

Merton Mencap

**Safeguarding Children
Policy & Procedure**

August 2017



Merton Mencap
SAFEGUARDING CHILDREN
POLICY & PROCEDURE

This policy and procedure has been adopted by Merton Mencap through its Executive Committee which remains responsible for its review.

Original signed version is kept at the Merton Mencap office.

Signed: _____ Date: _____

Name: _____

Chair of Executive Committee

Signed: _____ Date: _____

Name: _____

Chief Executive & Nominated Safeguarding Children Adviser (NSCA)

Record of adoption and review of this Policy and Procedure:-

Adopted:	16 September 2009
Reviewed:	2 June 2011
Reviewed:	2 November 2011
Reviewed:	24 July 2012
Reviewed:	29 April 2014
Reviewed:	8 August 2017

Merton Mencap

SAFEGUARDING CHILDREN POLICY & PROCEDURE

1. Definitions

“child” or “children”	refers to someone aged under 18 (as defined in the United Nations convention on the Rights of a Child)
“staff and staff members”	all Merton Mencap employees, bank workers and volunteers (including trustees)
“abuse”	a selfish act of oppression and injustice, exploitation and manipulation, caused by inflicting harm or failing to act to prevent harm, and can take a number of forms including physical, sexual, emotional, financial, bullying, neglect, and institutional

2. Legislation

This Policy & Procedure has been drawn up on the basis of law and guidance which seeks to protect children, in particular:

- Children & Families Act 2014
- Care Act 2014
- Protection of Freedoms Act 2012
- Children Act 2004
- Sexual Offences Act 2003
- Data Protection Act 1998
- United Convention of the Rights of the Child 1991

And on relevant government guidance on safeguarding children, in particular

- London Child Protection Procedures and Practice Guidance

3. Scope

This Policy & Procedure applies to all staff of Merton Mencap.

4. Purpose

The purpose of this Policy & Procedure is to ensure

- safeguarding is embedded in all aspects of Merton Mencap's work
- all staff at Merton Mencap understand the importance of safeguarding and know how to respond appropriately with concerns
- the organisation understands and fulfils its role of working with other agencies to safeguard and promote the welfare of children
- the organisation complies with legal, regulatory and contractual responsibilities in relation to safeguarding

5. Nominated Safeguarding Children Advisor (NSCA)

Merton Mencap has nominated key individuals to lead on safeguarding who have responsibility for

- acting as the first point of contact within the organisation and externally
- ensuring staff are provided with training (at a level appropriate to their role), support and supervision in relation to safeguarding
- monitoring and reporting on safeguarding practice within the organisation
- overview of the Local Safeguarding Children Board requirements.

The Nominated Safeguarding Children Advisor is Andrew Whittington (Chief Executive) and, in their absence, their Deputy is Astrid Spencer (Trustee).

6. Policy Commitments

1) Merton Mencap believes it is always unacceptable for a child to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all children, by committing to practice which protects them.

2) Merton Mencap recognises that:

- safeguarding is everyone's responsibility - for our services to be effective, each member of staff must play their full part

- our services for children should be based on a clear understanding of their needs and views
- the welfare of the child is paramount
- all children have the right to equal protection from all types of harm or abuse
- working in partnership with children, their parents, responsible carers, and other agencies is essential in promoting the welfare of the child or young person

3) Merton Mencap recognises that children need the following:

Vigilance: to have adults notice when things are troubling them

Understanding and action: to understand what is happening; to be heard and understood and to have that understanding acted upon

Stability: to be able to develop an on-going, stable relationship of trust with those helping them

Respect: to be treated with the expectation that they are competent rather than not

Information and engagement: to be informed about and involved in procedures, decisions, concerns and plans

Explanation: to be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive response

Support: to be provided with support in their own right as well as a member of their family

Advocacy: to be provided with advocacy to assist them in putting forward their views

4) In particular, Merton Mencap is committed to protecting and promoting the safety of children with whom it works and recognises the need to work with those agencies charged with statutory child protection duties.

5) Merton Mencap will ensure its recruitment and working practices reflect these policy commitments.

7. Safeguarding Children

- 1) The local authority has a duty to make enquiries to decide whether or not to take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, “significant harm”.
- 2) Those in contact with children and members of their families will make a referral to the local authority children’s social care if there are signs that a child is suffering or is likely to suffer significant harm.

8. Types of abuse and neglect and possible indicators

- 1) Abuse can take a number of forms including physical, sexual, emotional financial, bullying, neglect, discriminatory and institutional. Training is provided so staff understand these forms and recognise possible signs.
- 2) Merton Mencap recognises that disabled children are generally more vulnerable to specific harm through abuse and neglect below because of factors relating to their disability. It is important to note, however, that the presence of indicators referred to is not proof that any abuse or neglect has occurred, nor does their absence mean that abuse or neglect has not occurred.

In the context of Merton Mencap’s work, it is important to realise that some of the behavioural indicators may be part of the disability condition, rather than indicators of abuse. In this context, it is essential that staff remain alert, in particular, to unexplained changes in behaviour.

9. Identifying concerns

- 1) All staff must:-
 - be alert to potential indicators of abuse or neglect
 - be alert to the risks which individual abusers or potential abusers may pose to children
 - be able to gather relevant information and report on it, using the appropriate forms.
- 2) The law empowers *anyone* who has actual care of a child to do all that is reasonable in the circumstances to safeguard their welfare. If a child is in immediate danger, all staff should take all reasonable steps to offer a child immediate protection.

10. Response procedures: the role of staff

1) Concerns about actual or potential harm to a child may arise from observation of the child or as a result of something said by the child, by another child or by an adult.

2) If staff have any concerns about any actual or potential harm to a child, they must contact the NSCA immediately to discuss the matter. The NSCA will advise on the appropriate course of action. If the NSCA is not available, they should contact the Deputy NSCA as stated in section 4, above.

3) In cases of emergency, staff may need to contact the police, accident and emergency services (for urgent medical treatment) or the local authority children's social care directly.

5) If concern arises from something a child has said:-

- Listen carefully; staff may need to clarify something, but do not press the child for information or prompt
- If urgent, seek medical attention; if in immediate danger, contact the police
- Offer reassurance; staff may need to explain to the child how they will be kept safe
- Explain what action will be taken; if the child can understand the significance and consequences of the proposed action, staff should ask for their view, explaining that whilst their view will be taken into account, staff are responsible for ensuring their safety and the safety of other children
- Do not give false assurances of confidentiality; staff may need to tell the child that what he/she has said cannot be kept secret.

Staff should record word-for-word what has been disclosed on the Incident Report Form (originals of completed Incident Report Forms will be kept securely at the Merton Mencap office to enable easy reference to the number and nature of all occurrences).

6) If staff discloses concerns about another member of staff, it is essential that this is referred immediately to the NSCA (or to their Deputy in their absence or if your concern is about the NSCA). See Contact Details, below.

7) If a member of staff feels a reported concern is not being dealt with appropriately by Merton Mencap, they should contact the local authority designated officer for this purpose. See Contact Details, below.

8) If any member of staff is contacted about a safeguarding matter by the local authority children's social care, the police or any other agency, the member of staff should tell the NSCA immediately before any information is imparted.

*Further information and guidance on response is contained in the **LCPPs**.*

9) It is **imperative** that if staff or volunteers have reason to believe that abuse has taken place or may take place in the future, they refer this directly to the nominated NSCA and **do not** discuss their suspicions or information with other staff members, directly with the parent/carer, or with the child concerned. It is not the role a staff member or their line manager to investigate cases of potential abuse or seek further clarification. Key information must be recorded accurately and the NSCA contacted as soon as possible.

11. Response procedures - the role of the NSCA

1) When a concern is referred to the NSCA, the NSCA will be able to offer advice and will decide whether to make a referral to the local authority children's social care.

2) Such a referral will be made if there are signs that a child is suffering significant harm through abuse or neglect or is likely to suffer significant harm in the future.

3) The timing of a referral should reflect the level of perceived risk of harm, but should not be longer than one working day of identification or disclosure of the harm or risk of harm.

4) Merton Mencap will ensure that all concerns about abuse or neglect identified by it or disclosed to it are appropriately recorded, securely stored and retained indefinitely.

Further information and guidance on response, and in particular on the referral process, is contained in the LCPPs.

12. Allegations against staff

Any allegation against a member of staff that they have behaved in a way that has harmed or may have harmed a child, may have committed an offence against a child or related to a child, or behaved in such a way that indicates they are unsuitable to work with children will be dealt with by Merton Mencap in accordance with the LCPPs.

13. Confidentiality and sharing of information

1) Personal information about children and families should not generally be shared without the consent of the person(s) concerned. Please refer to Merton Mencap's *Data Protection, Confidentiality and Security of Information Policy and Procedure*. However, in the context of safeguarding children, in the public interest, confidential information may need to be shared without such consent.

2) Save in cases of emergency, staff who feel information relating to a child or their family needs to be shared, must refer to the NSCA for guidance. Staff should, in any event, however, note the following points in relation to the sharing of information.

3) Not all personal information is confidential. Confidential information is, broadly, information of some sensitivity, which is not already public and which has been shared in a relationship where the person giving it understood that it would not be shared with others.

4) Seeking consent to the sharing of confidential information from the person who gave it or to whom it relates should be the first option, if appropriate. A refusal of consent should not necessarily, however preclude, the sharing of confidential information.

5) It will normally be justified, in the public interest, to share confidential information without consent:-

- where there is evidence that a child is suffering or at risk of suffering significant harm
- where there is reasonable cause to believe that a child may be suffering or at risk of suffering significant harm
- to prevent significant harm to children or serious harm to adults (for example through some involvement in a serious crime against a child).

6) The amount of confidential information disclosed and the number of people to whom it is disclosed should be no more than is necessary to meet the public interest in protecting the health and wellbeing of the child. This approach applies whether any proposed disclosure is within Merton Mencap or to an outside agency.

7) The context in which information is shared, the perceived level of harm, the information requested, the information shared and with whom must be recorded.

In this context, staff should also refer to *Merton Mencap's Data Protection, Confidentiality and Security of Information Policy and Procedure*

14. Codes of conduct

In addition to observing the provisions of this Policy and Procedure, all staff must observe the provisions of Merton Mencap's *Staff Code of Conduct* and *Annual Staff Declaration*.

15. Risk assessments

Merton Mencap recognises that the assessment and management of risk contributes to safeguarding. Merton Mencap's *Risk Assessment Policy* should be referred to for full details but, in summary, Merton Mencap will complete the following:-

- all staff conducting risk assessments will receive appropriate training
- a risk assessment will be completed for each service and activity
- an Individual Care Plan & Risk Assessment will be completed for each individual accessing a service or activity

16. Recording images

Reference should be made to Merton Mencap's '*Managing Images of Service Users Policy*' which sets out the conditions for obtaining consent for recording images at our projects and services.

17. Recruitment, selection and vetting procedures

Reference should be made to Merton Mencap's 'Recruitment Policy and Procedure' which sets out the conditions of our safe recruitment of staff.

18. Providers

1) All third party providers contributing to Merton Mencap's services or activities (for example, a sports instructor or provider of a disco for a children's party) must be agreed by the relevant manager beforehand.

Providers, or their relevant representatives, are required to sign the relevant *Provider Declaration Form* which sets out the conditions of their involvement at our services and activities, all of which act as safeguards.

If a provider or the relevant representative is unable to meet the provisions set out in the Provider Declaration Form, above, they will not be allowed to access to the service or activity.

2) The staff in charge on the day (e.g. Team Leader) will ensure providers are supervised by an identified member of staff at the service or activity to ensure they do not have unsupervised access to children.

19. Visitors and guests

1) Any visitors and guests will need to be agreed by the relevant manager (e.g. Projects Manager). Should a visitor or guest arrive unexpectedly the person in charge of the activity (e.g. the Team Leader) should not allow them access until advice has been obtained from their line manager.

2) Visitors and guests at any activity are required to sign the register and record of attendance on their arrival. The person in charge of the activity must also ensure that the visitor or guest has no unsupervised access to the service users.

20. Staff induction, training, supervision and appraisal

1) Merton Mencap will ensure that all staff working with children receive the following (according to the type, level and frequency of their role):-

- an induction
- training in safeguarding children, including the use of this Policy and Procedure
- supervision, in which safeguarding is a regular agenda item

2) Merton Mencap will ensure all trustees have received training in safeguarding children at risk.

3) Safeguarding will feature as a standard item at supervisions and appraisals, and written record of which is kept.

4) Staff who have received safeguarding training through another agency (e.g. their employer) will be required to provide written confirmation of this, such as a certificate of attendance, which may be accepted as training.

21. Staff ratios

Risk assessments are completed to determine the precise staffing ratios needed to deliver an activity for children. The minimum ratio for a service or session will be clearly recorded on the session staffing list, risk assessment or other session

record. The date of the event or session should be clearly documented so that there is no doubt about the minimum levels of supervision at any service. Some attendees need 1:1 or nursing support. This will be recorded on individual care plans. 1:1 support needs will not be included in the calculation of an overall service staffing ratio.

22. Lone working

All our services and activities for children will have at least two members of staff present.

An exception to this will be a service which is provided specifically on 1:1 basis, e.g. independent travel training or personal assistant. In these cases, specific consent is gained from the parent or carer before any service is provided and a risk assessment is conducted for each child using the service. Reference should also be made to our *Lone Working Policy & Procedure*.

23. Written records of our services and activities

Written records are completed to show the services and activities we provide. These include a written register of the children, the staff, any visitors and a de-brief of the session. These records are kept in a relevant filing system in the Merton Mencap office. Please also refer to our *Data Protection, Confidentiality and Security of Information Policy & Procedure*.

24. Team meetings

Staff based at the Merton Mencap office will have a team meeting each month. Safeguarding is a regular agenda item at every meeting and is reflected in the minutes.

25. Executive Committee Meetings

The Chief Executive and Executive Committee (Board of Trustees) will include Safeguarding as an agenda item at each of their Executive Committee Meetings, which will be reflected in the minutes.

26. Revision

Merton Mencap will revise this Policy & Procedure every 2 years.

SAFEGUARDING CHILDREN Contact Details

- **Merton Mencap**

Nominated Safeguarding Children Adviser (NSCA)

Andrew Whittington, Chief Executive

Direct: 020 8646 0965

Mobile: 07767 670 134

Email: chief.exceutive@swlondomencap.nhs.uk

Deputy Nominated Safeguarding Children Adviser

Astrid Spencer, Trustee

Mobile: 07719 914956

Email: a.spencer@kcs.ork.uk

- **Local Authority (Merton Council)**

Local Authority Designated Officer (LADO)

Until September 2017:

Andrew Wyatt, LADO

Tel: 020 8545 3187

Email: lado@merton.gov.uk

After September 2017:

John Shelley , LADO

Tel: 020 8545 3187

Email: lado@merton.gov.uk

- **NSPCC (National Society for the Prevention of Cruelty to Children)**

national 24 hour Child Protection Helpline

0808 800 5000

www.nspcc.org.uk/helpline

NSPCC free 24 national helpline for children, Childline

0808 1111

www.childline.org.uk

Internal Audit Guidance

Check	Evidence
<p>Staff know where to find a copy of this safeguarding policy and procedure</p> <p>Staff have been provided with the Staff & Induction Handbook</p>	<p>Ask project staff whether they were provided with a copy of this policy</p> <p>Ask staff where they could get a new copy if they needed one</p> <p>Check that copies of the latest policy are available at the office</p>
<p>Staff know who the nominated person(s) for safeguarding children is, and how to contact them</p>	<p>Ask staff this question</p> <p>Ask staff what they would do if that person was unavailable</p> <p>Ask staff what they would do if they had a safeguarding concern which related to the nominated person</p>
<p>Staff are aware of types of abuse e.g. physical, emotional, sexual, financial, neglect, institutional, discriminatory</p>	<p>Ask staff this question</p> <p>Ask staff what could indicate signs of abuse</p> <p>Ask staff about confidentiality and safeguarding (e.g. what they would do if a person who was being abused disclosed this to staff and they asked that staff keep it a secret)</p>
<p>Staff know how to record a safeguarding concern</p>	<p>Ask staff what form they would use to record a safeguarding concern</p> <p>Ask staff what is important about making a record of a safeguarding concern</p> <p>Look at the Incident Forms and check their quality and whether safeguarding alerts have been followed up</p>
<p>Safeguarding is a standard feature of supervision and appraisal meetings</p>	<p>Ask to see a supervision/ appraisal forms and check whether safeguarding was discussed</p>

Safeguarding is a standard feature of Team Meetings at the office	Ask to see the minutes of team meetings to check whether this is the case
Safeguarding incidents are reported to the Board of Trustees at each ECM	Ask to see the CEO's report for ECMs to check whether safeguarding is a standard reporting item
Safeguarding is a standard agenda items for all trustee meetings at ECMs	Ask to see minutes of ECMs to check that safeguarding is always dealt with as a standard item
All staff (including volunteers and trustees) have completed safeguarding training	Ask to see the main training records in the office