



Staffordshire Moorlands District Council
Safeguarding Children and Vulnerable Adults Protection
Policy

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Section 1

1.1 Introduction

All children ¹ and vulnerable adults² have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect.

Staffordshire Moorlands District Council has both a moral and legal obligation to ensure a duty of care for children and vulnerable adults across its services. We are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council. We believe that safeguarding is everybody's responsibility.

The purpose of this policy and its associated procedures is to help protect all children and vulnerable adults including those living in our communities placed in our care within our services and to protect Staffordshire Moorlands District Council, its staff, elected members and volunteers.

1.2 Policy Statement and Scope

The scope of this policy is to understand the district/borough council legislative framework, to outline the procedures to be followed and to identify the relevant contacts in relation to safeguarding children and vulnerable adults. The policy covers Safeguarding Children and Adult Protection.

Staffordshire Moorlands District Council has a legal responsibility to safeguard, promote wellbeing and protect children and vulnerable adults.

We will aim to comply with our duties by:

- Respecting and promoting the rights, wishes and feelings of children and vulnerable adults.
- Raising the awareness of the duty of care responsibilities relating to children and vulnerable adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and vulnerable adults to protect them from harm.

¹ 'Children' for the purposes of these guidelines are defined as those aged under 18 years

² A vulnerable adult can be anyone who is 18 years old or over, who has a physical or sensory impairment, a learning disability, or a mental health problem and may be unable to protect themselves from harm or abuse. Many frail or confused older people are especially vulnerable. As defined by the [Staffordshire and Stoke on Trent Adult Safeguarding Partnership](#)

- Creating a safe and healthy environment within all our services, to protect all parties and reduce the risk of abuse or allegations of abuse from occurring.
- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and vulnerable adults from abuse, and to also minimise any risks to themselves.
- **Responding promptly to any suspicions or allegations of misconduct or abuse of children or vulnerable adults in line with the Staffordshire Safeguarding Children Board (SSCB) Inter-Agency Procedures for Safeguarding Children and Promoting their Welfare**
- and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership (SSAP) policies and procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Safeguarding Children and Vulnerable Adults Policy and Procedures, codes of conduct and associated procedures.
- Reviewing and evaluating this Policy and Procedure on an annual basis or in line with best practice, changing legislation, organisational requirements and service delivery.
- Ensuring agencies or individuals acting on behalf of Staffordshire Moorlands District Council who have contact with children, young people or vulnerable adults are subject to safer recruitment procedures. This is also applicable for when the council is working in partnership with other private, voluntary or contracted organisations and employees.

1.3 Principles

This policy and supporting procedures are based on the following principles

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to report any concerns about abuse in order that prompt action be taken if required.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

1.4 Supporting Documents/Legislation

This policy should be read in conjunction with a number of additional policies and legislative documents, listed in Appendix B.

The major pieces of legislation and guidance are:

The Children Act 1989 and 2004

Safeguarding Vulnerable Groups Act 2006

Public Interest Disclosure Act 1998

Data Protection Act 1998

European Convention of Human Rights

No Secrets 2000

Working Together to Safeguarding Children 2013

Mental Capacity Act 2005

Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

Staffordshire Safeguarding Children Board's Inter-Agency Procedures for Safeguarding Children and Promoting their Welfare

Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures

1.5 Responsibilities

The Council will appoint a senior manager to act as the Council's designated safeguarding officer (the Safeguarding Officer).

The Safeguarding Officer will nominate or make arrangements for an officer to act as deputy safeguarding officer.

The Council will cooperate fully with safeguarding partnership arrangements in the County.

The Council will audit and report on its compliance with this policy and associated statutory duties.

Section 2

Procedure Guide

2.1 Introduction

This set of procedures and guidelines sets out how Staffordshire Moorlands District Council will implement the Safeguarding Children and Vulnerable Adults Protection Policy. It is to be used by all staff that come into direct contact with those who fall under the definition of the Procedure, or those who are responsible for managing services that affect these individuals or groups.

The procedure guide is intended to be used in conjunction with the policy document, and other supporting individual service procedures. See appendices for detail.

2.2 Definitions used within the Procedure

- The term children or young person is used to refer to anyone under the age of 18 years in accordance with the Children Act 1989.
- All the policies and procedures described within this document refer to vulnerable adults as well as children.
- Vulnerable Adults for the purposes of this procedure are those 18 and above who receive or are in need of community care services and are unable to take care of themselves as defined on Page 3 of this policy.
- The term staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a service for or representing the Council.

2.3 Recognition of Abuse including Neglect and Bullying

2.3.1 Recognising Abuse

Recognising abuse is not easy, and it is not the responsibility of council staff, elected members, volunteers or agents to decide whether or not abuse has taken place or if there is significant risk. All however have a responsibility to act if they think it may be happening.

Abuse, including neglect are forms of maltreatment of a child or vulnerable adult. Somebody may abuse a child or vulnerable adult by inflicting harm, by failing to act to prevent harm. Children and vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger for example via the internet. They may also be abused by an adult or adults, or by another child or children.

2.3.2 Types and Signs of Abuse

It is generally accepted that there are these types of abuse:

Children and Vulnerable Adults:

Physical, emotional (or psychological), sexual and neglect.

Vulnerable Adults:

Financial, discriminatory and institutional.

Important Rule for staff, elected members, volunteers or council agents

It is important to remember that many children and vulnerable adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death, or the birth of a new baby in the family, relationship problems between parents/carers, etc. However, you should always report anything that causes you to suspect that abuse may be happening in order for appropriate action to be taken to ensure the welfare and safety of children and vulnerable adults.

See Appendix A: Guidance 1 – Recognising the Signs of Abuse

2.3.3 Other types of abuse

Domestic Violence and Abuse

As of 1st March 2013, the Home Office definition of Domestic **violence and abuse** is:

Any incident or pattern of incidents of controlling³, coercive⁴ or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse; psychological, physical, sexual, financial and/or emotional

Source: www.homeoffice.gov.uk

In all cases where there is knowledge or suspicion that there exists a **potential** for a child or children to be suffering harm as a result of domestic violence and abuse, then a referral should be made to Children's Social Care via the First Response

³ Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

⁴ Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Team (FRT) who act as the first point of contact for all referrals in relation to the welfare and safety of a child.

Where it is thought that a victim of domestic violence and abuse meets the definition of a vulnerable adult, then an Adult Protection referral should be made. **(See Appendix or Council website and intranet for Key Contacts telephone numbers).**

Hidden Harm

Children may be suffering from the effects of what is known as 'hidden harm' if they live with parents or carers who are misusing drugs or alcohol. Children in these situations may be acting as young carers or they may be subjected to any of the forms of abuse described above.

Forced Marriage

Forced marriage⁵ is a marriage without the full and free consent of both parties. It is a form of domestic violence and an abuse of human rights. In an arranged marriage the family will take the lead in arranging the match but the couples have a choice as to whether to proceed. In forced marriage, one or both spouses do not (or, in the case of some disabled young people and some vulnerable adults, cannot) consent to the marriage and some element of duress is involved.

Duress can include physical, psychological, sexual, financial and emotional pressure.

It is important to note that the Mental Capacity Act does **NOT** allow for consent to marry to be given on behalf of a person without capacity to make this decision for themselves.

Human Trafficking

The organised crime of human trafficking into the UK has become an issue of considerable concern to all professionals with responsibility for the care and protection of children and adults. Any form of trafficking humans is an abuse.

Trafficking of persons means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of, or use of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability. It also includes the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

It is important to note that some cases involve UK-born people being trafficked within the UK, e.g. people being trafficked from one town to another. The consent of the victim of trafficking is irrelevant where any of the above methods have been used.

⁵ Research carried out by the then Department for Children, Schools and Families estimated that the national prevalence of reported cases of forced marriage in England was between 5,000 and 8,000, with the youngest victim being 2 years old and the oldest 76 years..

Trafficked people may be used for sexual exploitation, agricultural labour including tending plants in illegal cannabis farms and benefit fraud. Children as well as adults are trafficked.

If you have a concern regarding the possible trafficking of a person you should immediately contact the Designated Safeguarding Officer or make a referral direct to the appropriate team. Practitioners should not do anything which would heighten the risk of harm or abduction to the child or vulnerable adult.

Race and Racism

People from black and minority groups (and their parents or carers) are potentially likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse (unless the victim meets the definition of a vulnerable adult, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the Council and the District Community Safety Partnership.

Hate Crime

The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have a nationally agreed definition of Hate Crime. Hate crimes are taken to mean any crime where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.

The Crown Prosecution Service (CPS) and The Association of Chief Police Officers (ACPO) have agreed 5 monitored strands of hate crime as set out below. A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Hate crime can take many forms including:

- physical attacks such as physical assault, damage to property, offensive graffiti and arson
- threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints
- verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

If the victim of a Hate Crime meets the definition of a vulnerable adult, an Adult Protection referral should be made. **(See Appendix or Council website and intranet for Key Contacts telephone numbers).**

2.4 Reducing the risk of abuse

The Council will seek to limit the situations where the abuse of children and vulnerable adults may occur, by promoting good practice to all staff, elected members, volunteers and the Council's agents. **Please see Appendix A: Guidance 2 Risk Factors C and Appendix C Promoting good practice.**

2.5 Responding to Disclosure, Suspicions and Allegations

Council employees/ elected members/ volunteers or agents of the Council may come across cases of suspected abuse either through direct or indirect contact with children and vulnerable adults, for example, running a holiday activity, or for peripatetic staff visiting homes as part of their day to day work. It is not an employee's/ elected members/ volunteer's or Council agent's responsibility to decide whether or not a child or vulnerable adult has been abused. It is however their responsibility to act immediately on any such suspicions and report their concerns and to ensure any relevant information is passed to the appropriate person or organisation

2.5.1 Responding to Disclosure

Abused children and vulnerable adults are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously what the child or vulnerable adult is saying employees/ elected members/ volunteers are already helping the situation. **See Appendix A: Guidance 3: Responding to disclosure dos and don'ts points to help employees respond appropriately**

2.5.2 Responding to Concerns

It is the responsibility of the individual employee, elected member, volunteer or Council agent to take a lead on reporting any concerns to the Council's Designated Safeguarding Officer/ Deputy and to assist in any further action required on behalf of the Council.

If any employee, elected member or volunteer has any concerns regarding a child or vulnerable adult who they think is being abused it is important for them to act immediately. All concerns must be shared with the Designated Safeguarding Officer. If this person is not available, either because they are on annual leave or off sick then any concerns should be discussed with a nominated deputy who will take responsibility for safeguarding when the designated lead is unavailable.

The Designated Safeguarding Officer/ Deputy should also ensure that the employee reporting the incident is reassured that their concerns are being appropriately addressed and that they have access to staff support if needed.

Where there is evidence of immediate harm then the employee, elected member, volunteer or Council agent should phone 999 and report the incident to the Police.

***Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation.**

To make a referral about a child contact First Response at the Multi-Agency Safeguarding Hub (MASH) or to make a referral regarding a vulnerable adult contact, the Contact Centre. The referral must be followed up in writing within 48 hours. **(See Appendix or Council website and intranet for Key Contact telephone numbers).**

NB: if the child lives outside of Staffordshire but accesses services within Staffordshire, the referral must be made to the area in which the child resides.

The record should include:

- The date and time
- The child or vulnerable adult's name, address and date of birth
- The nature of the allegation
- A description of any visible injuries
- Observations – e.g. a description of the child or vulnerable adult's behaviour and physical and emotional state
- What the child or vulnerable adult said and what was said in reply. Please record this as accurately as possible, using their choice of language
- Any action taken as a result of the concerns being raised e.g. who was spoken to and resulting actions. Include names, addresses and telephone numbers
- Sign and date what has been recorded
- Store the information in accordance with relevant procedures, e.g. Data Protection
- Report to and inform your line manager and/or the Council's Safeguarding Officer/Deputy.

2.5.3 Consent

Whilst trained (at Level 2) Council staff should in general discuss any concerns with the child and family and where possible seek their agreement to making referrals to Staffordshire Children's Social Care Services, this should only be done where such discussion and agreement-seeking will not place the child or others at increased risk of suffering significant harm. Staff who have not received specific training in risk assessment should not seek consent but should refer their concerns to the Designated Safeguarding Officer/ Deputy. The Safeguarding Officer/Deputy will consider whether consent should be gained.

Consent is **not** required for child protection referrals; however you, as the referring professional, would need to inform parents or carers that you are making a referral

as stated above, unless by alerting them you could be putting that child or others at risk.

Consent is not required for adult protection referrals; however it is good practice to gain consent if possible. If the vulnerable adult lacks capacity to make a decision to share the information for themselves, a decision can be taken in their best interests about whether this is appropriate.

2.5.4 Responding to allegations against Staff and Volunteers

Detailed procedures and guidance relating to the management of allegations against people who work with children are contained within the following documents:

- Working Together to Safeguarding Children (2013) Chapter 2
- SSCB Inter-Agency Procedures: Section 4A

It is essential that any concerns for the welfare of a child arising from abuse or harassment by a member of staff or a volunteer should be reported **IMMEDIATELY** to the Council's Designated Safeguarding Officer/ Deputy and the Human Resources Manager.

If a child or children have suffered or be at risk of suffering significant harm the Council's Designated Safeguarding Officer/ Deputy will contact First Response and speak to the Staffordshire LADO (Local Authority Designated Officer)

If the matter does not meet the threshold for significant harm the Council's Designated Safeguarding Officer/ Deputy will contact First Response and speak to the LADO within 24 hours

The LADO is a statutory role in relation to allegations against children⁶. They provide an 'Initial Discussion' which allows for the giving of advice and guidance relating to the most appropriate way of managing the allegation or concern, and most importantly will help establish what the 'next steps' should be in terms of investigating the matter further.

The LADO will help ensure that, where appropriate, specific activities are initiated (e.g. Child Protection/Police processes) and *consideration* is given to issues such as – notifying the child's parents/carers; suspending the adult; risks to other children; communication with relevant other organizations/bodies; supporting the adult and possible media interest. The LADO will also monitor the progress of an investigation and assist an employer in the taking of any difficult judgments about a person's suitability to remain in the children's workforce.

If the allegation is in respect of abuse or harassment of a vulnerable adult, the Designated Safeguarding Officer/Deputy will make a referral.

⁶ As defined in Working Together 2013, Chapter 2, page 48

Support for the Referrer

The Council will fully support and protect all elected members/ employees/volunteers who, in good faith (without malicious intent), make a referral about a colleague who may be abusing a child or vulnerable adult and report his or her concern about a colleague's practice.

This support may take the form of counselling through the Council's service, moving the person reporting the abuse / potential abuse to another workplace temporarily whilst the incident is investigated. The Council also has a whistle blowing procedure which a referrer can follow if there are reasons why the standard procedures for dealing with allegations make them feel particularly vulnerable, or if they consider their concerns are not being acted upon appropriately. However, all elected members/ employees/ volunteers have a duty to safeguard and promote the welfare of children and vulnerable adults and in order to investigate concerns robustly it may not be possible to maintain complete anonymity, but the interests of the referrer will be protected when concerns are raised.

Types of Investigation

There may be a number of strands to a child or adult protection investigation e.g. professionals strategy meetings, child protection conferences and core groups, criminal investigations joint evaluation meetings (under Staffordshire LADO procedures) as well as disciplinary investigations. Elected members/ employees/ volunteers may need to be involved as witnesses, holders of key information, or in regard to ongoing processes around protection and welfare.

Further guidance available at:

<http://www.staffsscb.org.uk/>

<http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

<http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

APPENDIX A: GUIDANCE

GUIDANCE 1. RECOGNISING THE SIGNS OF ABUSE

Please note that the tabled examples and signs detailed below may also be indicators of other medical factors and may not necessarily confirm abuse and neglect. These tables are provided as a guide to help Council staff, elected members, volunteers or agents to recognise the signs of abuse.

PHYSICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Shaking • Pinching • Slapping • Force-feeding • Biting • Burning or Scalding. • Causing needless physical discomfort • Inappropriate restraint • Locking someone in a room 	<ul style="list-style-type: none"> • Unexplained bruising, marks or injuries on any part of the body • Frequent visits to the GP or A&E • An injury inconsistent with the explanation offered • Fear of parents or carers being approached for an explanation • Aggressive behaviour or severe temper outbursts • Flinching when approached • Reluctance to get changed or wearing long sleeves in hot weather • Depression • Withdrawn behaviour or other behaviour change • Running away from home/ residential care • Distrust of adults, particularly those with whom a close relationship would normally be expected

EMOTIONAL/PSYCHOLOGICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Intimidation and/or threats • Bullying • Rejection • Shouting • Indifference and the withdrawal of approval • Denial of choice • Deprivation of dignity or privacy • The denial of human and civil rights • Harassment 	<ul style="list-style-type: none"> • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress • Behaviour change • Being unable to play or socialise with others • Fear of making mistakes • Self harm • Fear of parent or carer being

<ul style="list-style-type: none"> • Being made to fear for one's well being 	<p>approached regarding their behaviour</p> <ul style="list-style-type: none"> • Confusion
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SEXUAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Rape and other sexual offences • For vulnerable adults, sexual activity including sexual contact and non-sexual contact that the person does not want, to which they have not consented, could not consent, or were pressured into consenting to. • For vulnerable adults, being denied access to a sexual life • Being encouraged or enticed to touch the abuser • Coercing the victim into watching or participating in pornographic videos, photographs, or internet images • Any sexual relationship that develops where one is in a position of trust, power or authority 	<ul style="list-style-type: none"> • Pain or itching in the genital/anal areas • Bruising or bleeding near genital/anal areas • Sexually transmitted disease • Vaginal discharge or infection • Stomach pains • Discomfort when walking or sitting down • Pregnancy • Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn • Fear of being left with a specific person or group of people • Nightmares • Leaving home • Sexual knowledge which is beyond their age or development age • Sexual drawings or language • Bedwetting • Saying they have secrets they cannot tell anyone about • Self harm or mutilation, sometimes leading to suicide attempts • Eating problems such as overeating or anorexia

NEGLECT	
Examples include	Signs include
<ul style="list-style-type: none"> • Withholding help or support necessary to carry out daily living tasks • Ignoring medical and physical care needs • Failing to provide access to health, social or educational support • The withholding of medication, 	<ul style="list-style-type: none"> • Constant hunger, sometimes stealing food from others • Dirty or 'smelly' • Loss of weight, or being constantly underweight • Inappropriate dress for the weather • Complaining of being tired all the time • Not requesting medical assistance and/or failing to attend appointments

<p>nutrition and heating</p> <ul style="list-style-type: none"> • Keeping someone in isolation. • Failure to intervene in situations that are dangerous to the vulnerable person Inadequate supervision and guidance – leaving the child to cope alone, abandoning them or leaving them with inappropriate carers and failing to provide appropriate boundaries about behaviours such as under age sex or alcohol. 	<ul style="list-style-type: none"> • Having few friends • Worsening of health conditions • Pressure sores • Mentioning their being left alone or unsupervised • Sore or extreme nappy rash • Skin infections • Lack of response to stimuli or contact • Poor skin condition(s) • Frozen watchfulness • Anxiety • Distressed • Child moves away from parent under stress • Little or no distress when separated from primary carer • Inappropriate emotional responses • Language delay
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Vulnerable adults may experience several other types of abuse as detailed below:

FINANCIAL ABUSE (Vulnerable Adults)	
Examples include	Signs include
<ul style="list-style-type: none"> • Being over charged for services • Being tricked into receiving goods or services that they do not want or need • Inappropriate use, exploitation, or misappropriation of property and/or utilities • Theft • Deception • Fraud • Exploitation or pressure in connection with wills 	<ul style="list-style-type: none"> • Lack of basic requirements e.g. food, clothes, shelter • Inability to pay bills. • Unexplained withdrawals from accounts. • Inconsistency between standard of living and income • Reluctance to take up assistance which is needed • Unusual interest by family and other people in the person's assets • Recent changes in deeds • Power of Attorney obtained when person lacks capacity to make the decision.

DISCRIMINATORY

Examples

- Use of inappropriate “nick names”
- Use derogatory language or terminology
- Enforcing rules or procedures which undermine the individual’s well being
- Denial to follow one’s religion
- Lack of appropriate food
- Denial of opportunity to develop relationships
- Denial of health care.

Signs

- Being treated unequally from other users in terms of the provision of care, treatment or services
- Being isolated
- Derogatory language and attitude by carers
- Dismissive language by staff
- Hate campaigns by neighbours or others
- Deteriorating health
- Indicators of other forms of abuse

INSTITUTIONAL ABUSE

Examples

- Service users required to ‘fit in’ excessively to the routine of the service
- More than one individual is being neglected
- Everyone is treated in the same way
- Other forms of abuse on an institutional scale

Signs

- Inflexible daily routines, for example: set bedtimes and/or deliberate waking
- Dirty clothing and bed linen
- Lack of personal clothing and possessions
- Inappropriate use of nursing and medical procedures
- Lack of individualised care plans and failure to comply with care plans
- Inappropriate use of power, control, restriction or confinement
- Failure to access health care, dentistry services etc
- Inappropriate use of medication.
- Misuse of residents’ finances or communal finances
- Dangerous moving and handling practices
- Failure to record incidents or concerns

GUIDANCE 2. RISK FACTORS

Risks that increase the likelihood of abuse happening

There are certain situations and factors that put people at particular risk of abuse. If one or more of these factors are present, it does not mean that abuse will occur but it will increase the risk:

- Isolation.
- Living in the same household as an abuser.
- A previous history of abuse.
- The existence of financial problems.
- A member of the household experiences emotional or social isolation.
- Inappropriate physical or emotional environment e.g. lack of privacy and/ or personal space.
- Where there has been a change of lifestyle e.g. illness, unemployment or employment.
- Dependence on others for personal and practical care.
- Where a person is dependent on other people to administer money or where several people manage their money.
- Where the vulnerable person exhibits difficult and challenging behaviour.
- The carer has difficulties such as debt, alcohol or mental health problems.
- Poor leadership in care services.
- Unmonitored provision of care e.g. where reviews or inspections do not take place.
- Failure to comply with standard operating policies and procedures.

Increased Risk to Vulnerable Children

There are many issues that may contribute to child abuse, but some factors *increase* the risk to children and make them more vulnerable to abuse. They can be found in the background of parents, in the environmental situation and in attributes of the child themselves.

Parental factors:

- Parent has a mental illness
- Parent is abusing drugs or alcohol
- Parent has already abused a child
- Pregnancy was not wanted
- Parent has a background of abuse when growing up
- Young, unsupported mother often with low education
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has little support
- Parent has a learning difficulty

Environmental factors:

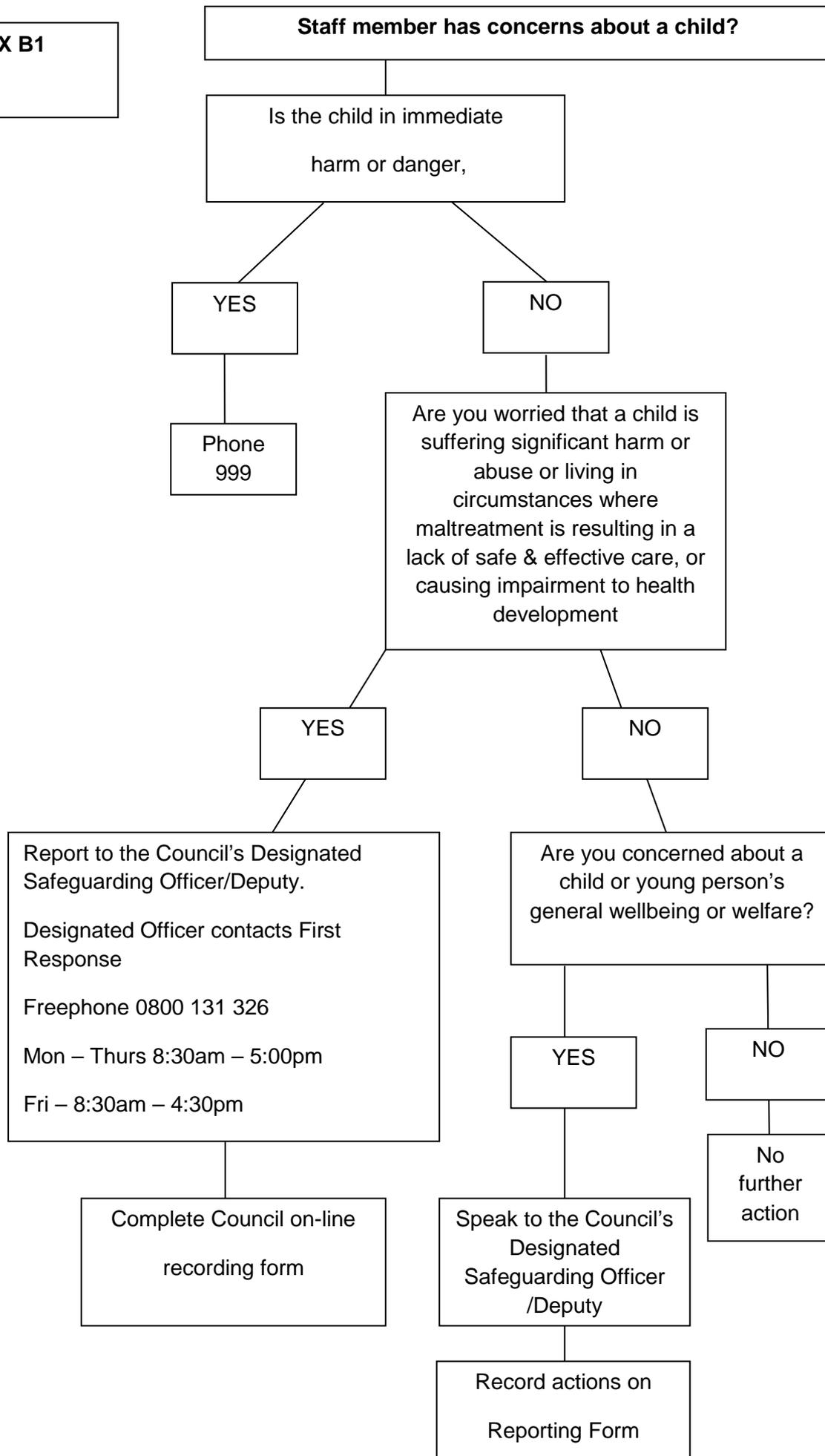
- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Domestic violence is present
- A non biological adult (i.e. unrelated) living in the house
- Family is experiencing multiple stresses

Child factors:

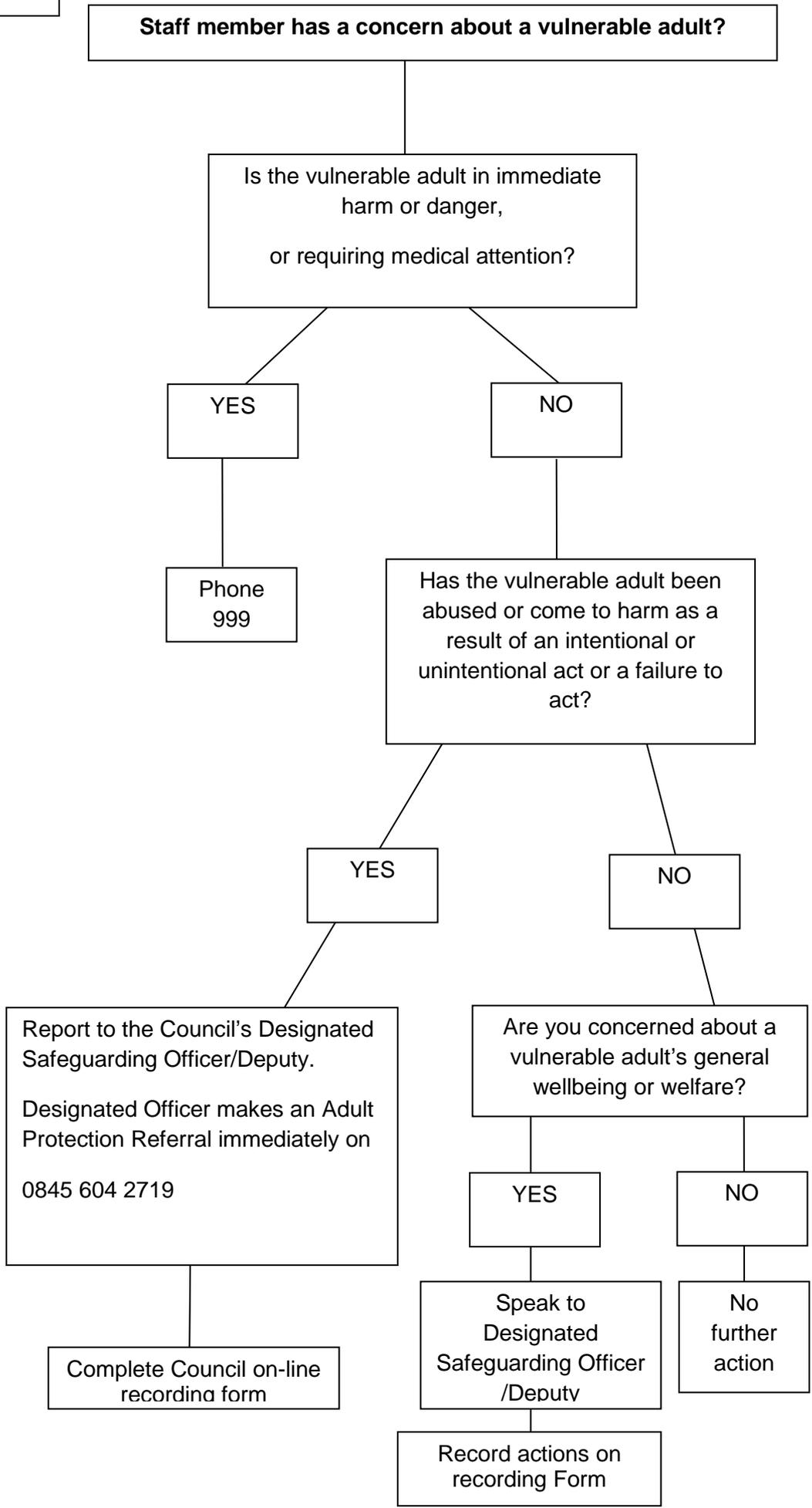
- Baby is sickly, colicky or unwanted
- Child has a physical or learning disability
- Child is the product of an abusive relationship
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol

GUIDANCE 3. Responding to disclosure: Dos and Don'ts

Dos	Don'ts
<ul style="list-style-type: none"> • React calmly so as not to frighten them • • Take what the person says seriously, recognising the difficulties inherent in interpreting what is being said by a person who has for example a speech impairment and / or differences in language • Avoid asking leading or direct questions other than those seeking to clarify your understanding of what the person has said. They may be subsequently formally interviewed by the Police and/or Social Care Services and they should not have to repeat their account on several occasions. The first person told may become at witness at court if they have asked/gained direct relevant information. • Reassure the child or vulnerable adult that they are right to tell • Explain to them that concerns may have to be shared with someone who is in a position to act • Make a written record of what has been disclosed at the earliest opportunity 	<ul style="list-style-type: none"> • Dismiss the concern • Panic • Allow your shock or distaste to show • Probe for more information than is offered • Speculate or make assumptions • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, vulnerable adult or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation • Do not take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral.



APPENDIX B2



Appendix C – Guidance and Legislation

The Children Act 1989 – provides legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm. The welfare of the child is paramount.

The Children Act 2004 – Section 11 places a duty on all organisations to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. The Act offered the legislative framework for the implementation of the five Every Child Matters principles which are considered to be integral to achieving positive outcomes and life chances for all children and young people from birth into adulthood. These principles are:

- Be healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic wellbeing

Working Together to Safeguard Children 2013, 2010, 2006, 1999 - This statutory guidance as revised by the government in 2013 details the roles and responsibilities of all agencies with the aim of promoting effective working together to promote the welfare and safety of children. To view the 2013 Working Together to Safeguard Children statutory guidance please go to; www.education.gov.uk

Inter-agency procedures for safeguarding children and promoting their welfare in Staffordshire are available on line at www.staffsscb.org.uk.

The “No Secrets” guidance is available at:

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008486

Care Standards Act 2000 – this Act details the statutory responsibility for all agencies to ensure the protection of vulnerable adults. In summary this Act –

- establishes a new, independent regulatory body for social care and private and voluntary healthcare services (“care services”) in England to be known as the National Care Standards Commission;
- provides for an arm of the National Assembly for Wales to be the regulatory body for such services in Wales;
- establishes new, independent Councils to register social care workers, set standards in social care work and regulate the education and training of social workers in England and Wales;
- establishes an office of the Children’s Commissioner for Wales;
- reforms the regulation of childminders and day care provision for young children;
- provides for the Secretary of State to maintain a list of individuals who are considered unsuitable to work with vulnerable adults.

The Mental Capacity Act provides a framework to empower and protect people who may lack capacity to make some decisions for themselves. The Act makes clear who can take decisions in which situations, and how they should go about this. Anyone who works with or cares for an adult who lacks capacity must comply with the MCA when making decisions or acting for that person. This applies whether decisions are life changing events or more every day matters and is relevant to adults of any age, regardless of when they lost capacity.

Interagency Procedures for Adult Protection in Staffordshire can be found at <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

There is a wide range of associated legislation and guidance available, see the Office of Public Sector Information for more information (www.opsi.gov.uk)

APPENDIX D: Promoting Good Practice with Children and Vulnerable Adults

1. Code of Conduct for the Protection of Children and Vulnerable Adults

It is possible to limit the situations where the abuse of children and vulnerable adults may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all employees, elected members and volunteers when in contact with children or vulnerable adults. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure. The Council will also expect contractors or organisations working as its agent to operate in accordance with this code.

Staffordshire Moorlands District Council supports and requires the following good practice by employees, members and volunteers when in contact with children and vulnerable adults.

Dos

When working with children and vulnerable adults all parties should:

- Adhere to the children, young people and vulnerable adult's policy at all times.
- Treat all children and vulnerable adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and vulnerable adults
- Ensure that personal care is delivered in a dignified manner that meets the needs of the individual.
- Involve parents, guardians and carers wherever possible
- Build balanced relationships on mutual trust that empower children and vulnerable adults to share in the decision making process

2. Social Networking sites.

Employees shall work to the Council's policies and procedures, including:

- Safeguarding Children and Vulnerable Adults Protection policy
- Code of Conduct
- Whistle blowing
- Safer Recruitment
- Bullying and Harassment

3. First Aid and Treatment of Injuries

If a child or vulnerable adult requires first aid or any form of medical attention whilst in the care of an employee, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required.
- Keep a written record of any injury that occurs, along with the details of any treatment given
- Where possible, ensure access to medical advice and / or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/vulnerable adult, in language that they understand, and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible
- The child's or vulnerable adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to do so.
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer.

4. For Transporting Children and Vulnerable Adults Away From Home

If it is necessary to provide transport to take children or vulnerable adults away from home or school the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or vulnerable adults
- Always tell another member of staff that a child or vulnerable adult is being transported, giving details of the route and the anticipated length of the journey
- Never transport a child or vulnerable adult unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or vulnerable adult.
- Ensure all vehicles are correctly insured and well maintained.

- Ensure drivers hold current, appropriate driving licenses, and have undergone training as appropriate (e.g. minibus driving, use of wheelchair hoist)
- All reasonable safety measures must be taken, e.g. children in the back seat behind the driver, seatbelts worn and booster seats in place
- Ensure where possible at least one male and one female accompany mixed groups of children or vulnerable adults. These adults should be familiar with and agree to abide by the Council's Child and Vulnerable Adult Protection Policy and Procedures
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

5. Use of Contractors

Contractors or organisations acting as agents of the Council must comply with the principles set out in:

- The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.
- The Department for Education '*Revised guidance on safeguarding children and safer recruitment in education (2010)*'.
- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011).

Staffordshire Moorlands District Council and its employees, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the Council are monitored appropriately. Service Level Agreements or contracts in place for these contractors should therefore specify this requirement.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or vulnerable adults⁷ and take part in 'regulated activity'⁸ (as defined within the new definition with effect from September 2012) must have an appropriate DBS check.

⁷ The DBS definition of regulated activity relating to **adults** no longer labels adults as 'vulnerable'. Instead the definition identifies the **activities** which, if any requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity. Further guidance is on the DBS website: www.gov.uk/disclosure-barring-service

⁸ The full definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Further information can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf

There are five types of check that are available. Further guidance is provided on the DBS website (www.gov.uk/disclosure-barring-service) to enable employers to establish, which, if any, level of check is required. The checks that are available are:

1. **Enhanced Check for Regulated Activity (Children)** - used when someone is undertaking regulated activity relating to children. This check involves a check of the police national computer, police information and the children's barred list.
2. **Enhanced Check for Regulated Activity (Adults)** - used when someone is undertaking regulated activity relating to adults. This check involves a check of the police national computer, police information and the adults barred list.
3. **Enhanced Check for Regulated Activity (Children and Adults)** - used when someone is undertaking regulated activity relating to both children and adults. This check involves a check of the police national computer, police information and the children's and adults barred list.
4. **Enhanced DBS Check** - used where someone meets the pre September 2012 definition of regulated activity. This level of check involves a check of the police national computer and police information.
5. **Standard DBS Check** - used primarily for people entering certain professions such as: members of the legal and accountancy professions. Standard DBS checks just involve a check of the police national computer and do not include a check of police information or the children's or adults barred lists.

Where there is potential for contact with children or vulnerable adults it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Disclosure and Barring Service (DBS) check has been satisfactorily completed.

6. Guidelines on Children and Vulnerable Adults in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and vulnerable adults. In some cases, however, displaying certain information about children and vulnerable adults could place them at risk.

The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or vulnerable adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or vulnerable adult. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable adult's parent / guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.

- The content of photographs or videos must not depict a child or vulnerable adult in provocative pose or in a state of partial undress. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or vulnerable adult are to be restricted to first names only.
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's Designated Safeguarding Officer/ Deputy.

7. Guidelines on Use of Photography, Videoing and Filming of Children and Vulnerable Adults – (Including Mobile Phone Technology)

There is evidence that some individuals have used public events as an opportunity to take inappropriate photographs or film footage of children. The following best practice is to be adopted to protect children and vulnerable adults who are being photographed or videoed.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities organisers must ensure that they make expectations clear in relation to child and vulnerable adult protection.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and / or filming of a child or vulnerable adult must be obtained prior to the event or activity.
- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.
- An activity or event specific identification badge/sticker must be provided and clearly displayed at all times by the accredited photographers, film and video operators on the day of the activity or event.

- Unsupervised access must not be allowed to children or vulnerable adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or vulnerable adult's home.
- It is recommended that the names of children or vulnerable adults should not be used in photographs or video footage, unless with the express permission of the child or vulnerable adult's parent or guardian.
- The Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event. The recommended wording is,

“In line with the recommendation in the Councils Safeguarding Children and Vulnerable Adult Policy, the promoters of the event request that any person wishing to engage in any video, zoom or close range photography should register their details with staff at the spectator's entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoter's conditions.”

Any concerns with photographers or video or film operators are to be reported to the Council's Designated Safeguarding Officer/Deputy and where relevant, the Police.

8. Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of our expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, vulnerable adults and parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the incident report forms and pass on to the Child and Vulnerable Adult Protection officer to take appropriate action.

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

“In line with Staffordshire Moorland District Council’s Safeguarding Children and Vulnerable Adults Protection Policy, any person wishing to engage in zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness”

An example form for use at Events and taking photographs, video material is given at Appendix E

Appendix E

Photographic consent

Staffordshire Moorlands District Council produces a range of print materials and online information. On occasion it takes photographic images (moving and still) for promotional purposes.

Signing this form gives agreement for the individual named to take part in such a photographic/video shoot for Staffordshire Moorlands District Council for the above stated purpose only.

<p>I have read and understood this form and give my permission for the child or adult in my care named below to be photographed, filmed or recorded.</p> <p>You may/may not include their name or other identifying information alongside these images.</p> <p>OR</p> <p>The child or adult in my care may NOT be photographed, filmed or recorded.</p>
<p>Signature and date:</p>

<p>Name (block capitals):</p>
<p>Date of birth (if under 18):</p>
<p>Address:</p>
<p>Phone number:</p>

<p>Parent/carer/guardian:</p>

Address (if different from above):

Contact telephone details (if different from above):

Email address (optional);

APPENDIX F: Recruitment and Selection Considerations

Staffordshire Moorlands District Council recognises that the appropriate recruitment and selection of staff is a most crucial element in protecting users of the Council's services and activities. By ensuring a robust procedure exists to prevent people with negative attitudes towards vulnerable groups gaining employment with the Council, it will be completing the first stage of protecting vulnerable groups from maltreatment by employees. These procedures will be supported by on-going staff training when required, to ensure that the methods for dealing with vulnerable groups are reflecting the correct approach current at the time. This knowledge base will be further supported by regular staff supervision to ensure compliance with policy and procedure, and that attitudes are in line with professional expectations.

1. Identity Confirmation

All people with access to vulnerable groups in an employed or voluntary capacity will need to provide evidence to confirm their identity. In most cases this evidence will be dictated by the requirements of the legal checks the Council is required to carry out. Should anyone have access to vulnerable groups in such a way as to not be required to be legally "cleared", then they will be asked to provide documentary evidence of their identity.

2. Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and vulnerable adult protection.
- The use of the Disclosure and Barring Service procedures to promote safe recruitment and selection processes.

3. Applicant Information

All applicants, whether for paid or voluntary, full or part-time positions, should complete an application form which should elicit the following information:

- Name, address and National Insurance Number.
- Past career, relevant interests, any gaps in employment and reasons for leaving.
- Relevant experience, educational qualifications, job specific qualifications and training.

- Any criminal record.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of , and suitability for, working with children or vulnerable adults where it is a requirement of the job or volunteering role,
- And a willingness to assist in the completion of a DBS check

4. Checks and References

Staff and volunteers recruited to work in services for children and vulnerable adults must be checked for any possible irregularities (or issues), which may give reason for concern.

A minimum of two references should be taken up, one of which must be the previous employer and if available, at least one should be associated with former work with children or vulnerable adults. References should include the applicant's suitability to work with children or vulnerable adults where it is a requirement of the job. Where references are given verbally, they must follow a prescribed format and a written record kept.

In accordance with guidance from the Disclosure and Barring Service (DBS) all posts that have direct contact with children and vulnerable adults will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

If a DBS check highlights an unspent conviction a risk assessment will be carried out to assess the suitability of the applicant to work with children or vulnerable adults. This will be carried out by the line manager and Human Resources Officer.

5. Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and vulnerable adult protection issues.

6. Induction and Training

Checks are only part of the process to protect children and vulnerable adults from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and vulnerable adults from possible abuse.

The induction and training should include:

- An assessment of the training needs required carried out by the local manager.

- Clarification, agreement and signing up to the Council's Code of Conduct for Employees. This is not a separate document for LDC and forms part of Disciplinary which are referred to at induction but not handed out./signed for.
- Clarification, agreement and signing up to the Council's Safeguarding Children and Vulnerable Adult Policy and Procedure.
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.
- As a minimum the Council expects all staff to have undergone formal children and or vulnerable adult training related to their job within 6 months of commencement of employment with the Council. Refresher training will be required every 3 years. This is the responsibility of line managers in services where children and/or vulnerable adults are clients/customers.

7. Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role, other than casual or agency staff.

All members of staff who have contact with children and vulnerable adults will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line managers should be sensitive to any concerns about poor practice and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

Particular care must be taken to monitor casual and agency staff, whose less frequent employment reduces the opportunities for regular supervision and training and who may therefore be less familiar with policies and procedures.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service
- Staff appraisals, mentoring and providing feedback on performance
- Children's and adults' feedback on the activities or services

8. Rehabilitation of Offenders

Staffordshire Moorlands District Council is committed to the fair treatment of its employees (both paid and voluntary), potential staff or volunteers or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working or volunteering with the Council. This will depend on the nature of the position, the

nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.

APPENDIX G: Telephone Numbers for Key Contacts

<p>Staffordshire Moorlands District Council</p> <p>Designated Safeguarding Officer</p> <p>SMDC Deputy Safeguarding Officer</p>	<p>Mark Trillo, Executive Director & Monitoring Officer Tel 0345 605 3010</p> <p>David Smith, Service Manager Tel: 0345 605 3010</p>
<p>Staffordshire Cares</p> <p>To report abuse to adults</p>	<p>0845 604 2719</p>
<p>Staffordshire County Council, Health and Social Care, First Response Team</p> <p>To report abuse to children and young people</p>	<p>0800 131 3126</p> <p>Local Authority Designated Officer (LADO) 01785 277311 (ask for the LADO)</p>
<p>Police Emergencies</p>	<p>999</p>
<p>Staffordshire Police Multi Agency Safeguarding Hub (MASH)</p>	<p>101 and ask for MASH (or the Area Communications Room outside of MASH hours)</p>