**Appendix One**

### ****DRAFT SAFEGUARDING POLICY****

Name of Organisation
Location
Purpose of organisation

### ****POLICY STATEMENT ON SAFEGUARDING CHILDREN****

***(Name of organisation)*** recognises that all children and young people have a right to protection from abuse. ***(Name of organisation)*** takes its responsibility to protect and safeguard the welfare of children and young people seriously. We will:

* Respond swiftly and appropriately to all suspicions or allegations of abuse, and provide parents and children with the opportunity to voice their concerns
* Have a system for dealing with concerns about possible abuse,
* Maintain good links with statutory child care authorities.

### ****THE POLICY****

***(Name of organisation)*** recognises that many children and young people today are the victims of neglect, and physical, sexual and emotional abuse.  Accordingly ***(Name of organisation)*** has adopted the policy contained in this document (hereafter "the policy").  The policy sets out agreed guidelines relating to responding to allegations of abuse, including those made against staff and volunteers.

***(Name of organisation)*** recognises the need to build constructive links with the statutory services.  These guidelines have been prepared in accordance with the North Yorkshire Safeguarding Children Partnership Procedures.  They will be kept under review and be supported by appropriate training.

“Safeguarding is everyone’s responsibility”[[1]](#footnote-1). Everyone who works with children has a responsibility for keeping them safe. This policy applies to all staff and volunteers who act on behalf of ***(Name of organisation)*** and who come directly into contact with children and young people.

Every individual has a responsibility to inform the Safeguarding Lead or their Deputy of concerns relating to safeguarding children.  The Safeguarding Lead must decide if the concerns should be communicated to Children and Families Service or the Police.

### ****DEFINITIONS****

### ****Child/Young Person****

In this policy a child or young person is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.

### ****Abuse****

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse, including where they see, hear, or experience its effects. Children may be abused in a family or in an institutional or extra-familial contexts by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults, or another child or children.

### ****Child Criminal Exploitation****

As set out in the Serious Violence Strategy230, published by the Home Office, where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.

### ****Child protection****

Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

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

### ****Children****

Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change their status or entitlements to services or protection.

### ****Controlling or Coercive Behaviour****

Also known as coercive control, controlling or coercive behaviour is a form of domestic abuse. In 2015, the offence of controlling or coercive behaviour was introduced under Section 76 of the Serious Crime Act as a criminal offence. Controlling or coercive behaviour is included in the definition of domestic abuse in section 1(3)(c) of the Domestic Abuse Act 2021.

Controlling or coercive behaviour is a pattern of abuse (on two or more occasions) that involves multiple behaviours and tactics used by a perpetrator to (but not limited to) hurt, humiliate, intimidate, exploit, isolate, and dominate the victim. It is an intentional pattern of behaviour used to exert power, control, or coercion over another person. Controlling or coercive behaviour is often committed in conjunction with other forms of abuse and is often part of a wider pattern of abuse, including violent, sexual, or economic abuse. Children can be used to control or coerce the victim, for example, by frustrating child contact and/or child arrangements, telling the children to call the victim derogatory names or to hit the victim, or by threatening to abduct the children.

This pattern of abuse causes fear, serious alarm and/or distress which can lead to a substantial adverse effect on a victim’s day-to-day life. This can have a significant impact on children and young people.

### Section 68 of the Domestic Abuse Act 2021 came into force on 5 April 2023 and removed the ‘living together’ requirement for the controlling or coercive behaviour offence, which means that the offence applies to partners, ex-partners or family members, regardless of whether the victim and perpetrator live together. More information about controlling or coercive behaviour, including the impact on children can be found in the Controlling or coercive behaviour: statutory guidance and the Domestic Abuse Act 2021 statutory guidance.

### County lines

### As set out in the Serious Violence Strategy published by the Home Office, a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of ‘deal line’. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons. This activity can happen locally as well as across the UK; no specified distance of travel is required. For further information see ‘Criminal exploitation of children and vulnerable adults: county lines’ guidance.

### ****Domestic Abuse****

### - The Domestic Abuse Act 2021 introduced the first ever statutory definition of domestic abuse (section 1 of the Act). The statutory definition is clear that domestic abuse may be a single incident or a course of conduct which can encompass a wide range of abusive behaviours, including a) physical or sexual abuse; b) violent or threatening behaviour; c) controlling or coercive behaviour; d) economic abuse; and e) psychological, emotional, or other abuse.

### Under the statutory definition, both the person who is carrying out the behaviour and the person to whom the behaviour is directed towards must be aged 16 or over and they must be “personally connected” (as defined in section 2 of the Domestic Abuse Act 2021). The definition ensures that different types of relationships are captured, including ex-partners and family members.

### All children can experience and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members, including where those being abusive do not live with the child. Experiencing domestic abuse can have a significant impact on children. Section 3 of the Domestic Abuse Act 2021 recognises the impact of domestic abuse on children (0 to 18), as victims in their own right, if they see, hear or experience the effects of abuse.

### Young people can also experience domestic abuse within their own intimate relationships. This form of child-on-child abuse is sometimes referred to as teenage relationship abuse. Depending on the age of the young people, this may not be recognised in law under the statutory definition of domestic abuse (if one or both parties are under 16). However, as with any child under 18, where there are concerns about safety or welfare, child safeguarding procedures should be followed and both young victims and young perpetrators should be offered support.

### The ‘Domestic Abuse Act 2021: statutory guidance’ provides further advice for frontline professionals who have responsibility for safeguarding and supporting victims of domestic abuse, including children. This guidance provides further information about the different forms of domestic abuse (including teenage relationship abuse and child to parent abuse) and the impact of domestic abuse on children.

### Education, Health and Care (EHC) Plan

### An education, health and care (EHC) plan details the education, health and social care support that is to be provided to a child or young person who has SEN. See the Special Educational Needs and Disability Code of Practice 0-25 (2015).

### ****Emotional Abuse****

### The persistent emotional maltreatment of a child so as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them, or making fun of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

### Extra-familial harm

### Children may be at risk of or experiencing physical, sexual, or emotional abuse and exploitation in contexts outside their families (see glossary definition of extra-familial contexts).

### While there is no legal definition for the term extra-familial harm, it is widely used to describe different forms of harm that occur outside the home.

### Children can be vulnerable to multiple forms of extra-familial harm from both adults and/or other children. Examples of extra-familial harm may include (but are not limited to): criminal exploitation (such as county lines and financial exploitation), serious violence, modern slavery and trafficking, online harm, sexual exploitation, child-on-child (non-familial) sexual abuse and other forms of harmful sexual behaviour displayed by children towards their peers, abuse, and/or coercive control, children may experience in their own intimate relationships (sometimes called teenage relationship abuse), and the influences of extremism which could lead to radicalisation.

### ****Extra-familial contexts****

Extra-familial contexts include a range of environments outside the family home in which harm can occur. These can include peer groups, school, and community/public spaces, including known places in the community where there are concerns about risks to children (for example, parks, housing estates, shopping centres, takeaway restaurants, or transport hubs), as well as online, including social media or gaming platforms.

### ****Extremism****

Extremism is defined in the Prevent strategy as the vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces.

### ****Financial exploitation****

### Financial exploitation can take many forms. In this context, we use the term to describe exploitation which takes place for the purpose of money laundering. This is when criminals target children and adults and take advantage of an imbalance of power to coerce, control, manipulate or deceive them into facilitating the movement of illicit funds. This can include physical cash and/or payments through financial products, such as bank and cryptocurrency accounts.

### ****Local authority designated officer (LADO)****

County level and unitary local authorities should ensure that allegations against people who work with children are not dealt with in isolation. Any action necessary to address corresponding welfare concerns in relation to the child or children involved should be taken without delay and in a coordinated manner. Local authorities should, in addition, have designated a particular officer, or team of officers (either as part of multi-agency arrangements or otherwise), to be involved in the management and oversight of allegations against people who work with children. Any such officer, or team of officers, should be sufficiently qualified and experienced to be able to fulfil this role effectively, for example, qualified social workers. Any new appointments to such a role, other than current or former designated officers moving between local authorities, should be qualified social workers. Arrangements should be put in place to ensure that any allegations about those who work with children are passed to the designated officer, or team of officers, without delay.

### ****Maltreatment****

All forms of physical and/or emotional ill-treatment, sexual abuse, neglect, or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

### ****Neglect****

The persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

1. provide adequate food, clothing and shelter (including exclusion from home or abandonment)
2. protect a child from physical and emotional harm or danger
3. ensure adequate supervision (including the use of inadequate care-givers)
4. ensure access to appropriate medical care or treatment

### It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.

### ****Physical Abuse****

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

### ****Relative****

The Children Act 1989 (section 105)243 defines a relative as in relation to a child, meaning a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent. This guidance uses this definition and includes cousins when referring to relatives.

### ****Safeguarding and promoting the welfare of children****

Defined for the purposes of this guidance as:

* providing help and support to meet the needs of children as soon as problems emerge
* protecting children from maltreatment, whether that is within or outside the home, including online
* preventing impairment of children’s mental and physical health or development
* ensuring that children grow up in circumstances consistent with the provision of safe and effective care
* promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children
* taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children’s Social Care National Framework.

### Serious violence

### Serious violence covers specific types of crime, such as homicide, knife crime, and gun crime, and areas of criminality where serious violence or its threat is inherent, such as in gangs and county lines drug dealing. It also includes crime threats faced in some areas of the country such as the use of corrosive substances as a weapon.

### For the purposes of the Serious Violence Duty, as per section 13 of the Police, Crime, Sentencing and Courts Act 2022, Serious Violence in the local area is violence that is serious in that area, taking account of: the maximum penalty which could be imposed for the offence (if any) involved in the violence, the impact of the violence on any victim, the prevalence of the violence in the area and the impact of the violence on the community in the area.

### ****Sexual Abuse****

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

### ****Training** **and Awareness****

***(Name of organisation)*** will provide all staff with adequate safeguarding training in order to carry out their role and responsibilities under this policy. Individuals within the organisation need to be alert to the potential abuse of children both within their families and also from other sources, including abuse by members of that staff and volunteers.

### ****Responding to a Safeguarding Concern****

All members of ***(Name of organisation)*** should respond to any suspected or actual abuse of a child in accordance with these procedures.

It is good practice to be as open and honest as possible with parents/carers about any concerns; however, you must not discuss your concerns with parents/carers in where:

1. this would delay the sharing relevant information with an appropriate person or authority which would increase the risk of harm to the child or young person
2. asking for consent may increase the risk of harm to the child, young person, you or anyone else.

### ****What to do if children talk to you about abuse or neglect****

It is recognised that a child may seek share information about abuse or neglect with staff and volunteers or talk spontaneously to individuals or in groups. In these situations:

* You must:
* Listen carefully to the child.
* Give the child time and attention
* Allow the child to give a spontaneous account; do not stop a child who is freely recalling significant events
* Make an accurate record of the information you have been given, taking care to record the timing, setting and people present, the child’s presentation as well as what was said. Recordings must be kept secure and in accordance with organisation policies and procedures
* Use the child’s own words where possible
* Explain that you cannot promise to keep information secret and you may need to speak to others about the information they have shared
* Reassure the child that:
	+ you are glad they have told you
	+ they have not done anything wrong
	+ what you are going to do next
* Where appropriate, explain that you need to get help to keep the child(ren) safe
* Treat all children and young people with respect
* Ensure that, whenever possible, there is more than one adult present with children and young people, or at least that you are within sight or hearing of others
* Respect a young person’s right to personal privacy
* Make children or young people comfortable and caring enough to point out any safeguarding concerns
* Recognise that caution is required when you are discussing sensitive issues with children or young people
* Operate within ***(Name of organisation)*** principles and behaviour policy, specific procedures and any other guidance as applicable and required
* Challenge unacceptable behaviour and report all allegations/suspicions of abuse

You must not:

* DO NOT directly question the child
* Children should not be required to provide multiple accounts of events within ***(Name of organisation)***
* Have inappropriate physical or verbal contact with children or young people
* Allow yourself to be drawn into inappropriate attention-seeking behaviour/ make suggestive or derogatory remarks or gestures in front of children or young people
* Reach conclusions about others without checking facts
* Either exaggerate or trivialise safeguarding issues
* Show favouritism to any individual

### ****What you should do if you suspect abuse****

You may become concerned about a child for different reasons, this may include but is not limited to the child or young person:

* Speaking to you about something which is concerning them
* Telling you about a concern for a friend or other child(ren)
* Avoiding speaking to you
* They are clearly upset
* Displaying a change in behaviour
* Being disengaged or are having trouble concentrating
* Changing their friendship groups and associates
* Having new marks, bruises or scars, or are trying to conceal them

You may also identify concerns:

* Because of your observations, or
* Changes in performance of the child or young person *(relevant for schools, clubs, etc)*
* A concern has been raised to you by a colleague, parent or third party

It is good practice to ask a child why they are upset or how a cut or bruise was caused or respond to a child wanting to talk to you. This practice can help clarify concerns and result in appropriate action.

If you are concerned about a child you must share your concerns. Initially you should talk to the Safeguarding Lead or their deputy. You should make a note of your concerns and any actions agreed following your discussion with the Safeguarding Lead or their deputy.

*Insert organisation procedures for raising a concern to the Safeguarding Lead/Deputy including procedures for progressing a safeguarding concern if neither the Lead or Deputy are available.*

**Informing parents**

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 sets out the requirements for how organisations obtained, use and share information.

***(Name of organisation)*** will be transparent and accountable in relation to their use of data for collecting, storing, and sharing information.

Information to be shared with another agency will usually require explicit consent except where there are concerns for the welfare or safety of the child. In these circumstances the need for consent changes where it is believed that a child has or is likely to suffer:

* Significant harm and/or
* Has developmental and welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent).

For cases not reaching this threshold, it is good practice to be open and honest at the outset with the parents/carers about concerns, and the need for a referral. All reasonable efforts should be made to inform parents/carers prior to discussing concerns with Children and Families Service; however, this should not be delayed if concerns cannot be discussed with the parents.

Where the child expresses a wish for his or her parents not to be informed, their views should be taken seriously and a judgement made based on the child’s age and understanding, as to whether the child’s wishes should be followed (see <http://www.nspcc.org.uk/preventing-abuse/child-protection-system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/>).

There may be some circumstances where it is not appropriate to seek consent, either because the individual cannot give consent, it is not reasonable to obtain consent, or where seeking consent would put a child or young person’s safety or well-being at risk.

Where a decision to share information without consent is made, a record of what has been shared should be kept along with the reason why consent was not obtained.

**The policy should state how and where staff record their decision to seek consent, the reasons why and whether this has been received including time/date/how it was obtained (as appropriate)**

**Consultation with the Children and Families Service**

The North Yorkshire Safeguarding Children Partnership [Framework for decision-making: Right help, at the right time by the right person](https://www.safeguardingchildren.co.uk/professionals/practice-guidance/threshold-document/) should be used to help identify if a concern should be referred to the Children and Families Service.

Where concerns are to be raised with the Children and Families Service, the Safeguarding Lead, they will contact the Customer Resolution Centre to discuss the concerns with the Children and Families Service. Please see [Making a Referral to the Children and Families Service](#referral) (below).

You may also wish to consult with the Children and Families Service before making a referral. Consultation is not the same as making a referral. You should contact the [Consultation Line](https://www.safeguardingchildren.co.uk/professionals/one-minute-guides/professionals-consultation-line/) where:

* You have been unable to contact the Safeguarding Lead or their deputy and you believe the child is at risk of harm
* You remain unsure after internal consultation as to whether safeguarding concerns exist
* When there is disagreement as to whether safeguarding concerns exist, or
* When the concerns relate to any member of the organising committee.

The Consultation Line can be contacted on 01609 535070.

**Making a Referral to the Children and Families Service**

To make a referral to Children and Families Service, the Customer Resolution Centre should be contacted in the first instance. This will usually be undertaken by the Safeguarding Lead or their deputy but should not be delayed if they are not available. The Customer Contact Centre can be contacted by the following methods:

**During Office Hours**

By Phone: 01609 780780

Email: children&families@northyorks.gov.uk

**Outside Office Hours**

Emergency Duty Team (for evenings, weekends and bank holidays): 01609 780780

For more information visit:

* <https://www.safeguardingchildren.co.uk/about-us/worried-about-a-child/>

**Contacting North Yorkshire County Council**

When contacting the North Yorkshire County Council Customer Resolution Centre, the staff should:

* Clearly identify themselves, their agency/relationship with the child(ren) and family,
* Give details of where they can be contacted.
* Provide as much relevant family information as possible and, clearly stating the name of the child, the parents/carers and any other children known to be in the household, the dates of birth and addresses and any previous addresses known
* Provide details of any special needs or communication needs of either the child or any family member
* State why they feel the child is suffering, or is likely to suffer, significant harm.
* Share their knowledge and involvement of the child(ren) and family
* Share their knowledge of any other agency involved
* Indicate the child’s, parent’s/carer’s knowledge of the referral and their expectations
* Ensure they record within their agency files the concerns and action taken

**Confirmation of Referral**

Where a referral has been made to the Children and Families Service, a written confirmation of the referral must be completed and submitted **within 24 hours**.  This will normally be completed by the Safeguarding Lead.

Where a safeguarding concern has been raised, the referral will be passed to the North Yorkshire Multi-Agency Safeguarding Team (MAST). Where possible, the MAST request that you use the “[Universal Referral Form Referral Form](https://www.safeguardingchildren.co.uk/professionals/forms-and-tools/)”, and that you include all relevant information to ensure that the referral can be progressed as effectively as possible.

**Contact Details**

* Safeguarding Lead
	+ *Telephone*
	+ *Email*
* Deputy Safeguarding Lead
	+ *Telephone*
	+ *Email*
* North Yorkshire County Council Customer Referral Centre
	+ Telephone: 01609 780780
	+ Email: children&families@northyorks.gov.uk
* North Yorkshire Police
	+ Telephone (emergencies): 999
	+ Telephone (non-emergencies): 101
* Other relevant organisations *Each organisation should identify relevant organisations for inclusion in this policy including support for physical and mental health*
	+ *Telephone*
	+ *Email*
* Any National or Support Body for Your Organisation
	+ *Telephone*
	+ *Email*

**Other Safeguarding Information**

*As well as the above, organisations should consider other safeguarding* ***issues which relate to their organisation which they may wish to include, for example:***

* *Equality and Inclusion*
* *Policies on transporting children*
* *Guidelines on taking and using photographs and videos, including guidance on use of personal equipment*
* *Guidance on the storage of information*
* *Guidance on camping and residential activities*
* *Health and Safety Standards*
* *Guidance on supervision*
* *Code of ethics in respect of acceptable adult behaviour to children including guidance on physical contact*
* *An equality policy*
* *Information on helplines, e.g. NSPCC Child Protection Helpline*
* *Details of Safeguarding Training*
* *Acceptable Use Policies for internet use ( E Safety Guidance – NYSCP Website)*
* *Guidance on specific safeguarding concerns (e.g. child sexual Exploitation, missing children and young people, radicalisation, female genital mutilation, honour based violence, special needs, etc.)*

**Links to other organisational policies and procedures**

*Provide links to relevant organisational policies and procedures, e.g.:*

* *Safe Recruitment*
* *Whistleblowing*
* *Staff Behaviour Policy*
* *Equality*

1. [Working together to safeguard children - GOV.UK](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) [↑](#footnote-ref-1)