

LOTUS POLICY AND PROCEDURES FOR THE SAFEGUARDING OF CHILDREN AND ADULTS AT RISK

Policy statement

Lotus Families ('Lotus') is committed to safeguarding and protecting as far as possible the welfare of all who use its service. In delivering its services Lotus has a responsibility to protect the welfare of children and vulnerable adults and to put such policies in procedures in place as to minimise their risk to harm and all forms of abuse.

Harm and abuse have a devastating impact. Lotus endeavours to maintain a strong safeguarding/child protection culture so that:

- people are protected from harm
- risks of harm or abuse are minimised
- everyone can be confident that their concerns will be dealt with appropriately
- everyone at the charity understands their role.

Lotus does not have the authority to investigate safeguarding concerns but has a responsibility to refer any concerns to an appropriate statutory body. Where there is a safeguarding concern the procedures in this policy will be followed and relevant information will be shared with the appropriate agency or agencies.

This policy is separated into three sections: **Section A contains general provisions, Section B specifically relates to children** and **Section C specifically relates to adults**. This separation is to ensure clarity for staff and volunteers in following the correct procedure. These sections must be read and understood in conjunction with the appendices.

Contents

Section A: General Provisions

Section B: Children

Section C: Adults

Appendix 1: Contact details, roles and responsibilities.

Appendix 2: Safeguarding Code of Conduct

Appendix 3: What to do if you are concerned about a child

Appendix 4: What to do if you are concerned that a colleague poses a risk to children

Appendix 5: Disclosure of current or historical abuse

Appendix 6: Managing allegations of abuse against staff and volunteers

Appendix 7: Relevant Child Protection Legislation

SECTION A: GENERAL PROVISIONS

Purpose of the policy

This policy is intended to:

- maintain a culture where the safety and wellbeing of children and adults at risk is paramount.
- protect children and adults from harm who are affected directly or indirectly by the work of Lotus through effective risk assessment and management.
- aid and contribute to a multi-agency approach to safeguarding.
- inform staff of their obligations and provide a guide to the appropriate procedures where there is a concern about a child or adult at risk.
- Inform the public and other stakeholders as to Lotus' position on safeguarding, it's guiding principles and relevant procedures.
- ensure that these policies and procedures are systematically reviewed and reflected upon and updated and amended where necessary.

Scope of this policy

This policy applies to all those who work for Lotus Families including trustees, employees, volunteers, consultants, self-employed contractors, agency staff and students ('staff').

All people, regardless of their age, ability, gender, race, religion or sexual orientation have a right to equal protection from harm and abuse.

Lotus is a women led and centred charity. It offers strength-based, trauma-informed services and is committed to providing accessible, fair, and safe services to families including survivors of violence and abuse.

In balancing the needs and interests of service users, we will always ensure that we are sensitive and evidence-based, and model the best safeguarding practice in our approach.

The appendices are subject to change from time to time as necessary.

Roles and responsibilities

Everyone at Lotus, including all staff, volunteers and trustees, has responsibility for safeguarding.

Trustees must ensure that appropriate child protection and adult safeguarding measures are in place and promote a culture that prioritises children and young people. They are responsible for as far as possible reducing the risk of harm to those benefitting from, or working with, the organisation.

The board of trustees must appoint a **Safeguarding/Child Protection Trustee** who either has a working knowledge of safeguarding or who undertakes relevant training to fulfil that role. The trustees must ensure that there are a named Safeguarding Lead and Deputy in place.

For further details of these roles and current contact information see **Appendix 1**.

Breaches of this policy

Lotus will treat any breach of this policy very seriously. Failure to follow the principles and procedures of child protection could lead to disciplinary action resulting in dismissal or immediate cessation of being a trustee or volunteer. Lotus is committed to taking all concerns and allegations of abuse seriously.

Allegations against staff and volunteers

Any concerns for the welfare of a child or adult at risk arising from abuse or harassment by a member of staff or volunteer should be reported immediately to the relevant member of staff or, if they are implicated in the concerns, to the trustee responsible for safeguarding. The employee may be suspended with pay during an investigation or a volunteer asked to cease volunteering pending the outcome of the investigation.

SECTION B: CHILDREN

Introduction

This policy is based on the following principles:

- The welfare of children is paramount.
- No child or children should be treated more favourably than others when accessing services (some services may have age restrictions)
- Some children may have additional vulnerabilities as a result of previous experiences, age and ability to communicate.

Lotus's policy and procedures are based on the 4R's approach:

Recognise any concerns for a child.

Respond appropriately to any concerns about a child in accordance with Lotus' policy and procedures

Refer to the appropriate statutory services. This is the responsibility of the designated safeguarding/child protection lead following discussion with staff and others.

Record to ensure there is an accurate record of the concern and the action taken, which may be used both internally and by external agencies as necessary.

Definitions

'Child' or 'young person' is anyone who has not reached 18 years of age.

'Child abuse' and/or 'neglect' is the ill treatment of a child in any form by either (a) a person's action or (b) a person's failure to act to prevent harm perpetrated by another. Abuse and neglect can occur within a relationship of trust and can happen to a child regardless of their age, gender, race, disability or ability, sexual orientation, religion, or socio-economic status.

Children and young people may be abused in a family or in residential care or in the community by any person or persons known or unknown to them. Children with disabilities are at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, physical limitations, isolation and a powerlessness to protect themselves or adequately communicate.

Abuse can be physical, emotional or sexual and includes genital mutilation, honour-based abuse, forced marriage and child trafficking and slavery.

'Harm' and 'significant harm' in the context of child protection means the abuse or neglect which negatively affects the health or development of the child. 'Development' includes physical, intellectual, emotional, social or behavioural development. 'Health' includes physical or mental health. Assessing whether the harm suffered amounts to 'significant harm' is complex and is the responsibility of the relevant statutory services. It is therefore important that all relevant facts are shared by staff with such services to enable them to make the necessary assessments.

Age of Consent: In the UK, the age of consent for sexual activity is 16. This means that a person under the age of 16 cannot legally consent to sexual activity, and any sexual activity with a person under the age of 16 is non-consensual and potentially illegal. The legal responsibilities of a service that becomes aware of consensual sexual activity e.g. between a 16-year-old and a 15-year-old would depend on the specific circumstances and the nature of the service. However, in all cases, the safety and well-being of the young people involved should be the primary concern, and services should take appropriate steps to protect them from harm.

Intimate Partner Domestic Abuse & People under 18: When working with victims of intimate partner violence who are under 18, staff are required to use The Young People's DASH RIC to identify known risks in domestic abuse relationships and include specific considerations in relation to young people to inform professional judgment. This tool will help identify suitable cases to be reviewed at a MARAC and inform referrals to children's social care. While it is designed to be used with clients under 18, it may be a preferable tool to the regular DASH RIC for those under 25, depending on the client. When completing with those under 18 it is important to explain confidentiality and information sharing policies before beginning to ask the questions. Staff should be clear that, in most cases, the experience of relationship abuse by a young person will be a safeguarding issue and require a referral to the safeguarding children team. This will create transparency and clarity for the young person about how and when the information they disclose might be used and shared.

When working with young people staff should expect to see some differences with how a young person understands and experiences domestic abuse, compared to an adult client. Examples:

- (a) A YP may be less likely to understand that they are being physically abused, particularly if the perpetrator calls it something else such as play fighting. This means that if they are simply asked if they had been physically abused, they may not say they had. A helpful lead-on question is “What does he do if you want to stop?” whereas an adult may proactively talk about this. You can then ask “Does he ever hurt you?” which can help ease into the physical abuse questions, while an adult may be more forthcoming.
- (b) A YP may need scenarios to understand their experiences of abuse. This will help them understand what behaviours may constitute physical abuse so that they answer any questions around physical abuse correctly. One example, asking about whether he pushes into them. An adult is more likely to pick up on this as abuse as they have more experience of relationships.
- (c) More YP than adults experience self-harm. This is an indicator that YP are not as resilient as adults to negative experiences, including domestic abuse. Therefore, staff need to assess risks and needs with this in mind. Staff are therefore more likely to have to refer YP to self-harm specialist service, than an adult.

Lotus is committed to:

- keeping the welfare of children at the centre of everything we do
- being mindful of and implementing the articles and principles of the United Nations Convention on the Rights of the Child. This means that as a charity we do not condone any form of smacking or physical punishment
- appointing a nominated child protection lead, a deputy, and a lead trustee/board member.
- providing supervision, support, training and quality assurance measures so that staff and volunteers follow our policies, procedures and codes of conduct confidently and competently
- ensuring all relevant and necessary checks are made when recruiting and selecting staff, trustees, and volunteers
- actively sharing information about safeguarding and effective practice with staff and volunteers, parents and carers, children, and young people
- keeping accurate, appropriate and, as far as possible, contemporaneous records
- recording, storing, and using information professionally and securely, in line with data protection legislation
- ensuring children, young people and/or their families know where to go for help if they have a concern
- sharing concerns and relevant information respectfully and appropriately with third parties, statutory services and relevant agencies when necessary
- acting on and managing allegations against staff, volunteers and trustees appropriately and expeditiously
- working to create a fair and anti-discriminatory environment and building a culture of inclusion, while remaining a women led and centred charity, committed to providing accessible, fair, and safe services to families including survivors of violence and abuse.

In balancing the needs and interests of service users, we will always ensure that we are sensitive and evidence-based, and model the best safeguarding practice in our approach.

- having an effective complaints and whistleblowing policies and procedures
- When working in the community, providing a safe physical environment for staff and visitors in accordance with the law and regulatory guidance.
- Building a culture where staff, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

Roles and responsibilities

The protection of children is a shared responsibility for all staff, volunteers, trustees and partners of Lotus. All staff, volunteers and trustees must read, ensure that they understand and follow the Safeguarding of Children Code of Conduct (Appendix 2).

Lotus recognises that it is rare for a single person, agency or service to have full knowledge of a particular child's circumstances. Therefore, relevant practitioners, agencies and services must work together to report concerns promptly and responsibly to build a fuller picture of any family or child at risk. This picture might be formed from an accumulation of concerns raised from a variety of sources over time.

Evidence of child abuse or neglect may not always be apparent and therefore it is important that concerns and/or suspicions are acted upon, however seemingly isolated or insignificant, and followed up, even in the absence of known facts. Concerns that might seem insignificant can help the relevant agencies to build a bigger picture of children and families at risk of harm.

Everyone at Lotus has a duty to exercise professional curiosity by **questioning, challenging and raising concerns** when they have a concern or if something "feels wrong". You **MUST** raise any concerns you have with a manager or designated safeguarding lead however insignificant they may seem. For the details of the **Designated Safeguarding Lead, Deputy Lead and Trustee** see **Appendix 1**.

The following procedures must be followed as closely as reasonably practicable:

If you are concerned about a child see **Appendix 3**.

If you are concerned that a colleague poses a risk to children see **Appendix 4**.

For **disclosure of abuse** either current or historical see **Appendix 5**.

For **managing allegations of abuse against staff and volunteers** see **Appendix 6**.

For **a summary of the relevant legislation** see **Appendix 7**.

Other sources for help can be found at:

NSPCC <https://www.nspcc.org.uk/> – 0808 800 5000

Childline www.childline.org.uk - 0800 1111

CEOP – Child Exploitation Online Protection www.ceop.police.uk/saety-crime thinkyouknow - online safety education programme for CEOP www.thinkyouknow.co.uk

SECTION C: ADULTS AT RISK

An adult at risk is someone who is over the age of 18 and:

- has a need for care and support.
- is currently experiencing, or is at risk of, neglect or abuse.
- is unable to protect himself or herself against the abuse or neglect, or the risk of it.

This may include, but is not limited to, a person who:

- is elderly or frail
- has a mental illness, including dementia
- has a physical or sensory disability
- has a learning disability
- has a severe physical illness
- has an addiction to drugs or alcohol, or whose use of drugs or alcohol is causing them harm
- is homeless or at risk of homelessness
- is experiencing domestic abuse, which could include coercive control, or is deemed at risk of experiencing it in the near future.
- is a victim of modern slavery
- is being sexually exploited, or there are several known risk factors for them being sexually exploited, by gangs, or an individual.
- Is victim of forced marriage, or is at risk of being forced into marriage against their will in the near future
- is an asylum seeker or refugee

Abuse may involve:

- Physical abuse
- Domestic violence or abuse
- Sexual abuse
- Psychological or emotional abuse
- Financial or material abuse
- Modern slavery
- Female Genital mutilation
- Radicalisation
- Discriminatory abuse
- Organisational or institutional abuse
- Neglect or acts of omission [failure to protect]
- Self-neglect

This policy and following procedures are based on the following principles:

All adults at risk have the right to:

- Have their money, goods and possessions treated with respect and to receive equal protection for themselves and their property.
- Guidance and help in seeking assistance as a consequence of abuse.
- Be supported in making their own decisions about how they wish to proceed in the event of abuse and to know their wishes will only be overridden if it is considered necessary for their own safety or the safety of others.
- Be supported in bringing a complaint under any existing complaint procedure.
- Be supported in reporting the circumstances of any abuse to independent bodies.
- Have alleged, suspected, or confirmed cases of abuse that come to light through Lotus support dealt with as a priority.

Lotus commits to:

- having a clear procedure for raising concerns about an adult at risk.
- having a clear procedure for recording concerns in the file of a supported person or family.
- safe recruitment practices for all trustees, staff and volunteers including the obtaining of criminal records checks as appropriate.
- a procedure to structure the management of an allegation of abuse against a trustee, volunteer or staff member.
- delivering induction, training and support for trustees, staff and volunteers to ensure they are aware of and understand the importance of implementing this policy and the related procedure.
- Processing information in accordance with the requirements of the General Data Protection Regulations (GDPR).

Roles and responsibilities

It is the responsibility of all trustees, staff and volunteers to report any concerns about abuse and the designated trustee and safeguarding leads should be familiar with the relevant local authority reporting procedures for adults at risk.

Disclosure of Information:

- Lotus recognises the importance of sharing information to protect an adult at risk and **normally any disclosure of confidential information about an adult at risk to any other person may only be undertaken with the express permission of the person.**
- Where it is considered necessary for the welfare and protection of an adult at risk, **the person will be kept informed unless to do so would put his or her welfare and safety at risk of harm.**
- In recognition of its commitment to pass on concerns, Lotus will maintain effective working partnerships with organisations working with adults at risk within the community and will maintain current information on and work within the requirements of the local procedures followed by statutory and voluntary agencies.

Procedure when there are concerns:

- If anyone associated with Lotus has concerns about the welfare of an adult at risk, they must raise those concerns and inform the relevant member of staff without delay (see **Appendix 1**).
- If an adult discloses that they are being, or have been, abused this information must be taken seriously and the information must be passed to the designated person for dealing with their concerns without delay.
- The first priority should always be to protect the safety of all adults and children at risk and it is the responsibility of all within Lotus to act on any suspicion or evidence of abuse or neglect. **For concerns about a child you must refer to Section B of this policy.**

Escalation procedure

Occasionally situations arise when workers within one agency feel that the actions, inaction, or decisions of another agency do not adequately safeguard an adult at risk. To safeguard and protect vulnerable adults, all practitioners have a duty to act assertively and proactively to ensure that an adult's welfare is the focus of safeguarding activity. If a practitioner disagrees with a decision or response from any agency or service regarding a safeguarding or welfare concern, they must firstly consult with relevant member of staff (see **Appendix 1**). If the practitioners are unable to resolve differences through discussion and/or meeting within a time scale which is acceptable to both of them, their disagreement should be considered under the Escalation or Professional disagreement procedures published in their local multi agency agreements.

This policy will be reviewed annually and more frequently if appropriate.

Policy reviewed, ratified, and adopted by the board: September 2023 Policy review date: September 2024

Declaration:

For the attention of staff, volunteers, and trustees:

Thank you for reading this policy. If you have been asked to sign this document via Adobe Sign, you are signing to confirm that you have read, understood, and agree to adhere to the policy contents and to follow the appropriate procedures.

You acknowledge your responsibility, in conjunction with everyone at Lotus, to protect children and adults at risk.

You confirm that you understand that a failure to comply with this policy and follow the appropriate procedures may result in suspension pending investigation. For staff this may result in disciplinary action and/or dismissal; trustees or volunteers who do not comply may be asked to leave Lotus.

Signature:

Name:

Role: (Trustee/staff/volunteer) Date:

APPENDIX 1

CONTACT DETAILS, ROLES AND RESPONSIBILITIES

Lotus has various designated roles who model and promote Lotus's commitment to safeguarding children in all aspects of their work and conduct. They take responsibility for dealing with concerns about the safety of children raised by staff or volunteers who they supervise, following policies and procedures Maintain a clear, factual, dated and signed/initialled record of contact with each supported client/family, in accordance with Lotus guidance on record keeping. Inform Lotus's Strategic Lead of concerns raised and processes followed; escalations are discussed, signed off and actioned appropriately Liaise with relevant agencies and the Local Safeguarding Children Board/Social Care where appropriate about concerns, in accordance with Lotus's confidentiality policy

Designated Safeguarding Lead (DSL)

Name & Role: Kate Lawrence (CEO)

Email: kate.lawrence@lotus-families.org.uk **Telephone:** 07505 426130

Role: The DSL has day to day responsibility for the safeguarding within Lotus, but shares overarching responsibility with the Deputy DSL (details below). The DSL is the primary point of contact regarding any Safeguarding Concerns relating to a child or vulnerable adult, or regarding any concerns/allegations regarding a staff member of volunteer.

- Ensure that the safeguarding policy and procedures and code of conduct are available and understood by all staff and volunteers, and that these are integrated into practice
- Ensure appropriate training provision and dissemination of information for staff and volunteers on safeguarding and child protection issues on an annual basis
- Collect monitoring data on all welfare, wellbeing and protection activities across Lotus and evaluate their effectiveness.
- Support the Designated Safeguarding/Child Protection People with their responsibilities in keeping children safe, by:

- (a) ensuring the provision of regular, recorded supervision
- (b) maintaining an overview of referrals to children's social care and collate safeguarding/child protection concerns raised by Lotus to identify patterns
- (c) ensuring that the Trustee Safeguarding Lead contribute to this overview
- (d) ensuring records are kept appropriately, in line with policy and practice.
- Maintain up to date knowledge of national and local safeguarding/child protection procedures and liaise appropriately with local agencies with regard to any issues
- Notify and liaise with trustees and the Local Authority Designated Officer (LADO)/ Social Care and/or Police around any allegations of harm or inappropriate behaviour made against staff, volunteers and trustees
- Immediately inform the Chair of Trustees in the event of the serious harm or death of a child (see guidance)
- Where possible identify and liaise with a local Specialist Safeguarding/Child Protection Adviser
- Supporting staff and volunteers when an incident has occurred.

Deputy Designated Safeguarding Lead (DDSL)

Name & Role: Ros Keane IDVA

Email: ros.keane@lotus-families.org.uk **Telephone:** 07801 952736

Role: The Deputy DSL shares overarching responsibility for the safeguarding within Lotus with the DSL. They are the second point of contact regarding any Safeguarding Concerns relating to a child or vulnerable adult, or regarding any concerns/allegations regarding a staff member or volunteer. The deputy DSL is to be contacted in any situation where the DSL is unavailable.

Deputy Designated Safeguarding Lead (DDSL)

Name & Role: Jenny Ward – consultant (independent social work manager)

Email: Jenny@jennywardtherapy.co.uk **Telephone:**

Role: The Deputy DSL shares overarching responsibility for the safeguarding within Lotus with the DSL. They are the second point of contact regarding any Safeguarding Concerns relating to a child or vulnerable adult, or regarding any concerns/allegations regarding a staff member or volunteer. The deputy DSL is to be contacted in any situation where the DSL is unavailable.

Designated Trustee Safeguarding Lead (TSL)

Name & Role: Anna Bacchoo

Email: anna.bacchoo@foundations.org.uk **Telephone:** 07780 993 376

Lotus has nominated a trustee who has a working knowledge of safeguarding/child protection or who has undertaken local training in order to fulfil that role.

Role: The TSL predominantly has non-operational responsibilities regarding Safeguarding (not relating to the day-to-day activities). The only exception to this is with regards to whistleblowing, where a TSL would become operational in reporting whistleblowing to the Charity Commission. Lotus TSL is responsible for ensuring compliance with safeguarding

legislation, regulations, and guidance. The TSL is to be contacted in any safeguarding situation where the DSL and DDSL is unavailable.

- Ensure that the safeguarding policy and procedures and code of conduct are available and understood by all trustees, and that these are integrated into practice
- Ensure the scheme's Policy and Procedures for Safeguarding and Protecting Children are updated and reviewed annually in line national and local guidance
- Ensure appropriate training provision and dissemination of information for trustees, on safeguarding and child protection issues on an annual basis
- Providing safeguarding information, advice and support to trustees

Other Safeguarding Contacts

- **Out Of Hours Safeguarding**
Service: East Sussex Safeguarding **Adults** Board
Telephone: 0345 60 80 191 (Select menu option 2 to connect to the Out of Hours Emergency Service)
- **East Sussex Safeguarding Children**
Service: SPOA (Single Point of Access)
Telephone: 01323 464222
To make a referral: <https://earlyhelp.eastsussex.gov.uk/web/portal/pages/home>

Out of hours, with serious concerns that cannot wait until the next working day, contact the Emergency Duty Service: 01273 335 906 or 01273 335 905
<https://www.eastsussex.gov.uk/children-families/professional-resources/spoa>

- **Children's LADO referral**
Use this form to submit an allegation to the Children's LADO about an adult who works with children. <https://www.eastsussex.gov.uk/children-families/professional-resources/allegations/referrals/form-lado-referral>
- **Brighton & Hove Safeguarding Children**
Service: Front Door for Families
Telephone: 01273 290400
To make a referral: <https://www.brighton-hove.gov.uk/families-children-and-learning/tell-us-if-you-are-worried-about-child>

Out of hours, with serious concerns that cannot wait until the next working day, contact the Emergency Duty Service: 01273 335905

Roles and Responsibilities within Lotus

The trustees retain ultimate responsibility for promoting the welfare of children supported by Lotus. They must ensure that the following named appointments are in place:

Designated Safeguarding Lead
Deputy Designated Safeguarding Lead
Designated Trustee Safeguarding Lead

APPENDIX 2

Safeguarding Children Code of Conduct

To support the safety and protection of children **general principles of good practice include:**

- Being aware of situations which may present risks to children. Regular safeguarding/protecting children training will support and enhance this knowledge.
- Assess, plan and organise your work so as to minimise these risks.
- Ensure all record keeping is accurate, timely, clear and stored as per local procedures.
- Staff and volunteers watching out for each other.
- Not having or be perceived to have favourites.
- Not arranging meetings outside working hours. Do not develop social relationships with children using the service.
- Not buying goods or using the services of service users or their friends.
- Not accepting any money or gifts from service users.
- Not personally giving money or gifts to service users.
- Not borrowing money from service users.
- Using appropriate language, including not using foul, discriminatory or offensive language.
- Not 'friending' or 'following' or 'accepting' on any social media sites or give out your personal mobile or home telephone numbers. You may wish to adjust privacy settings on your own personal social networking sites.

Maintaining professional boundaries

Inform your manager or the relevant member of staff (see **Appendix 1**) if you have had a previous professional or personal relationship with service users.

If you live and work/volunteer within your own community, be clear about professional boundaries when any of your own family or children has friendships with service users' children or siblings, and that this is discussed with the relevant member of staff.

Bring any risk of potential breakdown of professional boundaries, however unintentional, to the attention of your manager immediately.

You must not approach service users in any social setting if they do not instigate the contact, especially where their behaviour indicates that they do not want to be recognised or indeed identified as a user of the service.

You must not enter into a partner relationship with service users or members of their families. This constitutes a breach of professional boundaries and relevant codes of conduct/practice. If you become aware that the above situation has occurred in relation to a colleague, you must bring this to the attention of your manager immediately.

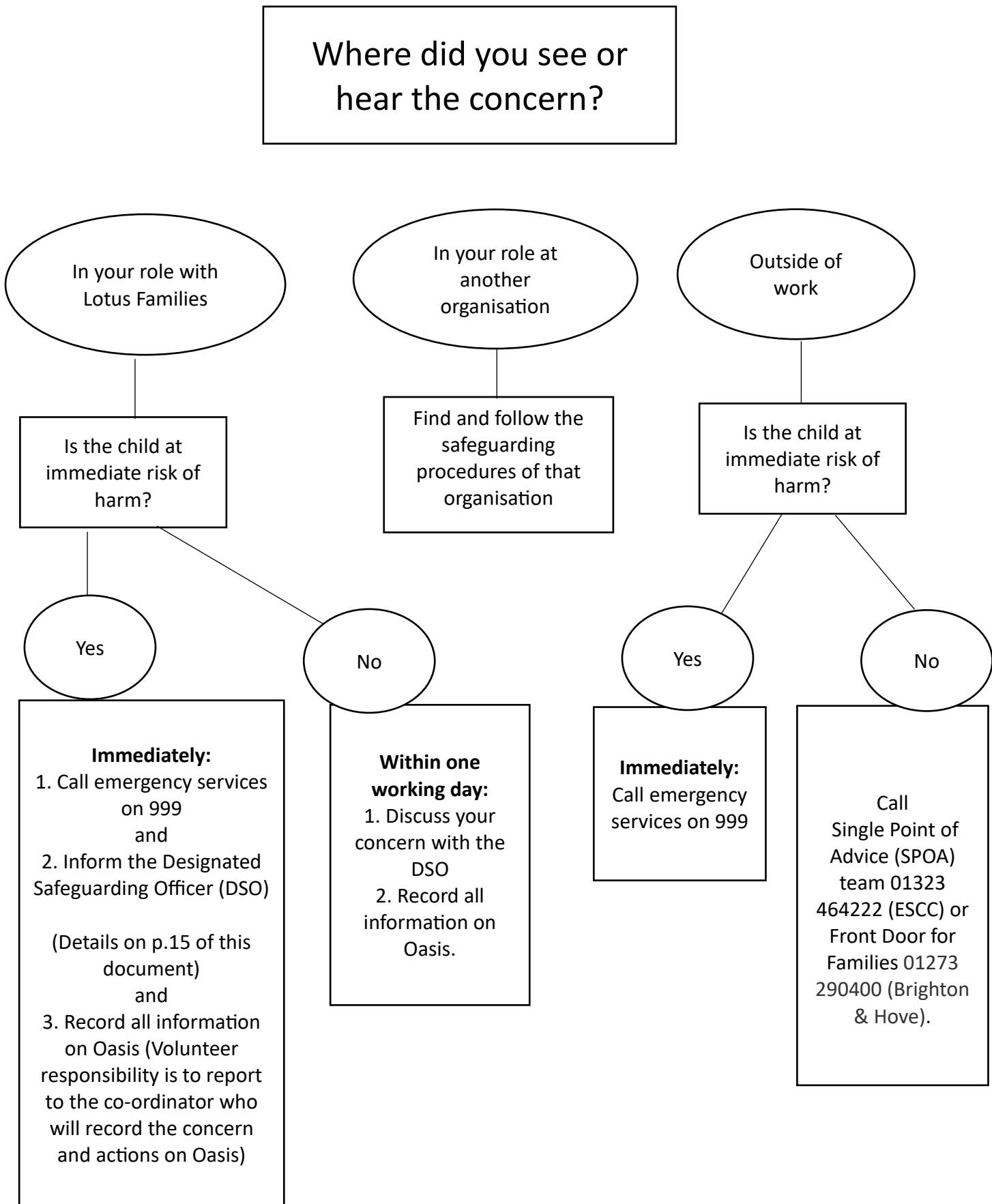
Lotus recognises that it is possible that the friends and family of staff members may become service users and, indeed, that staff members themselves may in some circumstances become service users. It is incumbent on staff members to speak to their manager about such situations to avoid any conflicts of interest, breaches of confidentiality or professional boundary issues.

All personal relationships with any service user/s if they begin to attend your place of work/use services you provide should be declared to your manager.

It is inappropriate for Lotus staff/volunteers to deliver a service or become the key workers to a friend, or family member. Arrangements will be made for another staff member/volunteer to take over the role. You must agree any exceptions to this (for example, where a parent of a service user volunteers with group work for disabled children) and the decision is recorded on the staff/volunteer file.

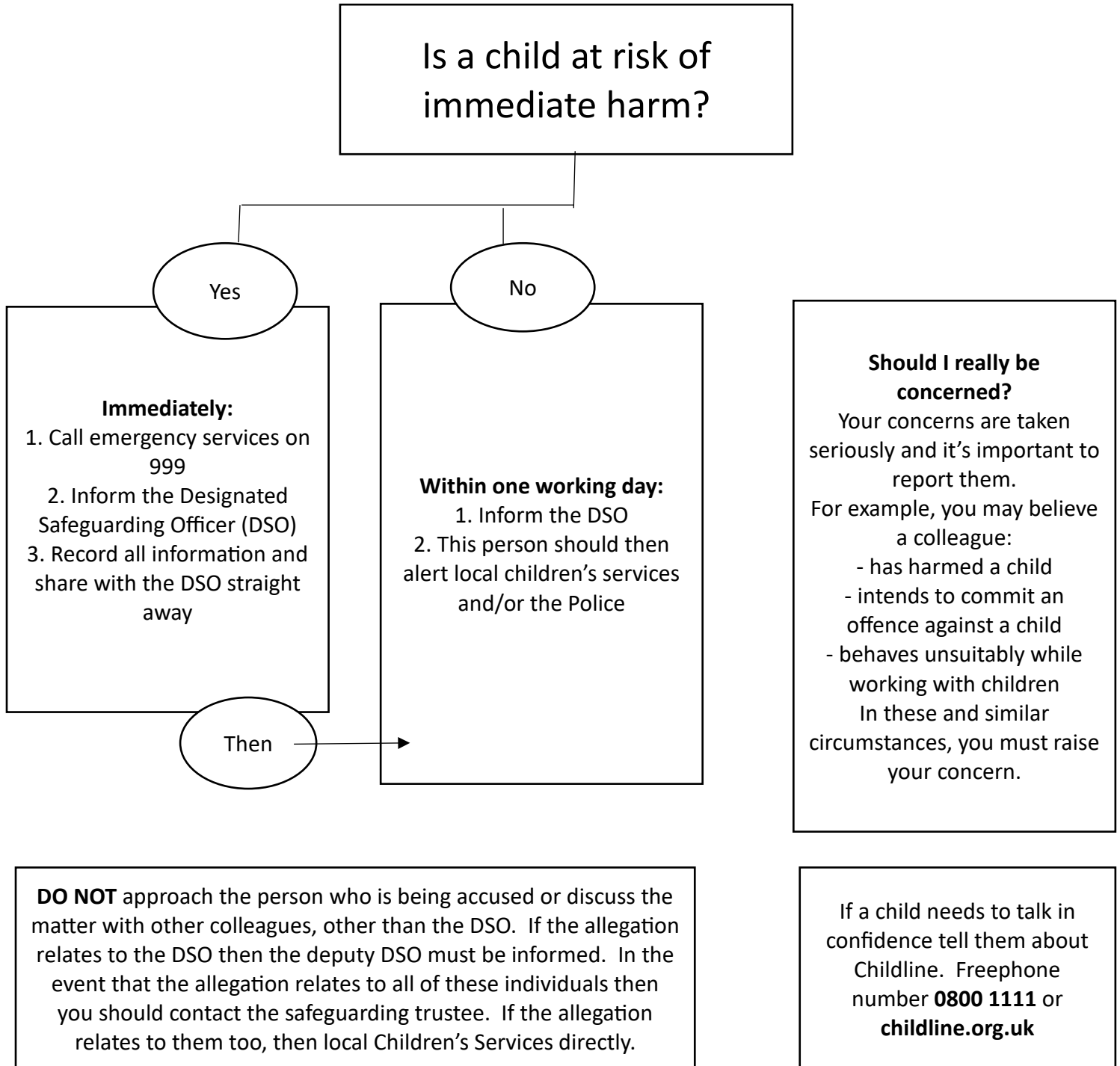
APPENDIX 3

What to do if you have concerns about a child



APPENDIX 4

What to do if you are concerned that a colleague poses a risk to a child or children



APPENDIX 5

What to do when a child discloses current or historical abuse or neglect

It is important that adults recognise, understand and react appropriately when a child starts to tell them about experiences of abuse so that can get the support they need. **If a child discloses abuse, (or you observe or are informed through a third party) remember that this may be the beginning of a legal process, as well as of a process of recovery. Legal action against a perpetrator can be compromised by any suggestion that the child/adult has been led in any way.**

The following guidance should be followed as far as possible:

- Show them you care, help them **OPEN UP**. Give them your full attention and keep your body language open and encouraging. Be compassionate, be understanding and reassure them their feelings are important. Phrases like “you’ve shown such courage today” help.
- Take your time **SLOW DOWN**. Respect pauses and don’t interrupt them – let them go at their own pace. Recognise and respond to their body language. And remember that it may take several conversations for them to share what’s happened to them.
- Show you understand. **REFLECT BACK**. Make it clear you’re interested in what they’re telling you. Reflect back what they’ve said to check your understanding – and use their language to show it’s their experience.

Staff, trustees and volunteers should be aware that:

- it is **not their responsibility to investigate** suspected cases of abuse
- they should not take any action beyond that in the procedures **and**
- they cannot promise a child complete confidentiality – they must explain that they may need to pass information to other professionals to help keep the child or others safe.

If there is a concern, you MUST ACT – it may be the final piece of the jigsaw that is needed to protect that child, or we may prevent other children/adults from being hurt.

If the child decides to withdraw at this stage, the adult should stress that they can have further discussions in the future – that there will always be someone to listen to them. They should also be given alternative sources of support such as the telephone number of **ChildLine – 0800 11 11**. However, the child should also be told that their current concerns will be passed on.

- **Affirm their feelings** as expressed by them (show empathy).
- **Ask open, non-leading questions – Remember it is not your role to investigate** Keep questions to the absolute minimum necessary to ensure a clear and accurate understanding of what has been said.
- **Reassure** that they are being courageous in ‘telling’.

- **Do not make value judgements** about an alleged abuser/s and what has taken place.
- **Explain that information will be passed on** to another member of staff and explain why this is important.
- **Explain the next step, be open and honest**, reassure that they will be kept informed of what is happening and will be supported as appropriate. Any information subsequently shared with the child/adult should always be appropriate to their age and stage of development and should not breach the confidentiality of any other parties involved.
- **Treat the allegation very seriously** and report it immediately to your designated safeguarding/child protection lead.
- **Write down** exactly what you have been told. Always try to record what the child said (if a verbal allegation) and the words they used. If the allegation came to light through other sources (e.g. play etc.), include any original material (if available) with the completed record. A copy of the record may be required (at a later date) as part of the child protection process or as evidence for future criminal prosecution.
- **Remember that the child's welfare is paramount** even where the child's parents/carers are considered to be the primary client(s) of your service.
- **DO NOT speak with the parent/carer** about what has happened until the designated safeguarding/child protection lead has advised on the next step.
- **Where the need for urgent medical intervention** is indicated, the person at the scene should take appropriate action e.g. call an ambulance. First aid and urgent removal to hospital accompanied by an appropriate staff person will be a priority, followed by immediate notification to police, as appropriate.
- **Ask for support.** It is recognised that dealing with child protection concerns can be stressful so you should seek support if you need it.

Escalation process: What to do if concerns are not being appropriately acted upon

If there are concerns that a child's safety is compromised and the current action of either Lotus or other external agencies do not support the protection of a child then the concern should be escalated.

If you have concerns about the safety or welfare of a child and feel they are not being acted upon by your designated safeguarding lead, then to the safeguarding/child protection trustee. The aim should be to resolve the disagreement at the lowest level between those involved. If this fails, then concerns can be escalated to the NSPCC helpline or the local external safeguarding/child protection advisor. A record of all conversations and actions must be kept.

Lotus acknowledges that:

- Problem resolution is an integral part of professional co-operation and joint working to protect children.
- Professional disagreement requires resolution in a constructive and timely fashion.
- At no time must professional disagreement distract from ensuring the child is safe.
- The aim must be to resolve a professional disagreement at the earliest possible stage.

Patterns of concerns

In some cases, it is ongoing events that give rise to concerns through observation which may include signs that a parent may not be complying, for whatever reason, may emerge over time. This can include a pattern of missed appointments, parents agreeing to take up services and then failing to attend, or parents agreeing to make changes but not following through.

Any ongoing concerns around the welfare or wellbeing of children and young people should be discussed within supervision in which cases the manager or designated safeguarding/child protection lead may ask for a chronology of concerns to be recorded which can support monitoring of patterns. A referral on the grounds of accumulation of patterns of concern should be discussed by the designated safeguarding lead and local authority social work service before parents/carers are informed.

A chronology is:

- A summary of events key to the understanding of need and risk, extracted from comprehensive case records and organised in date order.
- A summary which reflects both strengths and concerns evidenced over time.
- A summary which highlights patterns and incidents critical to understanding need, risk and harm.
- A tool which should be used to inform understanding of need and risk. In this context, this means risk of significant harm to a child.

Making a Child Protection Referral (see Appendix 3)

Inform your manager and designated safeguarding/child protection lead (see **Appendix 1**) as soon as possible when you have a concern. They will assess the nature of the concern and decide the most appropriate course of action. In their absence, refer to your local procedures.

Recording, Confidentiality, and information sharing:

Sharing relevant information is an essential part of protecting children from harm. Lotus staff should understand when and how they may share information and will be supported and guided within the law, these procedures and supervision.

Professional judgement must always be applied to the available evidence about each specific emerging concern, and about what is relevant, proportionate, and necessary to share. The concern must be placed in the context of available observed and recorded information about the particular child/adult, their needs and circumstances. Consult with the Data Protection Leads if necessary.

Lotus staff with child protection concerns may share relevant information order to:

- Clarify if there is a risk of harm to a child.
- Clarify the level of risk of harm to a child /adult.
- Safeguard a child at risk of harm.
- Clarify if a child is being harmed.
- Clarify the level of harm a child is experiencing.

- Safeguard a child who is being harmed.

Consent to share:

UK General Data Protection Regulation (GDPR) sets a high standard for consent and, in most cases where there are child protection concerns, consent is unlikely to be an appropriate lawful basis to rely upon as it requires that individuals have real choice and control about the processing of their personal data. Relying on 'consent' as the lawful basis is not appropriate if, for example, refusal to give consent would prejudice a criminal investigation or might lead to serious harm to the child. Furthermore, due to the power imbalance between a child or families and the authorities, it would be difficult to demonstrate that consent was freely given. In matters of child protection, it is therefore likely that reliance on consent would be the exception and not the rule.

Records should only be retained for a period of **seven years** and destroyed in line the law. Collection, sharing and any other processing of special categories data made under this policy are also covered. When information is requested by other organisations this must be passed to the Designated Safeguarding Lead/Protection Officer and the Data Protection Officer for consideration. A decision to share information or not must be recorded and stored appropriately.

Recording

Good child/adult protection practice depends on having sufficient, clear, succinct, accurate and accessible records. It is everyone's responsibility and duty to keep good records that clearly distinguish between **fact** and **opinion** to safeguard and protect children.

APPENDIX 6

Managing allegations of abuse against staff and volunteers

Any concerns about the welfare of a child from alleged poor practice, abuse or harassment by an employee or volunteer of Lotus must be discussed with the designated safeguarding/child protection lead (or escalated up if it involves safeguarding/child protection staff) and reported immediately. This includes breach or potential breach of professional boundaries.

This includes where someone has:

- behaved in a way that has harmed the child/adult or may have harmed a child/adult.
- possibly committed a criminal offence against or related to a child/adult.
- behaved towards a child/adult or children in a way that indicates they may pose a risk of harm and is unsuitable to work with children.

Whistleblowing

It is important that staff and volunteers feel confident to report concerns, however trivial they may seem without fear of repercussions. Staff and volunteers are likely to be the first to know when someone inside or connected with the organisation is doing something illegal, dishonest, or improper. It is in everyone's interest that individuals with knowledge of wrongdoing are supported in reporting such behaviour.

Any individual with knowledge of any such activities should follow the Lotus Whistleblowing Policy and Procedure. Alternatively call the NSPCC Whistleblowing advice line on 0808 028 0285.

Recruitment and Employment

Lotus will take all reasonable steps to prevent unsuitable people from working with children. (See Lotus Safer Recruitment policy). All staff and volunteers working with children, young people and vulnerable adults will be interviewed and required to have criminal records checks where necessary. and have two suitable references of their suitability to work with children/young people. Please see the Recruitment, Supervision and Management of Volunteers policy for further guidance on the induction process for different role types.

The responsibility for employees of contractors, and sub-contractors remain with the main contractor who must ensure that they are informed about their responsibility to report any concerns directly to them in the first instance and/or to an identified designated safeguarding/child protection lead in line with this policy and procedure.

Recruitment of Ex-offenders

Lotus will treat any applicant for any position (paid or voluntary) within our organisation fairly, and not discriminate unfairly against the subject of criminal records checks on the basis of a conviction or other information revealed.

We will request the appropriate level of criminal records checks only where it is necessary and relevant to the position sought. Where a position requires a criminal record check we will make this clear on the application form, job advert and any other information provided about the post. At interview, we will ensure that open and measured discussions can take place about offences. Failure to reveal information at interview, that is directly relevant to the position sought, could lead to the withdrawal of an offer of employment.

At interview, or when receiving a criminal record check which indicates a conviction, we will take into consideration the following:

- whether the conviction is relevant to the position being offered
- the seriousness of the offence revealed
- the length of time since the offence took place
- whether the applicant has a pattern of offending behaviour
- whether the applicant's circumstances have changed since offending took place.

We will ensure that our staff, trustees and volunteers involved in the recruitment process are aware of the Recruitment of Ex-Offenders Policy and have received relevant training and support.

Procedure

If you receive an allegation or concern about a staff member or volunteer, then you will need to follow the local procedure as outlined by your LADO.

Serious/Notable Incidents

The Charity Commission requires that all charities inform them of serious/notable incidents that may occur (an adverse event, whether actual or alleged) which results in, or risks, significant:

- alleged or actual abuse or harm to a child or adult beneficiary
- loss of the charity's money or assets
- damage to the charity's property
- harm to the charity's work or reputation

It is the responsibility of the trustees to report such incidents to the Charity Commission.

Learning and development

All new staff, trustees and volunteers undertake an induction programme. As part of this induction programme, Lotus will ensure all staff, trustees and volunteers are made aware of and understand their responsibilities in respect of all policies relating to safeguarding and child protection. Refresher training will occur when necessary.

Photography

Written permission must be sought to use imagery of participants in any activities of organised by Lotus.

APPENDIX 7

Relevant legislation and guidance

This policy takes into account legislation, policy and guidance that seeks to protect children in England, including:

- Children Act 1989;
- Children Act 2004;
- Children and Social Work Act 2017;
- Working together to safeguard children (Department for Education, 2018);
- What to do if you're worried a child is being abused: advice for practitioners (Department of Education, 2015)
- Mandatory reporting of female genital mutilation (FGM) (Home Office, 2016);
- United Nations Convention on the Rights of the Child 1989;
- Sexual Offences Act 2003.

Definitions

Who is a 'child'?

Working together to safeguard children (Department for Education, 2018) defines a 'child' as anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.

What is Abuse?

To inform this protecting children policy and procedure Lotus has adopted the categories and definitions of abuse and neglect set out in the Working together to safeguard children (Department for Education, 2018).

Abuse

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children 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. Children may be abused by an adult or adults, or another child or children.

Physical Abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views,

deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Neglect

The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: a. provide adequate food, clothing and shelter (including exclusion from home or abandonment) b. protect a child from physical and emotional harm or danger c. ensure adequate supervision (including the use of inadequate caregivers) d. ensure access to appropriate medical care or treatment It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Where there are concerns about a child, but uncertainty as to whether there is a risk of abuse or actual abuse, advice and guidance from the designated safeguarding lead should always be sought. It is always better to err on the side of caution rather than take no action at all. If in doubt always first contact the designated safeguarding lead or their deputy. If unavailable advice can be sought from the local Social Care, the Police and the NSPCC Helpline.

Other areas of concern include:

Female genital mutilation: an extreme form of physical, sexual and emotional assault.

Honour-based abuse and forced marriage: A marriage conducted without the full and free consent of both parties.

Child trafficking: Involves recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years.

Criminal exploitation: the action of an individual or group to coerce, control, manipulate or deceive a child under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator.