

# Safeguarding Children and Young People Policy



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<b>Linked documents</b>	Safeguarding Adults policy Safeguarding Adults procedure Safeguarding Children and Young People procedure Whistle-Blowing Policy Recruitment Policy Disciplinary Procedures Complaints Policy Domestic Abuse Policy ICT Policy Safeguarding Adults procedure Anti-social behaviour Services to Vulnerable people policy Modern Day Slavery Warning and caution flags Lone-working Confidentiality and data protection Contactor's Code of Conduct GreenSquare staff handbook		

## 1. Overview

This policy applies to customers of GreenSquare Group Ltd, GreenSquare Community Housing, Westlea Housing Association Ltd (all trading as GreenSquare).

We aim to protect our customers' right to live safely, free from abuse and neglect through working with our partners and other organisations to reduce both the risks and the experience of abuse or neglect. At the same time making sure our customers wellbeing is promoted and their preferences taken into account.

We are in contact with children throughout their day to day activities and are required through law, the regulator and organisational objectives to have clear policies and procedures on Safeguarding and working with local agencies.

## 2. Background

Local authorities have overarching responsibility for safeguarding and

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

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

### **3. Differences and similarities between safeguarding adults and safeguarding children**

We have separate policies and procedures for Safeguarding Adults at Risk and for Safeguarding Children. The key difference is that adults have their own rights and responsibilities and can make their own decisions and live independent lives. This means that they have a legal right of consent and participation in progressing safeguarding concerns.

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

### **4. Aims and Objectives**

This policy sets out our approach towards safeguarding children at risk from harm and abuse. It is supported by safeguarding procedures and training, and related policies, for example Safeguarding Adults at Risk policy and procedure.

The Safeguarding Children and Young People policy and procedures will:

- Define our organisational and management responsibilities, including the roles and responsibilities of contractors working on our behalf
- Detail the potential signs of abuse and neglect to children and guidance in identifying signs of abuse
- Detail the processes staff will follow, including how we will ensure a

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multi-agency approach to reporting and dealing with safeguarding concerns and incidents

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

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

## 5. Definitions

### Children

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

### Parent

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

### Abuse and neglect

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

*A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.*

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

- physical abuse
- sexual abuse

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- emotional or psychological abuse, or
- neglect and acts of omission

Other categories or specific acts of abuse and neglect may be categorised differently by other organisations and we will be aware that abuse may also include, but is not limited to acts such as:

- online abuse
- child sexual exploitation
- female genital mutilation
- bullying and cyberbullying
- domestic abuse
- child trafficking
- grooming and harmful sexual behaviour.

Staff will receive training which covers the indicators of abuse and neglect, and these categories will be explored.

## **Promoting welfare**

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

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best life chances.

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

## **6. Legal or regulatory framework**

### **Children Act 2004**

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

- having a designated lead person for child safeguarding matters;
- sharing information with other professionals;

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- having safe recruitment practices and whistleblowing procedures;
- training our staff on child safeguarding;
- having a clear child safeguarding policy; and
- having a procedure for responding to child protection concerns, including making referrals to local authorities or the police.

## **Working together to safeguard children 2018**

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

Further relevant legislation is contained in appendix 1.

## **7. Service standards and performance**

We aim to protect and maintain a child's safety and wellbeing through our approach to Safeguarding Children and Young People. We will achieve this by working with our partners by applying the following policy standards.

Taking a child centred approach to prevention and empowerment

- We will place a child's needs at the forefront, which means listening, and understanding what we are told, and respecting their needs and views in how we respond to ensure there is opportunity for every child to receive the support they need before a problem escalates
- We will aim to ensure our customers are aware of how to report safeguarding concerns, and the support we can provide
- Where a resident is proven to have committed a sexual offence or physical child abuse, we will consider legal action. Where a breach of the terms and conditions of the tenancy has occurred we will consider other appropriate action relevant to the circumstance.

## **Enabling our staff and taking proportionate actions**

We will ensure that safeguarding is the responsibility of everyone who works for us and works on our behalf and that staff who come into contact with children and families are alert to their needs and any signs of abuse. This includes any risks that abusers or potential abusers may pose to children. We will expect that all staff (and contractors who work on our behalf):

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- Are alert to concerns for welfare, and indicators of abuse and neglect
- Report all cases of suspected abuse or neglect appropriately. This may be to a Designated Safeguarding Officer (DSO) in the organisation or to the local authority. DSOs will monitor incidents, report concerns to, and liaise with the relevant local protection teams as necessary
- Are vigilant about our actions so that they cannot be misinterpreted, and are aware of appropriate behaviour when working with customers (for example, appropriate boundaries of personal contact)
- Are vigilant that, through the services we provide, failures to act (including not reporting concerns that they are alerted to) or failures to follow policy and procedures (such as an inappropriate recruitment) may also potentially constitute abuse
- Complete safeguarding training and refresher training for all members of staff
- Are aware of situations which may present risks and manage these (for example, if allocating a property to a registered offender, that consideration is given to the location).

We will undertake relevant disclosure and barring checks on employees that have access to, or work with children. Anyone found to have been convicted of a sex offence or abuse of a child will not be permitted to work or volunteer in a position that provides access to children under the age of 18.

## **Working with partners**

We will co-operate and develop strong relationships with relevant safeguarding partners to investigate allegations of harm, abuse, and neglect to a child, and take actions to safeguard the child. This includes:

- appropriately referring safeguarding and wellbeing concerns to the relevant local authority, and/or if necessary, the police.
- supporting and contributing to enquiries and assessment as directed by our statutory partners, including after a referral is made
- taking swift action to ensure the safety of the child and taking

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- appropriate action against the perpetrators of abuse;
- participating in Local Safeguarding Childrens Boards.
- supporting and learning from serious case or child death reviews;
- keep accurate, confidential and secure records of all safeguarding concerns and associated actions; and
- sharing information with relevant safeguarding partners.

## **Accountability and transparency**

We will ensure that our policy and processes provide accountability and transparency in delivering safeguarding, including:

- identifying a 'Safeguarding Lead' to ensure that this policy and our procedures are effective, kept up to date, delivered in a timely manner and disseminated to all staff
- identifying Designated Safeguarding Officers (DSOs) within each department to co-ordinate our response to safeguarding concerns
- convening regular Safeguarding Panels, which will co-ordinate information, and share best practice and improvement
- ensuring that all staff and agents receive suitable safeguarding training and understand our roles and responsibilities in safeguarding
- learning from incidents and case reviews, revising and improving work practices, induction, training, policy and procedure as appropriate.

## **Recording and Reporting**

Full details on recording and reporting allegations of abuse are provided in the following Safeguarding Procedures:

- The Safeguarding Children and Young People procedure

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

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## 8. Responsibilities

We expect all staff (and the staff and contractors who work on our behalf) to:

- Be alert to concerns for welfare, and indicators of abuse and neglect
- Report all cases of suspected abuse or neglect to the appropriate individual in the organisation. Designated Safeguarding Officers' will monitor incidents, report concerns to, and liaise with the relevant local protection teams as necessary
- Be vigilant about their actions so that they cannot be misinterpreted, and are aware of appropriate behaviour when working with residents (for example, appropriate boundaries of personal contact)
- Be vigilant that, through the services we provide, that failures to act (such as leaving a vulnerable tenant without heating or water for extended periods) or failures to follow policy and procedures (such as not addressing their reports of anti-social behaviour correctly) may also constitute abuse
- Attend safeguarding training and refresher training where relevant
- Be aware of situations which may present risks and manage these (for example, if allocating a property to a registered offender, that consideration is given to the location).

All line managers are responsible for:

- Ensuring that staff record and report child safeguarding cases in accordance with procedures
- Ensuring that safeguarding is a fixed agenda item so that it is regularly discussed in team meetings and one to one meetings
- Setting staff objectives in relation to child safeguarding where appropriate.

### Board Lead

The Board lead is a Non-Executive Director to ensure that safeguarding is considered independently of operations. This will be managed as part of the Audit and Risk Committee.

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The Board Lead is responsible for:

- Ensuring that safeguarding is appropriately considered by the Board during relevant meetings, and that members are aware of the governance and reputational risks in failing to safeguard children with care and support needs
- Assisting the Safeguarding Lead in learning lessons following serious case reviews.

## Safeguarding Lead

The GDASS Service Manager is the Safeguarding lead.

The role of the Safeguarding Lead:

- Ensures that any changes to legislation or good practice lead to corresponding policy and procedure updates
- Ensures that we provide appropriate resource each year to adequately train and supervise staff managing and/or reporting safeguarding concerns
- Notifies the Board Lead in the event of a serious safeguarding incident and/or pending safeguarding childrens review
- Presents an annual report to the Board on our management of safeguarding during the year
- Reports to the Audit and Risk Committee on a regular basis
- Reviews the childrens safeguarding policy on a regular basis and ensure that other policies have regard to safeguarding as appropriate
- Works with Learning and Development to ensure that processes are in place to ensure staff training is undertaken for new staff within 12 weeks of their start date and refreshed every two years or earlier if there are significant changes to legislation or good practice which result in changes to policy and procedures
- Ensures that systems are in place to accurately and appropriately record and monitor safeguarding cases
- Sets a Terms of Reference and chairs Safeguarding Panel meetings
- Measures our performance in relation to childrens safeguarding
- Promotes awareness and understanding of safeguarding within the organisation
- Works with external organisations as appropriate in relation to childrens safeguarding.

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## Designated Safeguarding Officers-DSOs

There will be safeguarding officers within each department to support the work of the Strategic lead.

The role of the DSO is to:

- Write and review childrens safeguarding procedures and ensure other procedures have regard to childrens safeguarding as appropriate
- Attend quarterly safeguarding panel meetings
- Attend external multi agency meetings representing GreenSquare
- Promote safeguarding within the organisation
- Lead on Safeguarding within their department
- Provide advice to colleagues on specific cases, and generally, and liaise with statutory agencies regarding referrals and active cases
- Provide training across the organisation
- Ensure cases are appropriately recorded and feedback to relevant line managers any staff training concerns or issues

## **Agency managed properties (Partnerships schemes)**

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

## **Contractors and agents**

Contractors working on our behalf and visiting homes may encounter evidence of abuse and neglect within the property. Residents may also choose to disclose incidents, so awareness in sensitively preserving or taking evidence and handling reports will be necessary. Contractors will be expected to ensure that they comply with GreenSquare's Code of Conduct for Maintenance Contractors, including:

- Ensuring that staff are suitable for the capacity employed, including relevant background checks
- Ensuring that staff receive suitable training on how to deal with residents, including how to report any concerns they have
- Co-operating with GreenSquare and their statutory partners regarding any concerns and allegations received

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- Having systems in place that enable disciplinary action to be taken where appropriate.

Contractors must ensure that their employees are able to raise concerns where they see that a child has suffered, is suffering or potentially could suffer harm. We will support all contractors that report a concern in good faith, where there is the belief that a child has been abused, is at risk of abuse, or believe that a colleague may pose a risk to a child or children.

We will monitor the performance of contractors, compliance with our Code of Conduct for Maintenance Contractors and compliance with this policy through monthly Contract Meetings.

## **8. Confidentially**

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

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

## **9. Whistle- Blowing**

If a member of staff suspects that children are being abused by a member of GreenSquare staff, they should immediately speak to a Designated Safeguarding Officer, their Head of Service or the Human Resources Department. Where there is a failure to respond appropriately to allegations of abuse, or where staff have concerns that a colleague or superior is responsible for the abuse, staff must follow the Whistleblowing Policy.

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

## **10. Diversity and Inclusion**

We will ensure that no person or group of persons will be treated less favourably than another person or group of persons on account of any diversity strand. We will also ensure our customers have fair access to our tenancy service and provide translation services when required.

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## 11. Value for money

We will improve our ability to deliver our own training to staff over time and balance cost with efficacy when delivering training via e-learning and classroom methods.

## 12. Consultation

This Policy has been developed from best practice examples provided by independent advisors and reviewed and approved by the Service Collaborative Management team and Audit and Risk Committee.

## 13. Complaints

Customers who do not feel satisfied with our service in relation to Safeguarding may wish to make a complaint. Complaints will be investigated by the Safeguarding Lead as a local resolution. If a resolution cannot be found or the customer remains dissatisfied this will be managed as a formal complaint.

Our Complaints Policy provides information about how to complain about our services. Alternatively, a customer may wish to contact the relevant Local Authority Safeguarding Childrens Board if they feel that we have not provided an adequate service.

## 14. Embedding Safeguarding

The induction process will include specific safeguarding training, an introduction to the policies and procedures and details of Designated Safeguarding Officers and who the Safeguarding Lead is.

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

Training will be appropriate to individual roles and the requirements of these roles in relation to childrens safeguarding. Training will be refreshed every two years or earlier if there are significant changes to legislation or good practice which result in changes to our policy and procedures.

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

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## **Support to staff**

Support will be provided to staff dealing with safeguarding cases where necessary, including confidential counselling if appropriate using the employee assistance programme and through supervisory support from managers or the safeguarding lead.

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

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

## **Appendix 1 – Other legislation and regulations**

### **Sex Offences Act 2003**

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

Part 1 of the act:

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

### **Safeguarding Vulnerable Groups Act 2006**

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

### **Children and Young Persons Act 2008**

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

### **Working Together to Safeguard Children (updated March 2018)**

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

This encourages Registered Providers to:

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- put the child's needs at the heart of their safeguarding approach;
- be alert to the risks of harm that individual abusers, or potential abusers, may pose to children;
- make a referral to local authority children's social care or the police if necessary;
- share appropriate information in a timely way and discuss any concerns about an individual child with colleagues and local authority children's social care; and
- contribute to whatever actions are needed to safeguard and promote a child's welfare.

## **Children Act 1989**

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

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

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

The regulations control how personal and sensitive information is used by organisations, such as Registered Providers.

Organisations must ensure data is:

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

## **Protection of Freedoms Act 2012**

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

The Disclosure and Barring Service is now responsible for assisting employers, such as Registered Providers, in England and Wales make safer

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recruitment decisions and prevent unsuitable people from working with vulnerable groups.