



## Safeguarding

### 1 Policy Statement

Anyone working with children or young people is under a “legal duty of care” which has been interpreted in case law as the duty to act as a careful parent would. This means that if a member of staff causes injury or loss by failing to carry out his or her responsibilities in a careful way, the worker (and possibly the organisation) could be held liable in civil law either to the young person or to the parents for this negligence.

This is particularly relevant in the case of child abuse. The protection of children is of paramount importance. It is essential that anyone who suspects or has knowledge of a young person being abused follows the correct procedures. The fear of causing a false alarm, being subjected to hostile reaction and subsequent unpopularity, or damaging a relationship must take second place to the prime objective of protecting the child or young person.

This procedure applies to anyone under the age of 18, as defined by the Children Act 1989. For those young people we work with who are over 18 years, the principles of this procedure will also apply.

YHNE will take safeguarding issues into account in recruitment and all employees and volunteers will be subject to a Disclosure and Barring Service check.

YHNE will ensure that staff and volunteers who have regular contact with children and young people receive safeguarding training.

### 2 Definitions of Child Abuse

An abused child is a boy or girl under the age of 18 years who has suffered from or is believed to be at significant risk of neglect, physical injury, emotional abuse or sexual abuse.

Child abuse may be perpetrated by any adult who has a position of trust or authority with respect to the child. These adults may be the parents or carers of the child or any other person known to the child or family who may have contact with the child. A child may also be the victim of abuse where the abuser is another child.

### 3. Kinds of Abuse

- **NEGLECT** is the persistent or severe neglect of a child, or the failure to protect a child from exposure to any kind of danger, including cold and starvation, or leaving young children alone and unsupervised.
- **PHYSICAL INJURY** is the actual or likely physical injury to a child, or failure to prevent physical injury (or suffering) to a child including deliberate poisoning, suffocation, or fabricated or induced illness.

- SEXUAL ABUSE is the actual or likely sexual exploitation of a child or adolescent. The child may be dependent and/or developmentally immature.
- EMOTIONAL ABUSE is the actual or likely severe adverse effect on the emotional and behavioural development of a child caused by persistent or severe emotional ill treatment or rejection. All abuse involves some emotional ill treatment. This category should be used when it is the main or sole form of abuse.

#### 4. Procedure

There are a number of circumstances under which YHNE staff might suspect a child or young person or adult is suffering from abuse. These include:

- Disclosure of abuse – telling someone that s/he is being or has been abused
- Evidence of an injury for which there is no satisfactory explanation
- A child behaving or appearing in such a way as to give rise to concern
- A child in contact with abusing another child
- A member of staff abusing a child e.g. their own child or one they are in contact with through their work.

Recognising abuse can be a complex matter. Sometimes this is relatively straightforward e.g. a child with a visible bruise saying s/he has been hit. However, recognising abuse is often complicated by a number of factors relating to the child, including:

- The child or adult's anxiety around the consequences of 'disclosing'
- The person being abused protecting the perpetrator of the abuse
- Potential indicators of abuse – which point towards the possibility of abuse but do not constitute definitive proof.

If a member of staff is concerned about the possibility of abuse, including cases of disclosure, s/he should discuss this with their line manager or the nominated person from the Board of Trustees in the same working day.

The principal responsibility of the manager is to decide whether external reporting is appropriate.

There is no absolute 'threshold' for deciding whether to report concerns externally and this can be a difficult decision. The legal threshold to justify compulsory intervention in family life is that of significant harm. To facilitate this decision the manager should discuss fully the concerns with the member of staff who has raised them and any other staff members who may have relevant information. Consideration needs to be given to the immediate safety needs of the child, young person and siblings.

There are circumstances in which a referral to the local safeguarding team should take place immediately. These include:

- The child has 'disclosed' abuse i.e. told someone s/he has been abused.
- The child has a suspicious injury for which there is no satisfactory explanation.
- There are grounds for concern and the child is anxious about returning home to parents/carers.

- A child is known to have abused another child.
- The child (or another child) is at immediate risk.
- Medical treatment is indicated.
- There are strong grounds for believing that a member of staff has abused a child.

An initial written record of staff concerns must be made on the safeguarding spreadsheet within 48 hours whether a referral is made or not. Following discussion with manager, if a formal safeguarding referral is deemed to be appropriate, telephone contact should be made with the relevant child/adult safeguarding team.

If a referral is made to the safeguarding team, the concerns should be confirmed in writing at the earliest opportunity. The content of the referral discussion should be recorded, including next steps. All records should be dated and signed on the safeguarding spreadsheet.

The manager must report concerns at the earliest opportunity to the nominated Board Member – David Jackson.

Concerns about staff should be treated with the same rigour as other concerns. If there are any safeguarding concerns raised against staff, then this information should be passed on to the relevant Children or Adults Safeguarding teams.

All file records, emails and paperwork should be kept together in a file and should be stored in a locked cabinet for 7 years after last contact. This includes the safeguarding of cases where it is decided not to make a referral to the relevant safeguarding children/adults team.

Next Review Date May 2020