

1.14.1 Child and Adult Protection

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Regulations and Standards

England

- [Regulation 12: The protection of children standard](#)
- [Guide to the protection of children standard](#)

Wales

- Regulation 15: Personal plan
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/15/made>
- Regulation 27: Safeguarding policies and procedures
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/27/made>
- Regulation 36: Supporting and developing staff
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/36/made>

Scope of this chapter

This chapter primarily applies to all children and young people placed in our Children's Homes but applies also to vulnerable young adults over the age of 18.

Where the term 'young people' is used in the policy it refers to children, young people and vulnerable adults placed in our care.

Outcome statement

The safety and welfare of all young people placed with Bryn Melyn is paramount. They are protected from abuse, harm and sexual exploitation (see **Child Sexual Exploitation Policy Statement**) and an appropriate response is made to any allegation or suspicion of abuse.

The protection of young people is everyone's responsibility. It is a legal requirement that you report any concerns – **DOING NOTHING IS NOT AN OPTION!**

This chapter must be read in conjunction in the area where the Home is located and Adults at Risk/ Children at Risk in England and Wales policies of the Placing Authority.

Homes in the Shropshire and Telford & Wrekin are governed by one set of Safeguarding Partnership board

procedures ([West Midlands Child Protection and Safeguarding Procedures Manual](#)), Homes in Wales are governed by a single set of procedures; the **All Wales Child Protection Procedures 2008**.

The SSP/NISB is the inter-agency forum which acts as co-ordinator for all agencies and professional to work together

To view the Procedures Manual/Guidance documents for the relevant areas please click on the links below:

[West Midlands Child Protection and Safeguarding Procedures Manual](#)

[West Midlands Safeguarding Adults Procedures](#)

[Welsh Adult Safeguarding Procedures](#)

[Care Act 2014](#)

1. Introduction, Summary and Definitions

1.1 Introduction and summary

These procedures are part of the system to safeguard and promote the welfare of children and young people and to ensure that children and young people are protected from abuse. The procedures should be known and understood by all managers and all staff (including ancillary, volunteer and agency staff)

Safeguarding and promoting the welfare of children and young people and in particular protecting them from abuse and harm is a shared responsibility and depends on effective joint working between agencies and professionals. All Local Authorities have a duty to promote and safeguard the welfare of children in their area and to investigate and take necessary action to protect children and young people from abuse and harm.

The SSP/NISB is the inter-agency forum which acts as the coordinator for all agencies and professionals to work together. However, homes in Shropshire and Telford and Wrekin are governed by one set safeguarding procedures (West Mercia LSCB Procedures), and homes in Wales are also governed by a single set of procedures.

Click here to view the West Midlands Consortium Procedures Manual.

If there is an allegation of abuse or neglect, or a suspicion of abuse or neglect managers and staff are expected to adhere to the procedures in this Chapter in conjunction SSP/NISB procedures in the area where their home is located and the procedures of the **Placing Authority**.

The procedures are mandatory and any failure to comply with them will be addressed through appropriate disciplinary procedures.

Staff must report any concerns, suspicions or allegations of abuse or harm to any child. Staff should report concerns to the manager unless the concern relates to the manager, in which case, the report must be made to a manager not implicated or to one of the following:

- Local Authority Children's Social Care Services in whose area the Home is situated;
- Police;
- NSPCC;
- The **Regulatory Authority**;
- The Placing Authority.

It is acknowledged that reporting concerns regarding the possibility of abuse can be difficult but anyone who, in good faith, reports his or her concerns that a child or young person is being or is at risk of abuse or harm or that a colleague may pose a risk to a child or young person will be provided with support and assistance.

The company reserves the right to assess and act upon any concerns expressed under these procedures about the behaviour of a member of staff towards children, irrespective of the outcome of any investigation undertaken by the police or local authority children's social care services or a decision not to investigate and whether or not the behaviour has occurred in or outside of the work situation.

1.2 Definitions

For detailed guidance on the meaning and identification of Significant Harm, see **Recognising Abuse Guidance**.

2. Reporting Concerns, Suspicions or Allegations of Abuse, Harm or Sexual Exploitation

The following actions should be taken when there is any concern, suspicion or allegation about the welfare of a child or young person which is causing or likely to cause significant harm. This includes harm perpetrated by another child or young person (including serious or persistent bullying), a member of staff, a manager, a visitor, a person in the community, a teacher, a social worker, a parent or other family member, and or colleague within the company.

Staff should report concerns to the manager unless the manager is implicated. In which case staff must notify one of the following:

A manager who is not implicated

- The Local Authority Children's Social Care Services in whose area the Home is located;
- Police;
- NSPCC;
- The Regulatory Authority;
- The Placing Authority.

In an emergency, where there is an immediate risk to the child, staff must take necessary action. This may involve asking for Police assistance or seeking emergency medical assistance e.g. taking the child to hospital or contacting the emergency services via 999. If the child is taken to hospital or the Police are called, staff must inform them that there is a suspicion of abuse or harm. Thereafter staff must notify the manager (or other agency) as described above.

Once notified, the manager will be responsible for following the SSP/NISB procedures (see links to Shropshire / Telford and Wrekin and All Wales Procedures at the top of this Chapter) and making contact with the Local Authority Children's Social Care Services. (See **Section 4, Action by the Manager**).

The manager must inform his/her line manager or other senior manager. The manager or line manager must inform the **Regulatory Authority** of the instigation and outcome of any subsequent **Child Protection Enquiry** (See **Delegated Authorities and Notifiable Events**).

At this stage any action taken must not alert the person(s) who may have caused or be implicated in causing the abuse or harm.

3. Receiving Concerns or Allegations of Abuse, Harm or Sexual Exploitation

The following is good practice that must be followed.

Staff members seeing, hearing or being told anything that causes them to become concerned that a child or young person may be at risk of, is being or has been abused must report it immediately to a manager.

Non-action is not an option in the protection of children and all staff have a duty to act.

Children and young people will sometimes disclose abuse to an adult who they have come to feel they can trust. If a child or young person discloses abuse it is important that staff respond appropriately by remaining calm and receptive; listening without interrupting; only asking questions of clarification; acknowledging the child's courage in telling.

It is not staff members responsibility to investigate or in any way make judgements about what is reported to them. Investigations, if necessary, must be undertaken by properly trained, independent professionals.

If a disclosure or allegation of abuse or harm has been made, staff should discuss with the child or other person who has made the complaint what steps they would like taken to protect them and their wishes should be shared and, if not in conflict with procedures, followed.

Where the allegation is of an historical nature, e.g. relating to abuse or harm that may have been perpetrated in another placement or by family members, allegations must be taken seriously and must be reported in the same way as any other allegation.

Staff must not give absolute guarantees of confidentiality to those who report possible abuse or harm, but they should guarantee that they will take steps to ensure that appropriate action is taken and the child or young person protected.

If an allegation or any suspicion is about the behaviour, past or present of another member of staff, including managers, which may in any way put children at risk, staff must follow the reporting procedures in accordance with **Section 2, Reporting Concerns, Suspicions or Allegations**

Staff must make a written record as soon as possible of their concerns, what they have been told, any questions they asked and the replies given and the actions taken and by whom. They must then give the report to the manager.

The record should be placed on the child's file except where a colleague is implicated or there is any risk to the child as a result, in which case notes/records should be given to the manager dealing with the matter.

Staff should not discuss the matter with others, including other staff, parents etc unless asked to do so by those responsible for dealing any subsequent investigation or enquiry.

4. Action by the Manager

After receiving a report of a concern, suspicion or allegation of abuse or harm, the manager must firstly take any steps needed to protect any child or young person from risk of immediate harm and should then consult the Director of Operations (unless the Director is implicated, in which case, the manager should consult an independent Director or the **Local Authority Designated Officer (LADO)** in Shropshire/Telford and Wrekin according to the boundaries of either Wales equivalent – Senior Social Worker (Wales).

The manager should be familiar with and follow the Local Safeguarding Children Board procedures in the area in which the home is located. These procedures will normally require the manager to contact the relevant Local Authority Children's Social Care Services Team; if the allegations relates to a member of staff, the manager must consult the Local Authority Designated Officer (LADO) or Senior Social Worker if in Wales in the area where the abuse is reported – they will advise on the steps that must be taken - see **Allegations Against Staff Procedure**.

The manager should also inform the Regulatory Authority of the instigation and outcome of any subsequent Child Protection Enquiry (See **Delegated Authorities and Notifiable Events**).

It will be for the Local Authority Children's Social Care Services team, probably after discussing the matter with the Placing Authority and conducting a **Strategy Discussion/Meeting**, to decide whether to initiate a **Child Protection Enquiry** and, if so, to agree the following with the manager

1. Who should inform the child's parent(s);
2. Arrangements for any medical examination of the child;
3. Any immediate arrangements for protection of the child;
4. Any immediate arrangements for protection of other children involved or at risk;
5. Whether it is necessary to inform staff within the home and if so who will do it;
6. Who should inform/update the person making the initial allegation of the steps/actions taken.

The manager should ensure that the child is supported during any enquiries/investigation, this may require an independent advocate or independent person to be involved. The manager should also ensure that all staff co-operate fully.

5. Allegations made Against Children or Young People

Abuse and Harm can be perpetrated upon one child or young person by another in many different ways, including persistent or serious bullying, sexual exploitation, aggressive, exploitative or other threatening behaviour which places a child or young person at risk.

Where there is any suspicion or allegation of abuse or harm perpetrated by one child or young person upon another, the procedures in **Section 2, Reporting Concern, Suspicions or Allegations** should be followed.

Protecting the rights of both victim and alleged perpetrator is important. It may be necessary, dependent on an assessment of all the facts, to separate the alleged perpetrator and victim but it may not be possible to explain why this is necessary to the perpetrator.

Throughout the process thereafter it will be necessary to ensure that children or young people with allegations made against them are properly supported, by an Independent Person if appropriate or required, as well as their social worker and parent(s).

Once the investigation is complete, consideration will then need to be given to the needs and interests of both alleged victim and perpetrator, and whether counselling and/or other support should be given.

Children or young people who are known to have sexually abused other children cannot live together unless a risk assessment has been undertaken by someone specially qualified to do so, that is independent of the home.

6. Concerns Arising whilst Young People are at School

Where a concern arises during the school day, the Child Protection & Safeguarding In School Policy should be followed.

Revision History

Date last updated: May 2020

Date of next review: May 2021

Date of release: December 2018

End

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