Providing staff and volunteers with training appropriate to their safeguarding role and responsibilities
- Establishing a safeguarding governance structure with assigned roles and responsibilities, including the identification of a designated safeguarding lead and a lead Trustee for Safeguarding
- Promoting a culture of safeguarding where staff, volunteers and consultants feel able to speak out without fear of reprimand, harassment or bullying
- Maintaining a risk register which includes safeguarding
- Monitoring and regularly reviewing our safeguarding practice to draw out any lessons learnt or implications for policy and practice
- Informing parents, carers, children and young people about our safeguarding policy and procedures, including via our website and partners, and to promote how they can alert us if they have concerns
- Ensuring that our partners have their own robust safeguarding policies and processes in place
- Reviewing our safeguarding policy, procedures and code of conduct every three years or sooner if it is required due to legal changes or any learning from safeguarding incidents.

1.5 Terminology

For the purposes of this policy and procedures, the following terms and definitions apply:

Abuse: a form of maltreatment of a child or adult. Somebody may abuse or neglect a child or adult by inflicting harm, or by failing to act to prevent harm. Children or adults may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults, or another child or children.

Child: Legally, a child includes babies, children and young people from pre-birth up to 18 years. The fact that a young person has reached the age of 16, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody does not change his/her entitlement to protection.

Adult at risk: Safeguarding duties apply to an adult (aged 18 years and up) who has needs for care and support (whether or not the local authority is meeting any of those needs); is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. An adult at risk may² :

- have an illness affecting their mental or physical health

² Note: Some organisations still use the term “vulnerable adult” however for the purpose of our work we will use the terminology ‘adult at risk’ as this focuses our attention on the risks that people face rather than any inherent vulnerability and is consistent with terminology in the Care Act 2014.

- have a learning disability
- suffer from drug or alcohol problems
- be frail

Safeguarding and promoting the welfare of children: This means protecting children from maltreatment; preventing harm to children’s physical and mental health or development; ensuring children grow up with the provision of safe and effective care; and taking action to enable children to have the best outcomes.

Child or adult protection: This is part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children or adults who are suffering, or at risk of suffering, significant harm. Different types of abuse (e.g. physical, emotional, sexual or neglect) may constitute significant harm. More details about abuse are presented in appendices.

Significant harm: is the threshold that justifies compulsory intervention in the family in the best interests of the child. Section 31 of the Children Act 1989 states ‘where the question of whether harm suffered by a child is significant turns on the child’s health or development, his health or development shall be compared with that which could reasonably be expected of a similar child.’ **Harm** is ill treatment or impairment of health and development, including impairment suffered from seeing or hearing the ill treatment of another.

Contextual safeguarding: Children and young people may be vulnerable to abuse or exploitation from outside their families such as at school, from their peer group, or from within their wider community or online. These threats can take different forms such as exploitation by criminal gangs, trafficking, online abuse and radicalisation. Assessments of children in such cases should consider whether wider environmental factors are present in a child’s life and are a threat to their safety and/or welfare. Interventions should focus on addressing these wider environmental factors.

Early identification and help: Statutory guidance³ stresses the importance of children and adults having the opportunity of early help and support in order to avoid child or adult protection intervention later. Early identification and help or intervention may consist of one or more professionals supporting a child, adult or family once an assessment of needs has been made.

1.6 Relevant YFNW policies and procedures

Safeguarding and promoting the welfare of children and adults at risk is a broad concept. YFNW’s policies and procedures which contribute to safeguarding should also be followed by those to whom they apply or when relevant:

Policy	Link
Whistleblowing policy and procedures	W YFNW Whistle Blowing Polic...
Health and safety policy & Risk Assessments	W H&S Policy.docx
Grievance & Disciplinary	W YFNW Grievance & Disc.docx
Working hours, TOIL & Discretionary Leave	W Working pattern , TOIL and ...

³ HM Government (2018) Working Together to Safeguard Children

Lone working policy	 Lone Working Policy
Social media policy	Under development

1.8 Law and guidance

YFNW’s safeguarding policy and procedures is underpinned by English legislation and statutory guidance which includes but is not limited to:

UN Convention on the Rights of the Child 1991

Protection of Children Act 1978

Data Protection Act 2018 and the GDPR 2018

Children Act 1989 and 2004

Care Act 2014

HM Government (2018) *Working Together to Safeguard Children*

Charity Commission regulations

2 Safeguarding governance arrangements:

2.1 Roles and responsibilities

Whilst all YFNW staff, volunteers and consultants have a responsibility to identify and share safeguarding concerns, some staff hold additional responsibilities for safeguarding:

2.1.1 Trustees

- Ensure safeguarding policies and procedures are in place, up to date and fit for purpose, including relevant HR safeguarding matters
- Ensure that there is ongoing monitoring and review to ensure that safeguards are being implemented in practice and that controls in place are effective
- Actively promote a culture and environment whereby all staff, volunteers, consultants and visitors are enabled to raise concerns and understand their safeguarding responsibilities
- Nominate a Safeguarding Lead on the Board (usually the Chair) whose role is one of scrutiny, keeping up to date with the Charity Commission for England and Wales requirements for safeguarding and to support the Senior Management Team (SMT) in assessing and managing safeguarding risks.
- Identify a nominated SMT Lead to hold Designated Safeguarding Lead role
- Ensure that serious incidents are reported to the Charity Commission for England and Wales as per regulations and that safeguarding allegations or incidents are reported to other agencies in accordance with law and best practice
- Ensure that there are clear lines of responsibility and accountability for safeguarding, when working with and/or funding other organisations or partners to deliver services

2.1.2 Senior Management Team (SMT)

- SMT staff are responsible for the implementation of safeguarding policies and procedures in addition to:

- The provision of appropriate supervision and support for staff and volunteers, including safeguarding training, a mandatory induction, and regular reviews of their practice with line managers
- Developing a culture and environment whereby staff and volunteers, are enabled to raise concerns and feel supported in their safeguarding role
- Alert the CEO or Safeguarding Lead on the Board of any risk or deficits in organisational safeguarding arrangements or practices
- Individually consider the safeguarding implications of all existing and proposed new projects or developments in conjunction with the Safeguarding Lead
- Ensure that safe recruitment practices and ongoing safe working practices, including when to obtain a criminal record check and other vetting checks, are in place and in operation for appointment of staff and volunteers engaged in regulated activity
- Assist in the management of safeguarding allegations against staff, volunteers, consultants or visitors.

2.1.3 Designated Safeguarding Lead - Chief Executive Officer (CEO)

- Alert the SMT and the Trustees of safeguarding issues that need to be addressed corporately
- Ensure that staff and volunteers are inducted, trained and supported relevant to their role and responsibility for safeguarding
- Ensure the safeguarding policy and procedures are reviewed and updated
- Ensure communication of lessons learned throughout YFNW, with the ultimate objective of preventing recurrence of any safeguarding incidents
- Ensure that safeguarding is integrated into contractual arrangements with programme providers
- Alert the DBS in cases where a person is dismissed or left YFNW due to the harm or risk of harm they present to children or young adults.
- Liaise with the regulator and/or funder as required eg Charity Commission
- Review safeguarding cases on a regular basis
- Maintain the overview log of all safeguarding concerns or allegations across YFNW
- Determine what response is necessary to address a safeguarding concern about a child/young person
- Refer cases of suspected abuse or allegations to children's or adult social care and/or police
- Ensure accurate written records of referrals/concerns are made, stored securely and shared appropriately
- Ensure that an individual case record, including the outcome, is maintained of any response and action taken by YFNW
- Keep abreast of developments within the safeguarding arena and be familiar with local and national safeguarding procedures and guidance

2.1.6 Communications Manager

- Ensure that safeguarding is considered and addressed in all marketing and communications
- Ensure that when children and young adults are involved in any aspect of marketing, that the need to safeguard them is considered at the outset and any risks mitigated

- Ensure staff and volunteers understand and adhere to the procedure regarding the use of images and film and their retention, storage and destruction
- Ensure that online safeguarding is considered in all online interactions with children and young people
- Ensure any external event organiser is aware of, and agrees to, comply with YFNW's safeguarding policy and procedure

2.1.7 Business Manager

- Ensure that IT systems remain robust and secure
- Ensure that YFNW is Data Protection compliant in respect of all data concerning our beneficiaries.
- Ensure that HR processes reflect the principles of safeguarding children and adults at risk including safer recruitment and vetting policies.
- Ensure all staff have agreed to adhere to staff safeguarding policies including the Safeguarding Code of Conduct and Whistleblowing Policies.

2.1.8 Deputy CEO

- Work alongside the CEO to ensure that our safeguarding standards are considered and integrated within new and existing programmes of work.

3 Safeguarding Code of Conduct

3.1 Purpose

3.1.1 This safeguarding code of conduct outlines the conduct expected of all YFNW staff, volunteers (including trustees), consultants and visitors. The code will serve to protect children and young adults from harm. It will help everyone to maintain appropriate standards of behaviour and reduce the possibility of allegations of abuse being made against them.

3.1.2 Staff, volunteers, consultants and visitors may be regarded as role models by children and young adults and therefore must behave in an appropriate manner at all times by upholding the safeguarding code of conduct. They should also be mindful that their behaviour should reflect the spirit of the code of conduct in their personal life too. Staff, volunteers, consultants and visitors should not behave in a way that would undermine the reputation of the YFNW be it in a professional or personal capacity.

3.2 Scope

This code of conduct applies to all those who are in receipt of our services or activities. For ease the term 'children and young people' is used throughout but this includes those adults that we work with up to the age of 25 years.

3.2.1 You must:

- Treat all children and young people equally, respectfully, with warmth and empathy, and listen to their wishes and feelings
- Behave in a calm, positive, supportive and encouraging way with children and young people.
- Value and take the contributions of children and young people seriously, actively involving them in planning activities wherever possible
- Ensure you report on any suspicions, concerns, allegations or disclosures made by another person, including any made against you. This includes any suspicions about 'grooming' behaviour (on and offline) where an adult is deliberately befriending a child with the intention of grooming them for criminal or sexual exploitation. You must report such concerns and allegations via the safeguarding procedures
- Ensure that the focus of your relationship with a child or young person (including their family in some cases) that you have met through YFNW remains professional. The aim should never be to develop the relationship into a friendship or intimate relationship.
- Endeavour to plan activities that involve more than one other person being present, or at least within sight of others. Where this is not practically possible or it is necessary to plan activities where staff will be alone, ensure that the lone working policy is applied in the planning process
- Ensure that if you are required to spend time alone with a child/ren or young person in the execution of your duties, or if as a member of staff or volunteer a child specifically asks for or needs one to one time with you, that other staff know where you and the child/ren will be and the purpose of this meeting.
- Respect a child's or young person's right to personal privacy but never agree to keep any information relating to the harm of a child confidential.
- Follow the recommended adult-to-child ratios for activities
- Risk assess any new activities for children or young people including online service delivery.
- Ensure that dangerous or otherwise unacceptable behaviour, including bullying are challenged and addressed.
- Be aware that children or young people can develop infatuations (crushes) towards adults working with them. If this is happening, you should tell your line manager and then respond to the situation in a way that maintains the dignity of all concerned.
- Ensure that if a child or young person needs physical comfort that this is done in a way that is both age appropriate and respectful of their personal space. Never act in a way which may be perceived as threatening or intrusive. Always check out with a child before you act to make sure they are comfortable with you touching them. Physical contact should not be done in a hidden or secretive way that could be misconstrued by the child or anyone else observing it. Physical contact should be limited to a hug or touch of the arm/hand.
- Ensure that if any kind of physical support is required during any activities, it is provided only when necessary in relation to the activity and that you are doing this in a way that other colleagues can observe you.

3.2.2 You must not:

- Conduct a sexual relationship with a child or young person or indulge in any form of sexual contact with them. This would constitute a breach of a position of trust and is never acceptable even if the young person is aged 16 years or above and can legally consent to a sexual relationship in the UK.
- Swear or make sarcastic, insensitive, derogatory or sexually suggestive comments or gestures to or in front of children or young people
- Engage in or allow any sexually provocative games involving or observed by children or young people, whether based on talking or touching.
- Show favouritism or gossip about children or young people
- Rely on your reputation, position or the organisation to protect you
- Work or visit a project/programme under the influence of alcohol or drugs
- Smoke or vape in front of children or young people
- Discuss your own personal/ sexual relationships in front of children or young people
- Give or receive gifts and/or substances such as drugs, alcohol, cigarettes, e-cigarettes from or to a child or their family.
- Use any type of physical punishment to discipline. Shouting at children or young people should be avoided whenever possible and only if alternative forms of discipline have failed.
- Do things of a personal nature that the child or young person can do for themselves
- Travel alone with a child or young person in a car unless it has been risk assessed and is in line with the lone working and transport policies
- Steal, or condone someone else's stealing, regardless of the value of the stolen item.
- Photograph or film children or young people for which no prior consent has been sought.
- Broadcast or show any audio and/or visual material (CDs, DVDs, videos, photos, films, computer or games etc.) that has inappropriate content for children or young people
- Invite, or allow, a child or young person whom you have met through your work to your home
- Arrange to meet a child or young person outside of your work context where the purpose is one of friendship or an intimate relationship.
- Stay alone overnight with children or young people benefiting from YFNW programmes unless specifically recruited and vetted to provide supervision for children in our care overnight
- Share a bedroom or a bed with a child or young person with whom you are caring for, working with or visiting.

3.3 Communication with children and young people

The following sections of the code of conduct are about expected behaviour when communicating with children via phones, mobile devices, email, texts, social media and apps:

3.3.1 Phone contact

- Children or young people should only be called in relation to YFNW related activities
- Staff/volunteers should only use YFNW landlines or work mobile phones to communicate with children or young people
- Line managers can request access to staff member's work phones at any time without delay.

3.3.2 Online child safety

There is a wide range of ways to communicate with children and young people and this is a rapidly changing environment as new technologies, applications and social media sites emerge. However, there are broad principles that we expect all staff and volunteers to adhere to in order to safeguard children and themselves in respect of using all these forms of communication, media, mobile devices, apps and social networking sites:

You must:

- When communicating with children or young people online observe the same rules of behaviour as if speaking with them in person that is by being professional - polite, respectful, not swearing or saying anything (using the written word, images or icons) that could be regarded as sexual innuendo, bullying or discrimination
- Ask yourself whether the content of the message could be misunderstood or misinterpreted by someone else
- Always ensure the content of any online communication has a clear work purpose
- Only contact children or young people online for YFNW work purposes
- Think about how and what you text in messages, avoid abbreviations and emojis that may be misconstrued

You must not:

- Disclose non-public and confidential information about YFNW, its staff/volunteers or the children or young people with whom we are working.
- Upload or post any defamatory, obscene, abusive or harmful content (use the safeguarding procedures if you observe another member of staff or volunteer doing this)
- Engage in the exchange of self-generated sexual images or messages known as 'sexting' with a young person.
- Use YFNW IT equipment (including computers, laptops, mobile phones, notebooks, etc.) to view, download, create or share (with colleagues or children) illegal content including abusive images of children.
- Share personal contact details with children or young people. This includes mobile phone numbers, home address, social networking accounts, personal website/blog URLs, online image storage sites, passwords etc.;
- Ask to become an online friend/contact of a child or young person or add/allow a child or young person to join your contacts/friends list on personal social networking sites;
- Use your own digital camera/video for work – this includes integral cameras on mobile phones unless this is part of YFNW official business and has been agreed and documented by a line manager;
- Share work photographs or films on personal social media sites such as Facebook or Twitter;
- Use any device to 'upskirt' a young person
- Seek to befriend a child, young person or their family online whom you have met through work for the purpose of developing a personal and/or sexual relationship;
- Use a personal mobile phone to communicate with a child or young person

3.3.3 Openness and scrutiny

- Always communicate with children or young people in a way that is open to others to see if necessary.
- Avoid using personal messaging facilities on personal social networks or apps rather if it needs to be private then do this by email exchange or phone and note the conversation afterwards.
- Ensure there is always a record of such conversations that would be open to others to check if necessary.
- It should always be clear who the communication is from when YFNW staff and volunteers are communicating with a child or young person.
- There should be no use of anonymous apps – that is where the sender can remain anonymous.
- Only use social media and apps where there is a permanent record of what’s been said and sent thereby being open to scrutiny e.g. the use of Snapchat is inappropriate.

3.3.4 Text messaging and other messaging services

The use of text messaging to communicate with individual children or young people may increase the vulnerability of both the child or young person and (typically) the member of staff or volunteer. However, there may be circumstances in which it is justified, subject to appropriate safeguarding considerations. In these circumstances, the following guidelines will apply:

- The decision to use social media platforms such as Facebook should not be made by any staff in isolation and should be discussed and agreed with the relevant line manager. Where social media platforms are used they must belong to YFNW and not a personal account.
- Only those staff approved to send bulk or individual messages are permitted to do so;
- Staff and volunteers should only send individual text messages to a child or young person regarding a specific question or immediate request; staff should not engage in general conversation with children or young people via text message
- Phone messages should not be edited or deleted
- Young People’s mobile phone numbers should be kept secure via passcode locks on phones and computers. The mobile phone numbers should not be shared with anyone else and should only be used for the purposes of the specific work area or project.
- The content should relate solely to YFNW activity only and must be open to scrutiny and therefore not encrypted.

3.3.5 Upholding the Safeguarding Code of Conduct

Staff who breach this Code of Conduct may be subject to YFNW’s disciplinary procedures. Any Breach involving volunteers or others may result in them being asked to leave YFNW.

Serious breaches will result in a referral being made to a statutory authority i.e. the police or children’s or adult social care.

Staff, volunteers, consultants and visitors should report any breaches of the safeguarding code of conduct to the CEO within one working day. In the case of concerns about the CEO or trustee:

- Concerns about the CEO - report to Chair of the Board
- Concerns re board member - report to Chair of the Board
- Chair of the Board - report to the CEO

The CEO in conjunction with the relevant managers will determine what action to take following YFNW's policies and procedures at all times.

4 Definitions and indicators of abuse and neglect:

There are several different types of abuse although more than one type of abuse may be occurring simultaneously or sequentially. Appendices 1-6 contain the relevant information to supplement these procedures.

4.1 Non-recent historic allegations of abuse.

Any disclosure or concerns that relate to abuse that happened more than a year ago, whether involving anyone working at the YFNW or outside of it, must be taken seriously and acted upon in line with the procedures outlined in Section 5 and 7. Often survivors of abuse take years to come forward due to shame and a fear of being disbelieved however, the alleged perpetrator may remain a risk to others and therefore all non-recent historic allegations have to be examined. YFNW will work in partnership with local authorities and/or the police in such cases.

4.2 Additional vulnerabilities including safeguarding disabled children or young people

Some groups are particularly vulnerable to abuse either due to impairment and/or life experiences. For example, research shows that disabled children are more likely to be a target for abuse. Equally care experienced children and young people or those that have already experienced harm may be more vulnerable. For further details about abuse in specific circumstances see Appendix 6.⁴

5 Procedures – what to do if you have concerns about child or adult abuse:

5.1 The '6Rs' underpin YFNW reporting procedures, they are:

- **Recognise** concerns that a child or adult is being harmed or might be at risk of harm;
- **Respond appropriately** to a child or adult who is telling you what is happening to them;
- **Refer** any concerns to the CEO or in an emergency straight on to children's or adult social care⁵ or the police;
- **Record** the concerns appropriately and any subsequent action taken; ensure there is no delay in passing on concerns. Timescales are in place to ensure that matters are resolved in a timely way but these are the *maximum allowed* and nothing should prevent a speedier response if needed.
- **Review** open safeguarding cases and close when we have fully discharged our responsibilities.
- **Resolution** and escalation – YFNW has a responsibility to ensure that it follows up referrals made and takes further action if it considers appropriate protective action has not been taken by the authorities.

5.2 A concern about the safety of a child or adult might arise because of:

⁴ See **Appendix 5** Additional guidance on children and young people abused in specific circumstances

⁵ In Wales, Northern Ireland and Scotland different terminology is used to describe these bodies.

- A child or adult says that s/he/they is being abused or telling you about an experience or event that has happened to them that you think would be harmful (this is sometimes referred to as a 'disclosure' – not to be confused with a criminal records disclosure done by the Disclosure and Barring Service)
- Signs or indicators of abuse or neglect
- Somebody says either face to face or by any other means of communication, that a child or adult is being harmed or is at risk of harm
- The behaviour of an adult towards a child gives cause for concern or vice versa
- A child or adult tells about an experience of abuse in their past - this may be referred to as 'historical or non-recent abuse'.

5.3 Responding to a child or adult protection emergency.

In an emergency where a child or young person has been seriously hurt or is in imminent danger of being harmed staff/volunteers/consultants must:

- Ring 999 and ask for the emergency service required - police and/or ambulance;
- Inform the CEO immediately after taking this action;
- Complete the Safeguarding incident report form – see **Appendix 7**
- Seek support from the CEO if required.

5.4 Responding to a child or adult protection concern non-emergency.

If you identify a safeguarding concern which is not immediately life-threatening or risk of serious harm, you must:

- Consult immediately with the CEO
- Make a careful record of what was said and done using the safeguarding incident report form (**Appendix 7**) and pass this on to the CEO within 24 hours.
- The CEO will determine what action is needed (i.e. no action, monitoring the situation or a referral out to child or adult social care or the police). Whatever decision is taken they must record it on the safeguarding incident report form (Appendix 7 and 8) with a rationale even if no further action is to be taken.
- A decision to take no further action, monitor or defer a decision is as serious as a decision to make a referral.
- The CEO must consider if consent is required to share the concern with the statutory agencies (see para 5.10 -5.15 for further detail) from either the adult at risk or the parents/carers of the child.
- The CEO may consult with statutory services or the NSPCC Helpline if s/he/they is unsure how to proceed with the concern or any aspects of information sharing.
- Any referrals to statutory services must be made by the CEO unless it is an emergency or the CEO considers it better for the staff member to make the referral and report back.

- Any referrals to statutory services must be followed up in writing within 48 hours and feedback received/sought within 3 working days of having made the referral to check what action is being taken. It is the responsibility of the CEO to do this.
- Each local authority has a process for receiving referrals and so YFNW must use the relevant process in their area.

5.5 Escalation

If, after reporting on a concern, it is evident that the local authority has not taken appropriate next steps in relation to the safeguarding concern, then the CEO must determine if the matter needs escalating with the local authority. The local children safeguarding partnership or safeguarding adult protection board will have specific procedures to be followed in such instances where escalation is warranted. A record of any decisions and outcomes must be kept by the CEO.

5.7 Responding to a direct disclosure of abuse.

Sometimes a child or adult will make a direct disclosure about their experience of abuse; the following guidelines should be followed when responding to this situation:

Do:

- Be accessible and receptive.
- Listen carefully. Reflect back what you have heard to check understanding.
- Take it seriously.
- Reassure them that they were right to tell.
- Explain what will happen next.

Do not:

- React strongly – for instance saying, ‘that’s terrible’.
- Jump to conclusions especially about the abuser
- Tell them you will keep this a secret.
- Ask leading questions.
- Make promises you cannot keep.
- Stop them from speaking freely.
- Tell them to stop talking so that you can fetch the CEO.

5.8 If a child or young person indicates either through what is said or their behaviour that they have worries but are unwilling to discuss it with a member of staff or volunteer then give them the contact details for Childline where they can talk in confidence. Record the action taken on the safeguarding incident report form and pass it on to the CEO within 24 hours.

5.9 The CEO is responsible for regularly reviewing open safeguarding cases and agreeing when they will be closed. See Appendix 11 for information about the review processes.

5.10 Information Sharing and Confidentiality

Information sharing can be a complex area within the safeguarding arena. The following guidelines should be adhered to:

- Ideally information should be shared where there is consent for so doing.

- Data Protection law and regulations are not a barrier to sharing information about safeguarding.
- Be open and honest about what you will do with the information.
- Seek advice from appropriate professionals.
- Share with consent but don't let 'no consent' prevent sharing⁶.
- Always consider the safety of the child or adult at risk (for instance would telling a child's parents put that child at further risk?)
- Ensure what is shared is necessary, proportionate, relevant, accurate, timely and secure.
- Don't assume that someone else will pass on information that they think may be critical to keeping a child or adult at risk safe.
- Keep a record of what information has been shared and the reason for seeking consent or not using the safeguarding incident report form (**Appendix 7**) or safeguarding recording log (**Appendix 8**)
- The CEO is to maintain the safeguarding recording log. The log is confidential to the CEO and others that they identify but this should be on a genuine 'need to know' basis.

5.11 All staff and volunteers must be aware that they have a professional duty to share information with other agencies to safeguard children and young people. Information may be shared without consent if a practitioner has reason to believe that there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner. Information will be shared on a need to know basis only, as judged by the CEO. All staff/volunteers/associates must be aware that they cannot promise any child or young person that they will keep information confidential when it concerns safeguarding.

5.12 In the case of child protection, it is best practice to get consent to share information if possible and if it will not increase the risk of harm to the child. In most instances parents/carers and the child depending on his/her age should be informed that you are making a safeguarding referral to children's social care unless to do so might put a child or adult or in further danger, or where you suspect the parents/carers may be directly harming the child or where it might put yourself in danger. If anyone is unsure about this, they should speak to the CEO or have a conversation with children's social care to seek further advice.

5.13 In the case of adult protection (someone aged 18 upwards) it is normally necessary to gain consent from the adult to share information. There are exceptions to this in certain circumstances. For example:

- Where you have concerns that the adult lacks the mental capacity to make a decision, and a risk assessment indicates that referral would be in their best interests.
- Where seeking consent could potentially put the individual concerned, other individuals, including staff at risk.
- Where a crime has been committed.

⁶ Where information is to be shared without consent then the CEO should be consulted and decisions recorded. The overriding principle is that nothing should stand in the way of sharing information that would help protect children and vulnerable adults who would otherwise be at risk. 6 Information sharing should follow the principles of, necessity, proportionate, relevant, adequate, accurate, timeliness and securely. YFNW will always comply with any request from a Local Safeguarding Children Partnership to share information as required by law under Section 14B of the Children Act 2004 where it concerns a serious case review.

5.14 Mental capacity is a legal concept. It is the ability at that point in time to understand, retain and use the information required to make an informed decision on a specific issue and understand the consequences. It is also necessary to be able to communicate this decision. Adults are presumed to have mental capacity until it has been assessed that they do not.

5.15 The Mental Capacity Act 2005 sets out how to assess capacity and make a best interests decision. This is a specialist task to be done by an adult social care worker. The main principles of the Act are:

- A person must be assumed to have capacity unless it is established that they lack it.
- A person is not to be treated as unable to make a decision unless all practicable steps to help him/her have been taken without success.
- A person is not to be treated as unable to make a decision merely because it is an unwise decision.
- Anything done for, or on behalf of, a person who lacks mental capacity must be in their 'best interests' and the 'least restrictive' of their rights and freedoms.

5.16 The need for support services

Where the CEO judges that a child or young person needs support services (referred to as 'early help' in respect of children such as additional support in education or help because of physical or mental health) rather than a need for protection, then they can make a referral to the local authority or another appropriate organisation. However, this requires the consent of the parents/carers of the child or the young person before doing so. A record should be made of any such referrals and the outcome on the Safeguarding concerns form (**Appendix 7**).

6 Procedures – safeguarding allegations against staff, volunteers or consultants:

6.1 The aims of these procedures are to ensure that:

- Children and young people are protected and supported following an allegation that they may have been abused by an adult working for or on behalf of the YFNW;
- There is a fair, consistent and robust response to any safeguarding allegation made including those that are historical
- An appropriate level of investigation into concerns or allegations, whether they are said to have taken place recently, at any time the person in question has been employed by/volunteered with the YFNW, or prior to the person's involvement with the YFNW
- YFNW continues to fulfil its responsibilities towards members of staff/volunteers/consultants who may be subject to such investigations.

6.2 Definition of a safeguarding allegation

6.2.1 This is where a person is alleged to have:

- Behaved in a way that has harmed a child, or may have harmed a child; or
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates that they would pose a risk of harm to children; or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children

6.2.2 The allegation may:

- Involve a child/ren, or adult(s) or both
- Not directly a 'known child' victim as such. For example, if a staff member is accessing abusive images of children or young people online or using the internet to groom children with the intent to harm in future;
- Be about any type of abuse;
- Concern a serious breach of the YFNW's safeguarding code of conduct;
- Relate to a staff member or volunteer who has left YFNW (known as a 'historical non-recent allegation')
- Concern a child of a staff member/volunteer/consultant

6.2.3 A safeguarding allegation may arise when:

- A child or parent/carer makes a direct allegation against a staff member/volunteer/consultant
- An employee/volunteer/consultant observes behaviour that is cause for concern
- YFNW receives a safeguarding allegation from a person, including a member of the public or professional
- During another internal procedure, for example a disciplinary or complaint
- YFNW is informed by the police or local authority or another organisation that an individual is the subject of a child or adult protection and/or criminal investigation
- Information emerging from the renewal of a DBS check that a staff member or volunteer may have committed an offence or been involved in an activity that could compromise the safety of a child or young person
- A staff member/ volunteer/consultant informs YFNW that they have been the subject of allegations, have actually harmed a child or young person, or committed an offence against or related to a child or young person

6.2.4 The managing safeguarding allegations procedure must be followed consistently in all instances, regardless of how the safeguarding allegation arises or from whom, or whether it is shared with the YFNW by email, face-to-face contact, social networking, telephone or letter.

6.2.5 If a member of staff /volunteer/consultant is concerned about the behaviour of another staff member/volunteer/consultant then they should not worry about the confidentiality of this information. If you are mistaken it is better to discuss it and enable a proper investigation and assessment to happen than not report it at all. Do not:

- Ignore concerns
- Confront the person
- Discuss the matter with other members of staff/volunteers/consultants outside of those identified in this procedure

6.3 What to do if a safeguarding allegation is made

6.3.1 The person who has or receives a safeguarding allegation must make a note of the basic details of the allegation using the safeguarding incident report form (**Appendix 7**), to include:

- name of the individual who the allegation is about and any other identifying information, including location
- name of any child/adult involved
- date and time of the allegation arising
- name and contact details of the person making the allegation
- key information about the nature of the safeguarding allegation

6.3.2 The person should inform the CEO. This should be done within this same working day of the allegation coming to light. If the concern is about the CEO then inform the Chair of Trustees

6.3.3 If it is considered that a child or young person is subject to life threatening concerns or risk of immediate harm, or needs emergency medical attention, then the emergency services must be contacted straightaway and the parents/carers of the child/adult told that immediate steps are being taken to get help.

6.3.4 If the CEO considers that the allegation is a safeguarding concern they will take action within 24 hours. If the CEO is on leave or not available, then contact the Deputy CEO or any other member of the senior management team.

6.4 Initial considerations about managing a safeguarding allegation

6.4.1 There may be up to four strands in the consideration of any safeguarding allegation:

- Enquiries and assessment by social care about whether a child or young person needs protection and/or services.
- A police investigation if a criminal offence may have been committed.
- Consideration by YFNW of disciplinary action in respect of the individual.
- Referral for 'consideration to bar' a person from working with children or adults (i.e. referral to the Disclosure and Barring Service) and/or referral to a professional registration body for professional misconduct.

6.4.2 The CEO will oversee the management allegations process and hold accountability for them.

6.4.3 The CEO is responsible for agreeing an initial plan of how to proceed with managing the allegation. They need to agree that the information before them is a safeguarding allegation. The safeguarding allegation may be in respect of the person's employment, voluntary activity or behaviour towards any other children including their own.

6.4.4 If, after the initial consideration, the CEO does not consider the matter constitutes a safeguarding allegation then they must decide if an internal investigation is required to determine if the behaviour/incident was related to poor practice or misconduct. The

performance or disciplinary process must then be followed. All decisions and the reasons for them, including there being no need to take safeguarding action, must be recorded and kept on the individual's HR file.

6.4.5 If confirmed as meeting the threshold for a safeguarding allegation, the CEO and Business Manager must agree an initial plan within one working day. They should consider:

- the immediate safety of any relevant child/ren or adults involved, for example those that are the subject of the safeguarding allegation or other children or adults that the individual has contact with through work or family
- what information to share with the individual who is the subject of the safeguarding allegation and with any other known employer of the individual, and when to do so
- whether any immediate decision must be taken about suspension of the individual subject to allegation, pending further enquiries and/or investigation
- delegation of tasks to the CEO or Business Manager
- if any records need to be secured or 'locked down, or any equipment removed from the individual who is the subject of the concern
- reporting to the Charity Commission as per the serious incident reporting process (**Appendix 12**)
- what further information may be required for clarification
- identifying who else is aware of the safeguarding allegation and who has been spoken to
- whether any advice should be sought from the local authority, police or NSPCC helpline
- arrangements to support the person who is the subject of the safeguarding allegation, the person who raised the allegation and the alleged victim

In addition, there may need to be a plan around the management of information including:

- who needs to know and what information can be shared?
- how to manage speculation, leaks and gossip?
- what, if any, information can reasonably be given to reduce speculation
- how to manage press interest if, and when, it might arise

6.4.6 If a safeguarding allegation is made against:

- a Trustee - the CEO will manage the allegation and bring in external support when appropriate
- CEO - the chair will manage the allegation and bring in external support when appropriate

6.4.7 If it is agreed that the safeguarding allegation meets one or more of the criteria (see para 7.2.1), then the CEO must make a referral within one working day to:

- the Designated Officer⁷ in the local authority (where the child lives) if the allegation is about behaviour towards a specific child or adult
- the Designated Officer in the local authority where the staff member/volunteer or consultant lives if the allegation is about behaviour but with no identifiable victim
- local authority adult social care if the allegation is about behaviour toward an adult.

⁷ This role was formerly known as the LADO however Working Together to Safeguard Children 2018 removed this term. It says the local authority must appoint a designated officer(s) to carry out this role. However, the term LADO has remained in use in a lot of local authorities.

Some safeguarding allegations are clearly so serious that they require immediate referral to the local authority/police. Other allegations that appear to meet the criteria may seem less serious; however, it is important that they are followed up and examined objectively by the external authorities who may hold other relevant information about the individual that is unknown to YFNW.

6.4.8 If the allegation is considered to meet the criteria for referral, then the safety and welfare of any child or young person is of the utmost importance, and any child or adult protection investigation and/or police investigation must take priority over any internal YFNW internal procedures.

6.4.9 All decisions and the evidence upon which they are based must be recorded.

6.5 Action required of the CEO following initial consideration

6.5.1 Where the allegation meets the criteria (see para 7.2.1), the CEO will make the referral to the appropriate local authority department (see para 7.6.7) to discuss and agree the next steps, including informing parents/carers of the child concerned (if applicable) about the allegation if they are not already aware of it.

6.5.2 The Designated Officer in the local authority (or equivalent in adult social care) will:

- discuss the allegation and obtain further details of the allegation and the circumstances in which it was made;
- discuss whether there is evidence/information that establishes the allegation is false or unfounded;
- convene a strategy discussion within procedural timelines in order to plan any police investigation and/or protective action in respect of the child or adult if there is cause to suspect a child or adult is suffering or likely to suffer significant harm, and/or a criminal offence may have been committed.

6.5.3 As an employer, YFNW should expect to be invited to join this discussion alongside other relevant professionals, including the police and children's or adult social care. The CEO would be the YFNW representative in this case.

6.5.4 The member of staff/volunteer/consultant subject to the allegation should be informed as soon as possible that an allegation has been made. However, where a strategy discussion is required with the authorities, or it is clear that the police or children's or adult social care may need to be involved, information about the allegation should not be shared until those agencies have agreed what information can be disclosed to the person who is the subject of the allegation.

6.5.5 When a strategy discussion takes place, the CEO should share all relevant information about the allegation, the child/ren/adult and the person who is the subject of the allegation.

6.5.6 If there is reason to suspect that a criminal offence may have been committed, the police will be involved in making enquiries. YFNW will cooperate fully with any police or child/adult protection investigation.

- 6.5.7** The possible risk of harm to other child/ren or adult(s) at risk must be effectively evaluated and managed in respect of any child/ren involved in the allegations, and any other children or adults at risk in the individual's home, work or community life. In some cases, this will require the YFNW to suspend the employee who is the subject of the allegation or cease to use the services of a volunteer or consultant on a temporary basis.
- 6.5.8** The act of suspension does not indicate a person's guilt. An individual must not be suspended automatically when there has been an allegation or without careful thought. Suspension should be considered in any case where:
- there is cause to suspect a child or adult is at risk of significant harm
 - or, the allegation warrants investigation by the police
 - or, is so serious that it might be grounds for dismissal
 - or, there are concerns that the person may jeopardise or interfere with ongoing investigation if they continue to be present at work
- 6.5.9** The power to suspend the accused member of staff or dispense with the services of the volunteer is vested in the employer alone. However, in making these decisions the CEO and Business Manager will need to take into consideration the views of the police and the local authority.
- 6.5.10** The CEO will be responsible for deciding how and when to give feedback to the person who made or received the allegation, and what information to give to others who may know the accused individual concerned.
- 6.5.11** The CEO will decide on a case-by-case basis if, and when, it is necessary to advise the board about the allegation and its management, depending on the seriousness of the allegation, reputational risks, liability and potential media interest.

7.6 Action following the conclusion of the investigative process

- 7.6.1** At the conclusion of any external investigations, the CEO, Business Manager and the Designated Officer in the local authority (or equivalent in adult social care) will formally review the outcome and determine any further action required. The range of options open will depend on the circumstances of the case and will need to consider the result of any police investigation or trial, any investigations in respect of the child or adult's safety, as well as the different standard of proof required in disciplinary and criminal proceedings. Options include:
- reintegration of the staff member or volunteer or consultant
 - invoking performance management processes (staff only)
 - invoking the disciplinary procedure (staff only)
 - invoking a volunteer resolution process
 - alerting other known employers of the individual concerned (which is the responsibility of the designated officer in the local authority)
 - referral to the Disclosure and Barring Service (DBS) for consideration to bar the person from working with children and/or adults if they were working in regulated activity
- 7.6.2** The following definitions should be used when recording the outcome of allegation:

- **Substantiated:** there is sufficient evidence to prove the allegation
- **False:** there is sufficient evidence to disprove the allegation.
- **Malicious:** there is sufficient evidence to disprove the allegation and that there has been a deliberate act to deceive
- **Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence
- **Unfounded** - there is no evidence or proper basis which supports the allegation being made

7.6.3 Every effort should be made to reach a conclusion in all cases even if:

- the individual refuses to cooperate, although s/he should be given a full opportunity to answer the allegation and make representations
- it is difficult to reach a conclusion
- the employee has resigned or the volunteer withdraws his/her services
- the person is deceased.

7.6.4 YFNW **never** agrees to the use of a 'settlement agreement' with an employee who has been the subject of a safeguarding allegation. This is where the employee subject to the allegation agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree on a form of words to be used in future references. Nor can it be used to override the YFNW's duty to make a referral to the DBS where they meet the criteria for consideration to bar them from working with children and/or adults.

7.6.5 The CEO must determine who needs feedback following the conclusion of any investigations and the nature of that feedback in accordance with the principles of data protection and confidentiality. This might include feedback to the child/adult, his/her parents/carers, and/or the person who raised the concern initially and the line manager of the employee or volunteer.

7.6.6 If an allegation is determined to be false or malicious, the CEO must consider if any further action is required which includes:

- if the safeguarding allegation was made by a child or young person then there is a need to consider if a referral to children's social care is required to determine if that child or young person needs services, or may have been abused by someone else; and/or
- if the safeguarding allegation was deliberately invented or malicious by another adult then this should be discussed with the police and advice sought;
- whether disciplinary action is required;
- the support needs of the person that was the subject of the safeguarding allegation
- the support needs of an adult survivor of historical abuse.

7.6.7 At the end of the process of managing an allegation and its conclusions, the CEO and board are responsible for the identification of any lessons learned from the operation of this procedure, the actions taken, and the support offered. This learning should feed into policy and procedural revisions and safeguarding training.

7.6.8 The CEO must provide in writing feedback to the person who has been subject to the investigation, clarifying the outcome and any implications for their

employment/volunteering. This must be provided within five working days of the conclusion of the investigation.

7.7 Support

7.7.1 As an employer YFNW has a duty of care to its employees and will therefore act to manage and minimise the stress inherent in the allegations process. In managing any allegation there is a need for the CEO to consider the support needs of individuals involved. The support they require depends on the circumstances of the case and will have to be negotiated and agreed on a case-by-case basis. Support may include responding to the impacts of shock, anger or being a suicide risk, for example. It may include support for the:

- person who raised the concern at the outset
- person who is the subject of the allegation
- child/parents/carers, if applicable, where harm was alleged against a particular child.

7.7.2 The CEO is responsible for ensuring that the employee/volunteer/consultant who is subject of the allegation is:

- informed of the allegation against them (once agreed by the local authority/police), notified of the processes that will follow and signposted to independent support should they require it
- kept up to date about any progress in relation to their case
- advised to contact their union or professional association at the outset
- kept up to date about what is happening in the workplace in cases where the employee or volunteer is suspended or YFNW ceases to use his/her services as a volunteer or consultant. This is to enable their reintegration should they return to work.
- sent correspondence confirming all the above including the arrangements for support.

7.8 Referral to the Disclosure and Barring Service (DBS), the Charity Commission and/or any Professional Regulatory Body

7.8.1 Once the outcome of the allegation management process is concluded, the following actions must be considered by the CEO (or equivalent):

- The CEO must make a referral to the DBS where we:
 - provide a regulated activity, and
 - stop someone working with children or adults at risk, and
 - certain criteria are met (see DBS website)

If it is concluded that the person should no longer be engaged in regulated activity, then there is a legal requirement for YFNW to refer the person to the DBS for consideration to bar the person from working with children and/or adults at risk. The referral process is outlined on the DBS website and they can be contacted for advice (see **Contacts**) if there is uncertainty as to what to do.

- Where an employee or volunteer or consultant is registered with a professional body (e.g. Health and Care Professions Council), the issue of referral of the employee or volunteer to the professional regulatory body must be considered.

- The Charity Commission requires notification of suspicions, allegations and incidents of abuse or mistreatment of ‘vulnerable beneficiaries’. Therefore, the CEO in conjunction with the safeguarding trustee will consider if such notification is required and take the necessary steps if, and when, required
- The CEO will send a report to any funder, government office or other body to whom we are contractually obliged to report safeguarding incidents on to.

7.8.2 The actions outlined in the preceding paragraph must be considered even if the person has resigned or the volunteering activity has ceased or the person is deceased. A record of all decisions and actions must also be recorded using the safeguarding recording log (**Appendix 8**).

7.9 References

Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references.

7.10 Personnel files

Details of allegations that are found to be malicious should be removed from personnel records. However, for all other allegations, it is important that a clear and comprehensive summary of the allegation, details of how it was followed up and resolved, and a note of any action taken and decisions reached, is kept on the confidential personnel file of the accused, and a copy provided to the person concerned.

8 Safeguarding Contacts List:

Name and job title	Safeguarding Role	Contact details
Stuart Dunne CEO	Designated Safeguarding Lead - Youth Focus NW	07912 380104 s.dunne@youthfocusnw.org.uk
Sue Lomas Chair	Designated Safeguarding Lead - Youth Focus NW Board of Trustees	07968 058945
NSPCC Helpline	24-hour helpline for advice on child protection matters for professionals and adults	0808 800 5000

Childline	24-hour helpline for children and young people	0800 1111
Whistleblowing advice line (external)	Advice can be sought from NSPCC if using the YFNW whistleblowing procedure has not resolved the concern	0800 028 0285
The UK Safer Internet Centre	Provides advice for professionals and responds to reports about sexual abuse images of children online	0344 800 2382
Child Exploitation and Online Protection Centre (CEOP)	Investigates inappropriate online behaviour such as grooming online or sexual exploitation	0870 000 3344
Internet Watch Foundation	Remove images of child sexual abuse content and criminally obscene content online	01223 203030
Disclosure and Barring Service (DBS)	Advice line for criminal records checks	03000 200 190
The Mix	Helpline offering support and advice for those under 25 years	020 7009 2500
Local authority children's social care (England)	Use the following website to find out the details	https://www.gov.uk/report-child-abuse-to-local-council

9 Safeguarding in the Online Environment:

9.1 There is concern about capturing, making and sharing abusive images of children online. Such images are permanent records of children being sexually exploited.

9.2 What to do if a member of staff/consultant/volunteer is inadvertently exposed to child sexual abuse images whilst using the internet:

- The URLs (web page addresses) which contain the suspect images should be reported to the Internet Watch Foundation via www.iwf.org.uk – staff /volunteers/consultants should refer to the CEO who will carry out the report. This is to avoid duplication – a key principle is that YFNW must avoid sending copies of the images to the Internet Watch Foundation.
- Any copies that exist of the image, for example in emails, should be deleted.

9.3 What to do if abusive images of children are found on YFNW devices:

The CEO in conjunction with the Chair of Trustees are authorised to deal with this issue.

The following actions will be carried out:

- Staff/ volunteers/consultants must report what they have found to the CEO within 24 hours.
- The URLs (web page addresses) which contain the suspect images should be reported on to the Internet Watch Foundation via www.iwf.org.uk by the CEO. Staff must not send copies of the images to the Internet Watch Foundation.
- The police should be informed and the safeguarding incident report form (Appendix 7) completed.
- If any copies of images need to be stored at the request of the police, then they should be stored securely where no one else has access to them.
- All other copies must be deleted.

What to do if a member of staff/volunteer/consultant is found in possession of child sexual abuse images on any electronic device provided by YFNW:

- The CEO is responsible for dealing with such matters.
- Contact the police regarding the images. If there is a doubt about whether the images are criminal, then a discussion will take place with the police regarding the best way for them to receive copies to determine whether they are criminal or not.
- Discuss with the police what to do about the device that the images are on.
- Quarantine the device in question and discuss with the police about checking for any other images on that device or any others.
- Follow the management of allegations (Section 7) procedures If a child or young person discloses that they are being groomed/abused by someone online.
- Follow the procedures as outlined in Section 5 of these procedures. The CEO should contact the police. Advice and a report can also be made to CEOP which is a specialist police command dealing with inappropriate online behaviour (see Appendix 9 for the contact details).
- If the adult committing grooming is a staff member/ volunteer/consultant, then follow the safeguarding allegations procedures too (Section 7).

10 Recording, record retention and destruction:

10.1 It is essential that YFNW keep clear and comprehensive records of any concern or allegation including details of how they were followed up and resolved, and details of the decisions reached and any action taken. The purpose of the record is to:

- enable accurate information to be given in response to any future request for a reference
- provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction
- prevent unnecessary re-investigation should an allegation resurface after time
- provide evidence and information if a decision is made to refer the person for consideration to be barred from working with children and/or adults

- enable YFNW to review and improve policies, procedures and practice based on learning and feedback.

10.2 The CEO is responsible for creating and maintaining the record while managing a safeguarding concern or allegation.

10.3 Additional records e.g. email, hard copy documents are likely to be created as part of an investigation process. Summaries of the content of these will be recorded on the safeguarding recording log (Appendix 8). At the end of the investigation the CEO will create a file of **all** emails including scanned copies of all hard copy documents. The file must be appended to the safeguarding incident form by the CEO. All original hard copy documents should be immediately destroyed (post scanning) by shredding.

10.4 Records of safeguarding allegations and any subsequent processes against staff, volunteers or consultants must be retained by YFNW, including for people who leave the organisation, at least until the person reaches 65 years, or for 10 years if that is longer. The records must be stored securely in a password protected folder in a shared drive and with restricted access by the CEO and anyone else authorised by them. Details of allegations that are found to be malicious should be removed from personnel records.

10.5 All the information relating to a safeguarding concern about a child or adult at risk and subsequent action taken must be recorded using the safeguarding incident form (Appendix 7) and the safeguarding recording log (**Appendix 8**). The records must be stored securely in a password protected folder in a shared drive and with restricted access by the CEO and anyone else authorised by them. These records should be retained for a period of 15 years. The period of retention may need to be longer if there has been a complaint in respect of the case or legal proceedings. The reason for keeping a record for longer than 15 years must be documented to be in line with the principles of the Data Protection Act.

10.6 Once the requisite retention period has been reached all records should be destroyed using shredding and confidential waste or be electronically purged. It is the responsibility of the CEO to check when records are due for destruction and arrange to do this.

11 Working with partners:

11.1 Expectations of partners

We expect our partners to have robust safeguarding policy and procedures and to keep a record of any child/adult protection concerns or allegations that they identify, their response and how it was resolved. These records must always be made available to YFNW.

11.2 Interface between YFNW procedures and those of third parties.

11.2.1 YFNW may be working with children in settings that already have a statutory safeguarding responsibility (e.g. schools, FE colleges or children's homes). In such instances, if there are safeguarding concerns, then YFNW must share these with the designated safeguarding lead/head of home/headteacher within one working day. The staff member/volunteer should also complete the YFNW safeguarding incident report form and liaise with the CEO.

11.2.2 The CEO must follow up to see what action has been taken by the designated safeguarding lead/head of home/headteacher about the safeguarding concern. Should YFNW consider the action taken is insufficient to meet the level of concern then it can make a referral to children's/adult social care directly but should inform the host organisation of having done so.

12 Communications and the use of images:

12.1 Consent

- YFNW can only tell a child or young person's story or take photographs or recordings of them when we have a clear written record of informed consent.
- If a child is under 18, we need informed consent from **both** the child **and** a parent/legal guardian.
- If the young person is 18 or over they do not need anyone to consent on their behalf but they still need to give their own informed consent.
- Signed consent forms must be dated. Ordinarily images will be used on an ongoing basis to promote the work of the charity but in some cases it might be appropriate to include an expiry date if the images have only been agreed for a specific campaign or period in this instance, when the consent period is up – or if YFNW decides to use the material in a different way to what was originally agreed – YFNW must make reasonable efforts to track down the subject (and parents/guardians if they're still under 18) and ask them to renew their consent.

12.3 Photography

- We will not use images of children which could be harmful to their reputations in the future.
- We will not use images showing children inappropriately clothed.
- We will not use images which perpetuate negative stereotypes about young people.
- Everyone featured in an image used by YFNW (including adults and staff) should have given informed consent for the photograph to be taken and open-ended consent for us to use it. Best practice is to make a written note of the consent with a standard consent form. This is essential for anyone under 18.
- Consent is not required for crowd shots in public places where it would be impractical to ask everyone pictured – but everyone who's identifiable in the foreground – especially children – should have given consent.
- Whenever we use models to represent characters in a case study, we should make it clear they are models.

13 Safer Recruitment:

YFNW will adopt best practice in the recruitment of workers to ensure that they are suitable to work with children and young people:

Provide appropriate training and induction arrangements which:

- Ensure that workers understand their legal and moral obligations to safeguard ALL children and young people.

- Ensure that workers understand their responsibility to work to the standards and procedures detailed in YFNW's child protection procedures and guidelines;
- Ensure that workers understand their obligations to report concerns about another worker's conduct towards a young person,
- Ensure that all procedures relating to the conduct of workers in relation to child protection are implemented in a consistent and equitable manner;
- Ensure that they understand their responsibility to report any concerns to the nominated safeguarding lead and relevant agencies.
- Endeavour to keep up-to-date with national developments relating to the protection of children and young people.

Suitability of Workers

- Certain individuals may be disqualified from working with children and young people in specific 'regulated positions', as defined by the Criminal Justice and Court Services Act. We will adopt recruitment procedures to prevent disqualified persons from working in regulated positions.
- YFNW will not normally employ any person disqualified to work with young persons. The CEO has the discretion to decline an applicant currently or previously disqualified in consultation with the Chair of the Board.
- YFNW may define some of its roles as 'regulated' where the activities required regularly bring some workers into contact with young people. This will be undertaken as part of the definition of the role. Recruitment information for regulated posts will indicate that these roles have been so designated and, hence, applicants disqualified from working with children and young people will be committing a criminal offence if they apply for such a post.
- Applicants called for interview will be required to provide details of any criminal convictions in a confidential letter to be sent to Human Resources (HR). Applicants with a record of crimes which disqualify them from working with young people will not be considered if the post they are applying for is regulated. When other convictions, spent or unspent, are shown on an applicant's return, the Chief Executive, or their nominee, and the Chair of the Board will use their judgement and discretion as to the risk that this person poses to the safety of young people. It will be legitimate for the individual to be asked questions about the convictions or other information.
- References will be obtained for candidates invited for interview prior to their interview unless specified otherwise.
- DBS checks will be carried out on staff appointed to a regulated position. These will be repeated periodically. If there is a delay in obtaining the information required, the Chief Executive under guidance from the Board Chair may allow the individual to commence work but measures will be put into place to ensure that person is not allowed to work with or supervise young people alone.
- Where YFNW appoints a disqualified person and this only becomes evident through the criminal background check, the person will be dismissed immediately and the matter reported to the relevant authorities. Similarly, where a person has been offered a job but not yet taken up a position, the offer of employment will be withdrawn and the matter will be reported to the relevant authorities.
- If, during the course of their employment, a member of staff is suspected of putting young people at inappropriate levels of risk through their actions or inaction, YFNW's disciplinary procedure will be invoked; the member of staff, consultant or volunteer may be suspended and, if the case is upheld, may be dismissed. In all cases, the relevant authorities will be

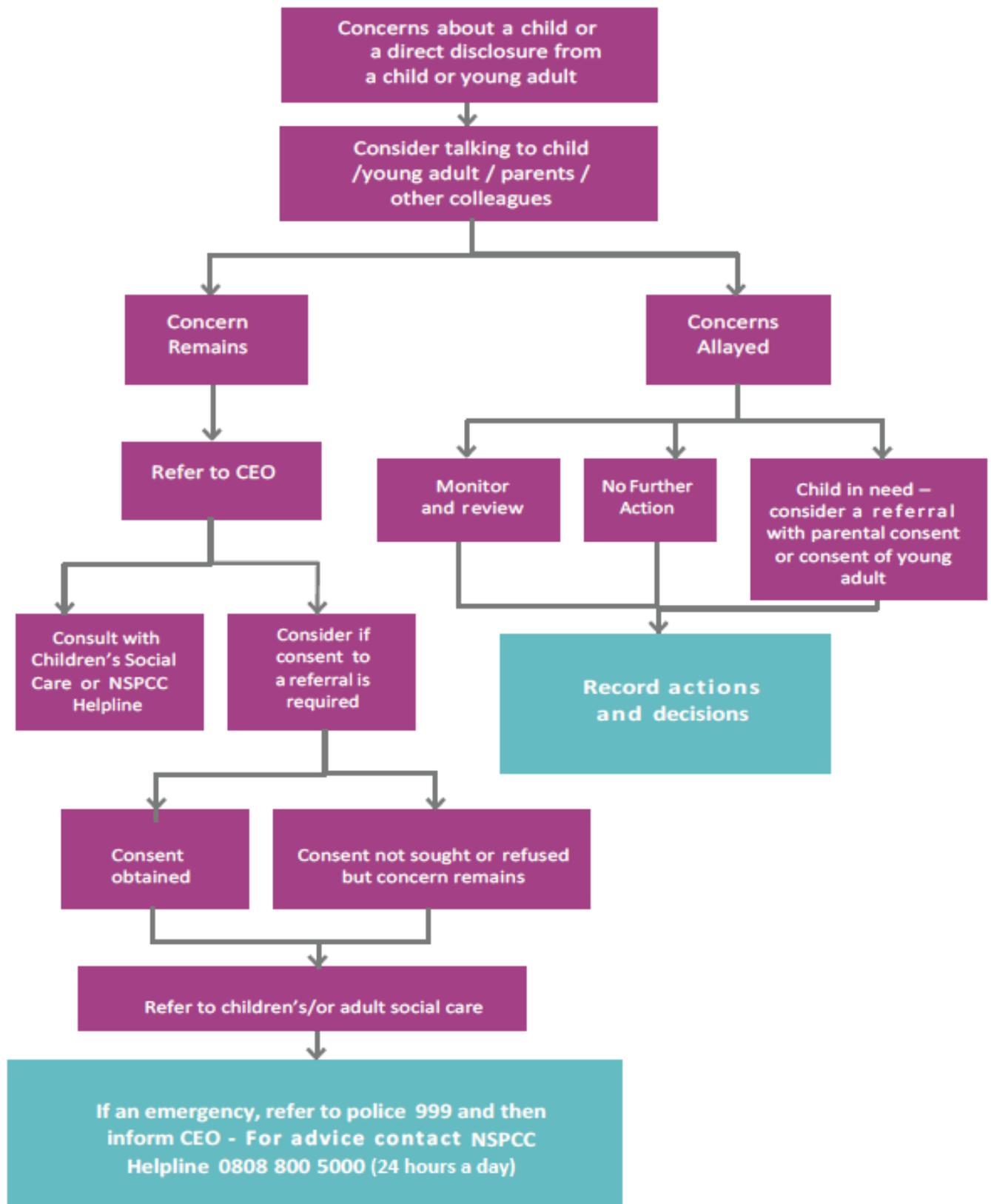
informed and YFNW will cooperate fully in any resulting investigation. An investigation will be completed should the person resign prior to the conclusion and the findings included in their personnel records.

- A worker will be dismissed if s/he becomes subsequently disqualified.
- All workers have a responsibility to advise YFNW if they become disqualified.

Appendices 1 - 11

Appendix 1: Defining child abuse and neglect
Appendix 2: Types and indicators of child abuse and neglect
Appendix 3: Types and indicators of adult abuse and neglect
Appendix 4: Grooming behaviour
Appendix 5: Additional guidance on children and young people abused in specific circumstances
Appendix 6: Barriers to seeking help
Appendix 7: Safeguarding Concerns Form
Appendix 8: Safeguarding Recording Log
Appendix 9: Procedures for Reporting of Serious Incidents in Respect of Safeguarding
Appendix 10: Case review and closure processes
Appendix 11: Case review & Case closure forms

Appendix 12a: Flowchart - Concerns About a Child or Young Adult (Non-Emergency)



Appendix 12b: Flowchart - Safeguarding Allegation About a Staff Member, Volunteer or Consultant

