

Safeguarding Children and Adults at Risk of Abuse and Neglect Procedure

November 2022



This procedure supports Lichfield District Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy which sets out:

- **The Council's Safeguarding duties**
- **Roles and Responsibilities**
- **How to recognise abuse**
- **Risks that increase the likelihood of Abuse**

<https://www.lichfielddc.gov.uk/downloads/file/1171/safeguarding-policy>

Owner Christie Tims

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2.1 Introduction

This procedure supports the council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy

<https://www.lichfielddc.gov.uk/downloads/file/1171/safeguarding-policy>

The policy includes the:

- Policy commitment
- Principles
- Roles and Responsibilities
- Legislation and Guidance
- Types and indicators of abuse
- Risks that increase the likelihood of abuse

2.2 Examples and Signs of Abuse

The tables below are a guide to help employees identify the types and signs of abuse and to help them decide whether concerns should be raised.

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.

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outbursts• Flinching when approached• Reluctance to get changed or wearing long sleeves in hot weather• Depression• Withdrawn behaviour or other behaviour change

	<ul style="list-style-type: none"> • Running away from home/ residential care • Distrust of adults, particularly those with whom a close relationship would normally be expected
EMOTIONAL/PSYCHOLOGICAL ABUSE/EXPLOITATION	
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 • Being made to fear for one's well being • Modern day slavery • County Lines 	<ul style="list-style-type: none"> • Behaviour change • Isolation & restricted movements • Going missing (from home and/or school) • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress • Being unable to play or socialise with others • Fear of making mistakes • Self-harm • Fear of parent or carer being approached regarding their behaviour • Confusion • Poor physical appearance • Avoiding eye contact and wary of talking to strangers or the authorities • A lack of personal belongings • Poor accommodation • Unexplained acquisition of money, clothes, or mobile phones • Excessive receipt of texts/phone calls • Relationships with controlling/older individuals or groups • Physical assault

SEXUAL ABUSE

Examples include	Signs include
<ul style="list-style-type: none"> • Rape and other sexual offences • Sexual activity including sexual contact and non-sexual contact that the child or adult at risk does not want, to which they have not consented, could not consent, or were pressured into consenting to • For 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 • Child Sexual Exploitation 	<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 • Behaviour change • Isolation & restricted movements • Going missing (from home and/or school) • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress • Being unable to play or socialise with others • Fear of making mistakes • Self-harm • Fear of parent or carer being approached regarding their behaviour

	<ul style="list-style-type: none"> • Confusion • Poor physical appearance • Avoiding eye contact and wary of talking to strangers or the authorities • A lack of personal belongings • Poor accommodation • Unexplained acquisition of money, clothes, or mobile phones • Excessive receipt of texts/phone calls • Relationships with controlling/older individuals or groups • Physical assault • Disclosure
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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, nutrition and heating • Keeping someone in isolation. • Failure to intervene in situations that are dangerous to the 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"> • 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 • 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

	<ul style="list-style-type: none"> • Inappropriate emotional responses • Language delay
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SELF – NEGLECT (Adults)	
Examples include	Signs include
<ul style="list-style-type: none"> • Little or no personal care • Refusing medication or refusing to stay on medication • Disorientated or incoherent • Unsafe living conditions & hoarding • Inability to manage finances and property • Isolation 	<ul style="list-style-type: none"> • Poor grooming, dirty or ragged clothes, unclean skin and fingernails • Unwilling to accept medical care • Unable to focus, carry on normal conversation or answer basic questions about date, place, and time • Lack of food or basic utilities in the home, unclean living quarters, rodents or other vermin • Hoarding animals or trash, inability to get rid of unneeded items • Inability to manage finances and property: not paying bills, repeatedly borrows money, gives money or property away • Little contact with family or friends, no social support

FINANCIAL ABUSE (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

	<ul style="list-style-type: none"> • Power of Attorney obtained when person lacks capacity to make the decision
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DISCRIMINATORY(Adults)	
Examples	Signs
<ul style="list-style-type: none"> • Use of inappropriate “nick names” • Use of 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. 	<ul style="list-style-type: none"> • 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

ORGANISATIONAL ABUSE (Adults)	
Examples	Signs
<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • 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

	<ul style="list-style-type: none"> • Failure to record incidents or concerns
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2.3 Responding to Disclosure, Suspicions and Allegations

Council employees, elected members and volunteers may come across cases of suspected abuse either through direct or indirect contact with children and adults at risk, for example, running leisure activities for children and young people or for peripatetic staff visiting homes as part of their day to day work.

A child or adult at risk may ‘confide’ to a council employee that they are being abused or mistreated – this is known as a ‘disclosure’. People who may suspect that abuse is occurring to a child or adult at risk may also confide in a council employee on the basis that ‘they will know what to do because they work for the “Council”’.

It is not an employee’s, elected members or a volunteer’s responsibility to decide whether or not a child or 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 team.

Responding to Disclosure – What to do and what not to do

Abused children and adults at risk 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 adult is saying employees, elected members and volunteers are already helping the situation.

The following points are a guide to help employees, elected members and volunteers respond appropriately if anyone discloses abuse

Dos and Don'ts	
Do	Don't
<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 	<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

<ul style="list-style-type: none"> • 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 children's social care and they should not have to repeat their account on several occasions. The first person told may become a witness at court if they have asked/gained direct relevant information • Reassure the child or adult at risk 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"> • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, adult at risk or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation • Take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral.
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2.4 Responding to Concerns about Child / Adult at risk Abuse – What to do

It is the responsibility of the individual employee, elected member or volunteer to take action where there are safeguarding concerns.

If any employee, elected member or volunteer has any concerns regarding a child or adult who they think is being abused it is important for them to act immediately.

Where there is evidence of **immediate harm** then the employee, elected member or volunteer 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.

If the employee, elected member or volunteer believes that a child or adult at risk is being harmed or at risk of harm then they should contact Staffordshire Social Care on the numbers on the next page.

All concerns must be shared with the Designated Safeguarding Officer – Christie Tims (Tel 01543 308002) or her deputies Lucy Robinson or Sarah Sleigh. If they are not available then any concerns can be discussed with one of the Directorate Safeguarding Leads. Their details are available on the intranet. Line Managers should also be able to advise.

Making a record

The employee, elected member or volunteer must make a record of the concern on the form for Reporting Safeguarding concerns at Appendix E, this includes:

- The date and time
- The child or 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 adult's behaviour and physical and emotional state
- What the child or adult said and what was said in reply. Please record this as accurately as possible, using their own words far as possible
- 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
- Send the form to the Designated Safeguarding Officer

Making a Referral to Staffordshire Children's Social Care

- Where there are concerns that a child or young person is at risk of or suffering significant harm then a referral should be made to Staffordshire Children's Social Care's First Response Team based at the Multi Agency Safeguarding Hub on **0800 131 3126 (between 8.30 am and 5.00 pm and 4.30 pm on a Friday)** or via a brief e-mail firstr@staffordshire.gov.uk with your contact details **(this should not include any confidential details about a child or young person)** and explain the need for an urgent response due to a child protection concern.
- **Outside of 8.30 am and 5.00 pm** any concerns relating to a child should be directed to Staffordshire County Council **Emergency Duty Service on 0345 604 2886.**

Significant harm – The Children Act 1989 identified that significant harm justifies compulsory intervention in family life in the best interest of the child. It defines harm as 'ill-treatment or the impairment of health or development', Development means physical, intellectual, emotional, social or behavioural development: health means physical or mental health: and ill-treatment includes sexual abuse and forms of ill-treatment which are not physical. As a result of the Adoption and Children Act 2002, the definition of harm also includes 'impairment suffered by hearing or seeing the ill-treatment of another'.¹

The legislation does not define what is meant by significant harm. However the Working Together guidance lists the following factors to consider in understanding and identifying significant harm:

- The nature of harm, in terms of maltreatment or failure to provide
- The impact on the child's health and development
- The child's development within the context of their family and wider environment
- Any special needs, such as a medical condition, communication impairment or disability that may affect the child's development and care within the family
- The capacity of parents to meet adequately the child's needs; and
- The wider and environmental family context.

It is **not** the responsibility of employees, councillors, volunteers or contractors to investigate whether a child or young person is suffering significant harm. But where significant harm is suspected, these concerns should be raised.

Where it is understood that the concerns do not meet the threshold for significant harm, the Local Support Team should be contacted to find out if they are already working with the child/family. Their contact details are set out on page 18 of this procedure.

All concerns raised must be shared with the Designated Safeguarding Officer or Deputy Safeguarding Officer.

Making a Referral to Staffordshire Adult Children's Social Care

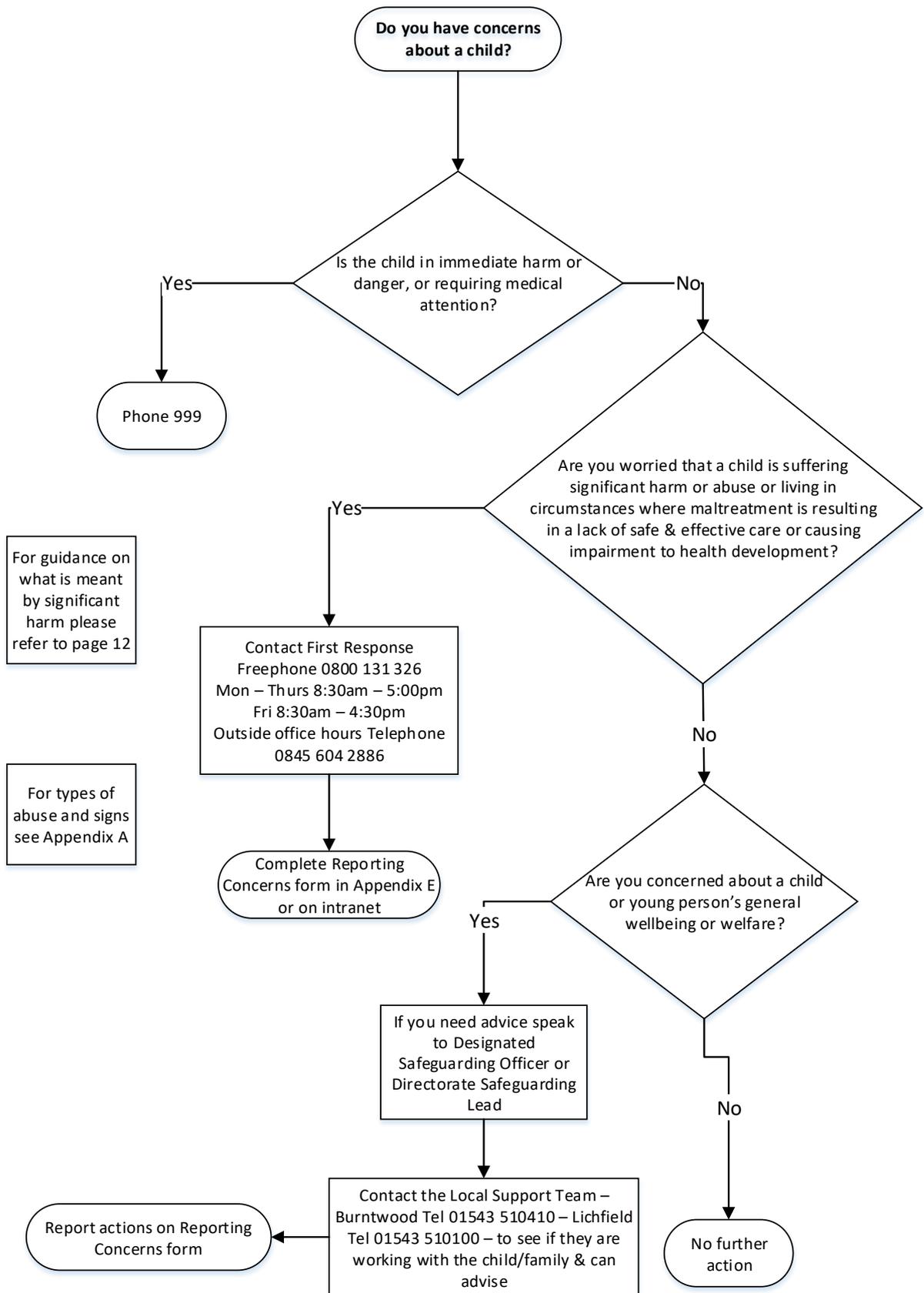
- Where concerns relate to an adult at risk an Adult Protection referral should be made to the Contact Centre **0345 604 2719 (between 8.30 am and 5.00 pm Monday to Thursday and 4.30 pm on Friday).**
- **Outside of 8.30 am and 5.00 pm** any concerns relating to an adult at risk should be directed to Staffordshire County Council **Emergency Duty Service on 0345 604 2886.**

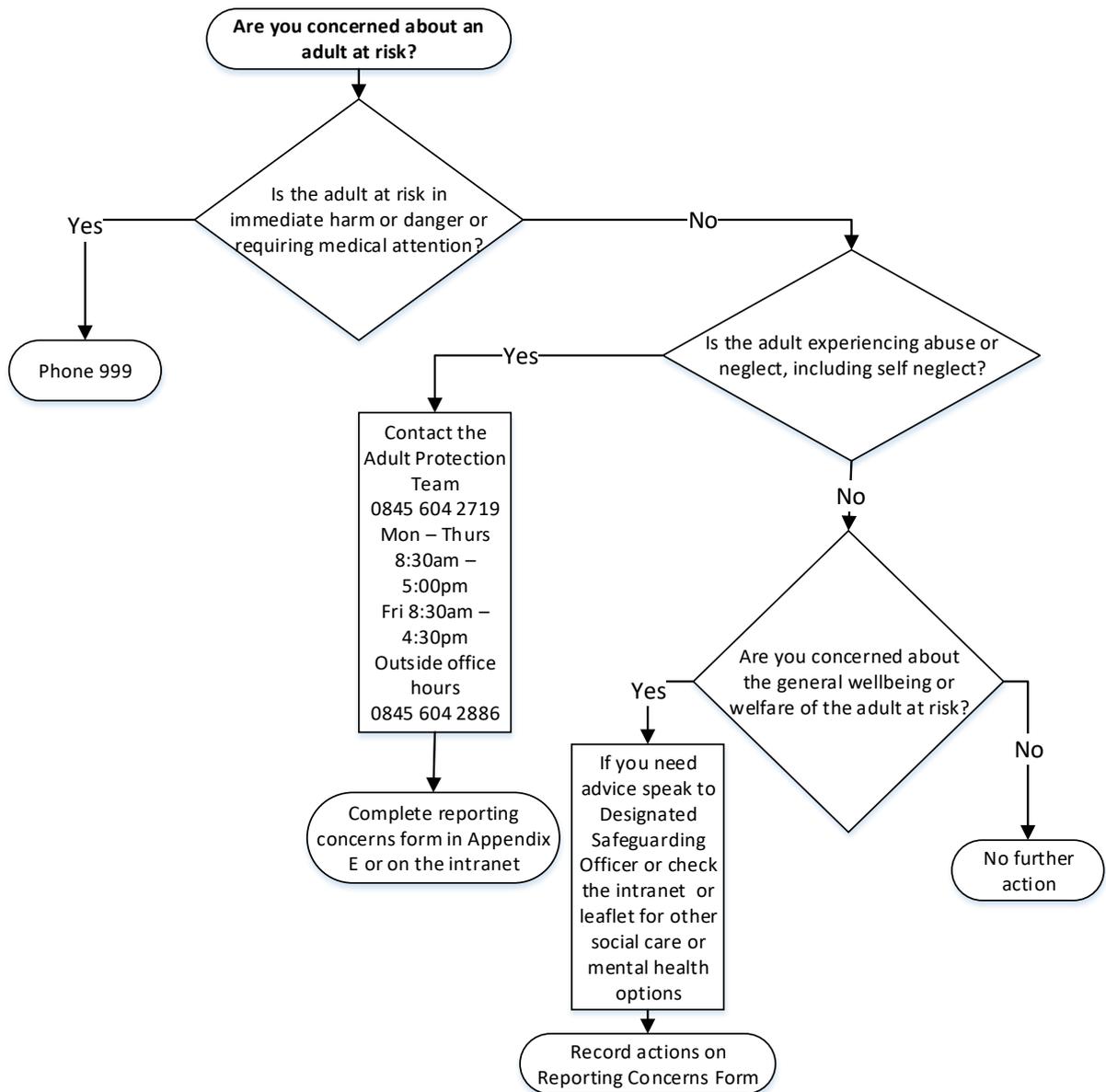
Adult referrals should be made by phone where possible but it is important that there is a record of what is reported. Emails can be sent to vastaffordshire@staffordshire.gov.uk

Making a referral will trigger an investigation by Staffordshire County Council. It is important therefore that Lichfield District Council retains an audit of referrals made to inform any such investigation. All concerns raised must be shared with the Designated Safeguarding Officer or their Deputy.

Please see the procedural flowcharts on the following pages.

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.





An adult at risk of abuse or neglect:
 Has needs for care & support (whether or not the local authority is meeting any of these needs) and:
 - Is experiencing, or at risk of abuse or neglect; and
 - as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect, significant harm or exploitation

For types of abuse and signs see Appendix A

Referring potential victims of Modern Slavery

The council, as a District Council has a duty to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015. This is through the National Referral Mechanism (NRM). Referrals to the NRM can only be made by authorised agencies known as First Responders.

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support.

The information that must be provided is set out in the Modern Slavery Act 2015.

For Staffordshire it has also been agreed that a referral will be made through Adults and children's safeguarding.

<https://www.staffsscb.org.uk/Professionals/Procedures/Section-Four/Section-Four-Docs/Section-4K-Modern-Slavery-and-Human-Trafficking-Guidance.pdf>

(Duty to Notify) Regulations 2015

(www.legislation.gov.uk/ukxi/2015/1743/pdfs/ukxi_20151743_en.pdf).

This information can be provided by completing a National Referral Mechanism (NRM) form or an MS1 (Notification of a Potential Victim of Modern Slavery) form.

The NRM form should be used if the victim is an adult and consents to provide their personal details and would like to receive Government funded specialist support, or for a child victim (where consent is not needed). NRM forms and associated guidance are available on the gov.uk website

(<https://www.gov.uk/government/publications/human-trafficking-victims-referral-andassessment-forms>).

An MS1 form should only be used if the potential adult victim wants to remain anonymous and does not want specialist support (or if you are not able to contact the potential victim and do not know their personal details). The MS1 form is available on the gov.uk website (www.gov.uk/government/publications/duty-to-notify-the-home-office-of-potential-victims-of-modern-slavery).

Where an adult has not consented to the referral, then the notification must not include information anywhere in the form that identifies the person, or enables the person to be identified (either by itself or in combination with other information).

This duty is not retrospective and so public authorities do not need to notify the Home Office of victims first encountered prior to 1 November 2015. Where a case has

already been referred into the NRM prior to 1 November 2015 and the individual is encountered again, a 'duty to notify' notification is not required.

Where an individual is being referred to the NRM, the NRM referral form will be sufficient in itself to satisfy the duty to notify.

Where an NRM referral is not being made, the MS1 form should be completed and sent to dutytonotify@homeoffice.gsi.gov.uk.

This information should be provided as soon as practicable. Unless there are exceptional circumstances, the MS1 form should be sent to the duty to notify inbox within one month of encountering a victim.

Notification of child victims

Although the duty to notify applies to both children and adults, children do not need to consent to enter the NRM, so potential child victims should be referred into the NRM in all cases (rather than making an MS1 notification). A referral to Children's Safeguarding also needs to be made.

Seeking Consent

Whilst professionals 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. Employees/ elected members/ volunteers should not seek consent if they believe that in doing so they may put themselves at risk.

Consent is **not** required for referrals that meet the threshold for significant harm.

Consent is not required for adult protection referrals; however it is good practice to gain consent if possible. If the 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.

Please refer to the above section on modern slavery for advice regarding consent.

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 (2018) Chapter 2
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf

- SSSCB inter-agency procedures: Section 4HA
<https://www.staffsscb.org.uk/Professionals/Procedures/Section-Four/Section-4-Promoting-the-Welfare-Safety-of-Children-in-Specific-Circumstances.aspx>

Any concerns for the welfare of a child or adults at risk arising from abuse or harassment by a member of staff, elected member or a volunteer **must** be reported **immediately** to the Designated Safeguarding Officer (Christie Tims) / or one of her Deputies (Lucy Robinson or Sarah Sleigh) and the HR Manager (Sam Mills). In the event that they are not available a member of Leadership Team should be informed of the position. Out of hours the Director on call can be contacted.

If it is understood that a child or children have suffered or are at risk of suffering significant harm the Designated Safeguarding / Deputy will contact First Response and speak to the LADO (Local Authority Designated Officer)

If the matter does not meet the threshold for significant harm, the 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 children¹. 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 liaise with police and children's social care safeguarding teams when appropriate, and also discuss with the Designated Safeguarding Lead or Deputy other 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 an adult, the council's Designated Safeguarding Officer or Deputy will make a referral to the Contact Centre 0845 604 2719.

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 adult and report his or her concern about a colleague's practice.

This support may take the form of counselling, if appropriate, 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

¹ As defined in Working Together 2013, Chapter 2, page 48

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 adults at risk, 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.

Disclosure of physical or sexual offences against adults at risk or children

Any staff member, elected member or volunteer who becomes the subject of a police investigation in relation to physical or sexual offences against adults at risk or children, or are charged with such a criminal offence, must inform the Personnel Manager. Staff must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before, or during their employment at the organisation. The Personnel Manager will discuss any potential safeguarding matters with the LADO and any required action will be agreed.

Further guidance available at:

[http://www.staffsscb.org.uk/
Safeguarding Children and Adults at Risk of Abuse and Neglect Procedure](http://www.staffsscb.org.uk/Safeguarding%20Children%20and%20Adults%20at%20Risk%20of%20Abuse%20and%20Neglect%20Procedure)

2.5 Welfare and wellbeing concerns raised

Many of the issues that employees, elected members and volunteers come across are welfare and wellbeing concerns rather than Safeguarding but are nevertheless issues that may need to be raised with other organisations. Options available, include those identified below.

General concerns relating to Children and Young People

Where a concern has been raised that has not been identified as a Safeguarding issue, the Local support team may be able to advise if they are already working with the family. Local Support Teams work with children and young people who have a problem that can't be solved within the family or at school (or with the help of other services that everyone can access such as doctors or children's centres) but who don't need intensive social work support.

They can help when there's an ongoing issue with a young person not attending school for example or a concern about alcohol or drug use.

They may be able to give advice on how a child's needs could be met, but they may also do more in depth work on a one-to-one basis or with groups of families. You should make the family aware if you are making a request for support and where possible get their agreement.

There are 2 Local Support Teams for Lichfield district:

Burntwood LST

Tel 01543 510410 – email – burntwood.lst12@staffordshire.gov.uk
Monday- Thursday – 8.30am- 5.00pm - Friday – 8.30- 4.30 pm -

Lichfield

Tel 01543 510100 – email – lichfield.lst13@staffordshire.gov.uk
Monday- Thursday – 8.30am- 5.00pm - Friday – 8.30- 4.30 pm -

The Staffordshire Market Place may also be a useful source of information. It is an online directory of local care, support and wellbeing services, activities and events across Staffordshire aimed at the whole family – staffordshiremarketplace.co.uk

General concerns relating to Adults at Risk

There are a range of options where a concern has been raised that has not been identified as a Safeguarding issue, but where it is felt that there are issues that need to be passed onto other organisations. This will be largely dependent on the primary concerns. The social care local area offices for Lichfield and Burntwood may be able to help.

Lichfield area office Tel 0300 111 8010
Emergency out of hours: 07815 492613
Email - lichfieldtamworth.customercarereferrals@ssotp.nhs.uk

Burntwood area office Tel 0300 111 8010
Emergency out of hours: 07815 492613
Email - lichfield.aso@ssotp.nhs.uk

The Staffordshire Market Place may also be a useful source of information – Tel 0300 111 8014. They will be able to identify if they are already supporting the person. You should make the family aware if you are making a request for support and where possible get their agreement.

There is also an online directory of local care, support and wellbeing services, activities and events across Staffordshire aimed at the whole family – staffordshiremarketplace.co.uk -

If you have a concern about the mental health of an adult you can contact the Lichfield & Burntwood Community Mental Health Team (CMHT) on 0300 555 5001

More information is also available on the intranet, in the Safeguarding leaflet or from the Designated Safeguarding Officer and Safeguarding Leads.

SUMMARY LEGAL FRAMEWORK

The Children Act 1989

The Children Act 1989 provides Local Authorities (Social Services) and others with powers and duties to protect children from harm and ensure that the welfare and developmental needs of children are met. It also includes the general principle that the welfare of the child is paramount. Under section 47 of the Children Act, a Local Authority (Staffordshire County Council) must make enquiries regarding a child's welfare where:

- They are informed that a child who may be considered at risk who lives or is found in the area is
 - the subject of an Emergency Protection Order, or
 - in police protection, or
 - the council has reasonable cause to suspect that a child living or found in their area is suffering or likely to suffer significant harm.

The enquiries will enable the Local Authority to decide whether they should take any specific actions to safeguard and/or promote the child's welfare. All investigations will be carried out by Children's Social Care and the Police where necessary and will be in accordance with Staffordshire Safeguarding Children Board procedures and guidelines.

The Children Act 2004 – Section 11 Statutory Guidance

Statutory guidance on making arrangements to safeguard and promote the welfare of children came into force on 1 October 2005. 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
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic wellbeing

It details how district councils already contribute to the lives of children and young people and what is expected of them, including:

1. Senior Management commitment to the importance of safeguarding and promoting well-being

2. A clear statement of the council's responsibilities towards children, made available to all staff
3. Clear lines of accountability for work on safeguarding and promoting wellbeing
4. Using safe recruitment procedures for those coming into contact with children and young people
5. Appropriate training for all staff
6. Effective working relationships within the council and with other agencies to safeguard and promote well-being and to share information effectively

Care Standards Act 2000

This Act details the statutory responsibility for all agencies to ensure the protection of adults at risk. 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 child minders 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.

Mental Capacity Act 2005

The Mental Capacity Act 2005 provides a statutory framework for people who lack capacity to make decisions, or who have capacity and want to make preparations for a time when they may lack capacity in the future.

The Mental Capacity Act (MCA) is designed to protect and empower people who may lack the mental capacity to make their own decisions about their care and treatment. It applies to people aged 16 and over.

It sets out who can take decisions, in which situations, and how they should go about it. The Act sets out how capacity should be assessed and procedures for making decisions on behalf of people who lack mental capacity. "The underlying philosophy of

the MCA is that any decision made, or action taken, on behalf of someone who lacks the capacity to make the decision or act for themselves must be made in their best interests.”

The Act covers day to day decisions such as what to eat and wear, and also more complex or life changing decisions such as whether to undertake major surgery. Capacity can be time and decision specific.

Examples of people who may lack capacity include those with:

- dementia
- a severe learning disability
- a brain injury
- a mental health illness
- a stroke
- unconsciousness caused by an anaesthetic or sudden accident

But just because a person has one of these health conditions doesn't necessarily mean they lack the capacity to make a specific decision.

Someone can lack capacity to make some decisions (for example, to decide on complex financial issues) but still have the capacity to make other decisions (for example, to decide what items to buy at the local shop).

The Mental Capacity Act 2005 defines lack of capacity in the following way: “A person lacks capacity in relation to a matter if, at the material time, he or she is unable to make a decision for themselves in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain”.

The Act includes Five Statutory Principles:

Principle 1:

- A person must be assumed to have capacity unless it is established that they lack capacity.

Principle 2:

- A person is not to be treated as unable to make a decision unless all practicable steps to help him or her to do so have been taken without success. Individuals should be given support to make their own decisions and all practicable steps should be taken to make that possible. Support might include:
 - Different forms of communication e.g. non-verbal such as sign language
 - Information in different formats, e.g. photographs or flash cards
 - Treating a medical condition that may be affecting an individual's capacity
 - A structured programme to improve capacity to make particular decisions, especially relevant for individuals with learning disabilities

Principle 3:

- A person is not to be treated as unable to make a decision merely because he or she makes an unwise decision. People have a right to make a decision that

others do not agree with. If there is concern a person is acting in a way that isn't consistent with previous behaviour, or they are making decisions that may put them at risk of harm, then a mental capacity test should be undertaken.

Principle 4:

- An act done or decision made, under the Act for or on behalf of a person who lack capacity must be done, or made in, the person best interests.

Principle 5:

- Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

For more information:

<https://www.ssaspb.org.uk/Professionals/Training.aspx>

Care Act 2014

The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. (Part 1 S42-47)

Under the new adult safeguarding duties local authorities must (for LDC Staffordshire County Council):

- lead a multi-agency local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens
- make enquiries, or request others to make them, when they think an adult with care and support needs may be at risk of abuse or neglect and they need to find out what action may be needed
- establish Safeguarding Adults Boards, including the local authority, NHS and police, which will develop, share and implement a joint safeguarding strategy
- carry out Safeguarding Adults Reviews when someone with care and support needs dies as a result of neglect or abuse and there is a concern that the local authority or its partners could have done more to protect them
- arrange for an independent advocate to represent and support a person who is the subject of a safeguarding enquiry or review, if required.

Any relevant person or organisation must provide information to Safeguarding Adults Boards as requested.

Modern Slavery Act 2015

The Modern Slavery Act consolidates and clarifies the existing offences of slavery and human trafficking whilst increasing the maximum penalty for such offences.

The Act:

- provides for two new civil preventative orders, the Slavery and Trafficking Prevention Order and the Slavery and Trafficking Risk Order
- establishes the office of Independent Anti-slavery Commissioner and sets out the functions of the Commissioner
- introduces a number of measures focussed on supporting and protecting victims, including a statutory defence for slavery or trafficking victims and special measures for witnesses in criminal proceedings.
- requires certain businesses to disclose what activity they are undertaking to eliminate slavery and trafficking from their supply chains and their own business
- identifies organisations as ‘first responder’s. This includes a duty for district councils to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015. This is through the National Referral Mechanism (NRM). Referrals to the NRM can only be made by authorised agencies known as First Responders.

<https://www.gov.uk/government/publications/modern-slavery-duty-to-notify>

STATUTORY GUIDANCE

- Working Together to Safeguard Children 2013. 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
- No Secrets 2000 – This statutory guidance came into effect in 2000 for local councils with social services, local NHS bodies, local police forces and other partners to develop local multi-agency codes of practice to help prevent and tackle abuse.
- 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

Interagency Procedures for Adult Protection in Staffordshire can be found at <http://preview.staffshirecares.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 B

WORKING WITH CONTRACTORS AND VOLUNTARY ORGANISATIONS

Lichfield District Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure covers all LDC functions and services and the operations of partners, contractors and voluntary organisations providing a service to Lichfield District Council. All such partners, contractors and voluntary organisations need to be made aware of the council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure and comply with the policy and procedures. Any contracts or Service Level Agreements or in place should therefore specify this requirement.

Contractors and organisations working with Children and adults at risk

Where the contractor or organisation will be working with children, young people and/or adults at risk, the contractor or organisation will be required to have approved their own Safeguarding Policy and Procedures, which have been reviewed by the officer responsible for the contract and agreed as fit for purpose. Advice may be sought from the Designated Safeguarding Officer.

Contractors and organisations must also follow safer recruitment selection policies and ensure these are implemented whenever a person is employed or volunteers to work with children, young people or adults at risk. This will also include a requirement that the provider will not sub-contract to any organisation that does not have safe recruitment processes.

These requirements will be included in the terms of any contract drawn up between the council and contractors or organisations that provide council services for, or adults to work with, children and adults at risk. The specific terms of the application of this policy, to contractors and organisations delivering services on behalf of the council, will be specified, where appropriate, in contractual documents, including procurement standards, monitoring and quality assurance.

It is the responsibility of the manager who is using the services of the contractor or organisation to check that any necessary Disclosure and Barring Service checks have been satisfactorily completed. The manager will monitor safeguarding compliance as part of the regular contract management monitoring.

The Designated Safeguarding Officer will use the Contracts Register to monitor compliance with overall Safeguarding requirements.

Partnership working and Grant aided organisations

Voluntary organisations, private and community sector providers working in partnership with the council involving children and adults at risk will be made aware of the council's Safeguarding Policy and Procedure requirements.

Grant aided organisations delivering services involving children and adults at risk will be required to demonstrate that they have in place an appropriate Safeguarding Policy and procedure as a condition of financial support.

SAFER RECRUITMENT POLICY AND PROCEDURE**Purpose**

The purpose of the Safer Recruitment Policy and Procedure is to ensure that all recruitment and employment decisions follow a standard process which affords a fair, rigorous, consistent, transparent and legitimate assessment of whether an individual is suitable for working with children and/or adults at risk.

Policy statement and scope

Lichfield District Council will take all reasonable steps to prevent unsuitable people from working with children and adults at risk. In particular, it will:

- Ensure all staff with responsibility for recruitment and selection are trained.
- Evaluate the need for a Disclosure and Barring Service check, for all vacancies/new posts, including casual staff.
- As appropriate, identify requirement in job advertisement/candidate profile.
- As appropriate, ensure previous experience of working with children, young people and adults at risk (and also any apparent gaps in employment history) is covered at interview.
- Confirm identity and eligibility to work of prospective appointee
- Take up two references (one from current or most recent employer) and enhanced disclosure check prior to commencement of appointment.

This policy applies to all Lichfield District Council employees. It also applies to contractors, agency staff and volunteers who provide services on behalf of the council. Where a requirement exists for a DBS check to be undertaken it is incorporated within the contract of employment for appointment to that post.

Introduction

The Council has a duty to safeguard children and adults at risk from abuse and neglect. This includes ensuring that the council does not employ anyone whose motivation to work with these groups is to abuse them. The harsh reality is that if a deceitful and manipulative person is determined to find a job working with children or adults at risk then there is not a 100% guarantee they will be stopped. However, the council's role is to make it as difficult as possible for them to get through the recruitment and selection process. Robust and visible safeguarding in recruitment will deter unsuitable people from trying to join our organisation.

The risk is small, however, the impact of just one allegation in an authority is huge, on reputation, impact on other staff, customers going elsewhere and investigation time. The impact on that one child or adult at risk is lifelong.

LDC has robust Recruitment and Selection processes which will deter those who would want to work with children or adults at risk for the wrong reasons, for both permanent and casual positions. However, if these individuals can't find a paid

position, they may seek volunteer positions where they may anticipate that checks will be less stringent. Recruiting managers therefore need to ensure that the

Recruitment and Selection Policy is applied for all recruitment, including permanent, temporary or casual positions and where it is a volunteer, that the Volunteer Policy is applied.

Prior to Recruitment

- Set aside time to plan and structure the Recruitment & Selection process
- Use Application Forms, do not accept CV's/ verbal expression of interest
- Include safeguarding criteria in the person specification for relevant jobs
- Check list of DBS requirements for relevant roles on the personnel area of the intranet
- Include a clear safeguarding message and reference to DBS checks on relevant job ads – standard strapline wording is required – check with personnel
- Require the names of at least two people (not relatives) willing to provide references that comment on the applicant's previous experience of , and suitability for, working with children or adults at risk ,where it is a requirement of the job or volunteering role

At interview

- Interviewers must have been trained in R&S procedures in last 3 years
- Use minimum of 2 people on interview and shortlisting
- Use more than 1 selection tool where possible, do not just rely on interview to minimise subjectivity, e.g. Work related tests, presentations, trial class.
- Use structured questions around person specification bespoke to each position
- Probe gaps in employment history or concerns regarding reasons for leaving
- Seek evidence of past behaviour in interview, do not use hypothetical questions only
- Ask for original documentation – e.g ID, qualifications, eligibility to work in the UK
- Make sure decisions are clearly documented

At appointment

- Ensure two references are obtained before start date is agreed. Where references are verbal, the record form must be completed and forwarded with the paperwork to personnel. If the paperwork is incomplete it will be returned and not processed.
- References should include the applicant's suitability to work with children or adults at risk, where it is a requirement of the job
- If the position is a volunteer, the Volunteer Policy must be applied by the recruiting manager.

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 adults at risk. This will be carried out by the line manager and Personnel Management Team.

Interview

Interviews must be carried out in line with the council's Recruitment and Selection policy. For posts that have direct contact with children and adults at risk the interview should also include Safeguarding questions relevant to the post.

Commencement of Employment

Two references must be received before the employee or volunteer can commence employment. This includes casual staff.

Where a DBS check is required, the employee, contractor, agency staff or volunteer cannot commence working on behalf of the council until the DBS has been received and they will not be added to the payroll.

Induction

Checks are only part of the process to protect children and adults at risk 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/concerns 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 adults at risk from possible abuse.

All employees of LDC, elected members and volunteers need to have an awareness and understanding of the council's Safeguarding Policy and Procedures. This is facilitated through induction and making information available through the Safeguarding area of the intranet, posters, leaflets and other communications.

Beyond this basic level of understanding the knowledge required clearly varies according to job role. To this end 5 target groups have been identified and staff, elected members and volunteers allocated to a group. This then identifies the training content required and the timescales for completion.

Induction should include:

- Confirmation of the identified training needs and agreed timescales. As a minimum the council expects all staff to have undergone formal children and or adults at risk adult training related to their job within 3 months of commencement of employment with the council. Refresher training will be required every 3 years. It is the responsibility of line managers to ensure this takes place
- Clarification, agreement and signing up to the council's Safeguarding Children at Risk of Abuse and Neglect Policy and Procedure
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.

Training

All employees of LDC, elected members and volunteers need to be aware of and understand the council's Safeguarding Policy and Procedures. This is facilitated through induction and making information available through the intranet, posters and other communications. Beyond this basic level of understanding the knowledge required clearly varies according to job role. To this end 5 target groups have been identified and staff, elected members and volunteers allocated to a group. This then identifies the training content required and the timescales for completion. A full list of training requirements by role is available on the Safeguarding area of the intranet.

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 adults at risk 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 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.

Rehabilitation of Offenders

Lichfield 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.

Recruiting Manager responsibilities

- To follow the Recruitment and Selection procedures
- Ensure new staff and volunteers receive a proper induction
- Make sure all recruitment paperwork is complete before sending to Personnel for action, including references for casuals
- Ensure relevant staff receive Safeguarding training

HR responsibilities

- Ensure Recruitment and Selection procedures are kept up to date with safeguarding practices
- Provide Recruitment and Selection training
- Action requests for Safeguarding training
- Check paperwork is complete, including DBS and references received before allowing the employee onto the payroll system

TRAINING AND DEVELOPMENT FRAMEWORK

All staff, councillors and volunteers, need to be able to recognise and respond to possible safeguarding issues. The level of training need for each person is determined by their level of contact and their role in managing or supervising others. All roles sit within five groupings as agreed by the Staffordshire Safeguarding Children's Board.

Target Group	Definition for Grouping	Examples of who sits within each Group	Content/ outcome	Timescales
0	Employees and volunteers whose job does not involve contact with children & young people, parents or carers, and/ or adults at risk	Business support, accountants, democratic services officers, admin staff, cleaners	Induction includes awareness & understanding of policy & procedures	3 months from job start date
1	Employees and volunteers who have infrequent contact with children & young people, parents or and carers and/ or adults at risk	Grounds staff, refuse Collectors, Connects Team, desk based benefits advisors, planning officers, building control officers, performance officers, personnel, personal assistants	Awareness of types of abuse Signs and indicators of abuse and neglect How to report concerns CSE and Modern Slavery for identified staff	3 months from job start date
2	Employee,/councillors and volunteers who have regular contact or have a period of intense but irregular contact, with children & young people, parents or carers, and/ or adults at risk	Councillors, housing and homelessness advice officers, environmental health officers, Licensing officers, coaches, park attendants/rangers' Parks Managers, play scheme/holiday staff, Community Safety staff. Anyone completing home visits.	Above plus: Information Sharing Threshold Framework Domestic Abuse Safer Recruitment ` Training for staff who are responsible for recruiting staff to work with children and young people CSE specific training for Licensing/ Environmental Health officers	Core 6 months from job start date Additional training within 12 months as available
3	Employees and volunteers who work predominantly with children & young people, their parents or carers and adults at risk or advise others on Safeguarding	Positive Futures Officer Community and Education Officer Directorate Safeguarding Leads	As above plus: Radicalisation, Female Genital Mutilation Job related training e.g. Working with hostile and uncooperative families, Domestic	3 months from job start date Additional training within 12 months as available

Target Group	Definition for Grouping	Examples of who sits within each Group	Content/ outcome	Timescales
			abuse, Substance Misuse, Recognition of neglect	
4	Designated Safeguarding Officer and Deputy	Christie Tims Lucy Robinson Sarah Sleigh	Above plus Designated officer Training:	Core training 3 months from job start date Additional training within 12 months as available

The Safeguarding Training Needs Matrix identifies the training needs of every employee role. Training is either delivered via Staffordshire Safeguarding accredited e learning or face to face. This is on the Safeguarding Area of the Intranet.

Appendix E

FORM FOR REPORTING SAFEGUARDING CONCERNS

Your name and job title	
Email	
Tel.no	
Name of child/adult at risk:	
Age and date of birth (if known):	
Address of child/ adult at risk	
Tel .no	
Parent/carer names	
Are you reporting your own concerns or those of somebody else? Please give details	
Brief description of the nature of your concerns: include dates, times and details of any incidents witnessed, location and any physical and behavioural signs etc	
Have you spoken to the child/adult at risk? If so, what was said and have you advised them you are reporting your concerns?	
Has anybody been alleged to be the perpetrator? If so, give any known details	
Have you consulted anybody else? If so, please give details	
What have you done with your concern- e.g. passed to Local Support Team, Adult Protection, Staffordshire First Response team (please give names and reference numbers if applicable)	

Your signature	
Date	
Signed by Designated Safeguarding Officer	
Date received by Designated Safeguarding Officer	
Action taken by Designated Safeguarding Officer	

RETURN FORM 'IN CONFIDENCE' TO THE DESIGNATED SAFEGUARDING OFFICER FORM TO BE STORED SECURELY AND CONFIDENTIALLY

FORM FOR REPORTING CONCERNS ABOUT THE BEHAVIOUR OF COLLEAGUES IN RELATION TO THE PROTECTION OF CHILDREN OR ADULTS AT RISK

Name of individual about whom you have concerns:	
Their place of work and job role (if known):	
Your Name	
Email	
Tel. no.	
Details of your concerns, including any incidents witnessed, dates, times, location, other people involved.	
Have you spoken to the individual about your concerns? What was their response/reaction? Did you record it?	
Have you taken any other action relating to your concern?	
Your signature	
Date:	
Report received by:	
Date:	
Details of action taken:	

RETURN FORM 'IN CONFIDENCE' TO THE DESIGNATED SAFEGUARDING OFFICER FORM TO BE STORED SECURELY AND CONFIDENTIALLY IN PERSONNEL

GOOD PRACTICE GUIDELINES

All staff should be encouraged to demonstrate exemplary behaviour. It is possible to limit the situations where the abuse of children and adults at risk may occur by promoting good practice to all staff, elected members and volunteers. Following good practice guidelines should also help protect employees, elected members and volunteers themselves from possible allegation.

Lichfield District Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults at risk. Whilst there are some guidelines that will not apply to your work at LDC the principles described are helpful and should be applied.

Good Practice Guidelines

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. All staff should be encouraged to demonstrate exemplary behaviour in order to protect themselves from possible allegation.

Lichfield District Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults at risk. Whilst there are some guidelines that will not apply to LDC roles LDC the principles described are helpful and should be applied.

Do's

When working with children and adults at risk all employees/ elected members/ volunteers should:

- Adhere to the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure at all times
- Treat all children and adults at risk with respect and dignity □ Maintain a safe and appropriate distance from children and adults at risk- e.g Try not to be left alone with a child
- If a child or adult at risk talks to you about a problem, listen to them and take them seriously
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults at risk.
- Ensure that if physical contact is needed, it is provided openly and in line with relevant guidelines (e.g National Governing Body of Sport Guidelines)
- Work in pairs if supervision in changing rooms or similar places is required, avoiding entering opposite sex changing rooms; with mixed groups, supervision should be by a male and female member of staff together, wherever possible
- Involve parents, guardians and carers wherever possible.

All Employees must follow LDC's policies and procedures, including for example:

- Safeguarding Children and Adults at Risk policy
- Code of Conduct
- Whistle blowing Policy
- Disciplinary Policy

- Recruitment and Selection Policy, including Safer Recruitment
- Bullying and Harassment Policy
- Health And Safety Policy
- Grievance Policy
- Equalities Policy
- Procurement Policy

All Employees must follow LDC's policies and procedures, including for example:

- Safeguarding Children and Adults at risk Protection policy
- Code of Conduct
- Whistle blowing Policy
- Disciplinary Policy
- Recruitment and Selection Policy, including Safer Recruitment
- Bullying and Harassment Policy
- Health And Safety Policy
- Grievance Policy
- Equalities Policy
- Procurement Policy

First Aid and Treatment of Injuries

If a child or adult at risk 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/adult at risk, 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 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 adults at risk 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.

Transporting Children and Adults at Risk Away From Home

If it is necessary to provide transport to take children or adults at risk 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 adults at risk
- Always tell another member of staff that a child or adult at risk is being transported, giving details of the route and the anticipated length of the journey
- Never transport a child or adult at risk unaccompanied, other than in exceptional circumstances. Plan pick-ups and drop offs to minimise the risk of being alone with a child or adults at risk
- Ensure all vehicles are correctly insured and well maintained
- Ensure drivers hold current, appropriate driving licences, 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 adults at risk. These adults should be familiar with and agree to abide by the council's Safeguarding Children and Adults at risk of Abuse and Neglect Policy and Procedure
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

INFORMATION SHARING GUIDANCE

Information sharing is essential in safeguarding children and protecting adults at risk at risk. The council will comply with HM Government guidance setting out the 'seven golden rules' for information sharing. This guidance is available on:

www.everychildmatters.gov.uk/informationsharing

The key points to consider when sharing information are:

- Staff must explain to the child, adults at risk or parent at the outset, openly and honestly, what information will, or could be shared. They must explain why and how it needs to be shared and seek their agreement. The exception is where sharing information would put the person or others at risk of significant harm, or undermine prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation
- Staff must always consider the safety and welfare of a child or adults at risk when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual's safety and welfare must be the overriding consideration
- Staff should, wherever possible, respect the wishes of children, their parents or adults at risk who do not consent to sharing confidential information. Information may still be shared, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent
- Staff should seek advice from the appropriate professional bodies where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, adult at risk or to others
- Staff should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely
- Staff should always record the reasons for their decision – whether it is to share information or not.

For more information:

<https://www.staffordshire.gov.uk/community/Information-Sharing-In-Staffordshire/One-Protocol-and-Appendices.aspx>

GUIDELINES ON USE OF IMAGES OF CHILDREN AND/OR ADULTS AT RISK 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 adults at risk. In some cases, however, displaying certain information about children and adults at risk 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 adults at risk.

- Publications or information on a website must never include personal information that could identify the child or adult at risk. Any contact information must be directed to the council or other relevant organisation.
- Before publishing any information about a child or adult at risk, written consent must be obtained from the child or adult's parent, guardian or carer. If the material is changed from the time of consent, the parents/guardians/carers must be informed and consent provided for the changes.
- The content of photographs or videos must not depict a child or adult at risk in a provocative pose or in a state of partial undress. Children and adults at risk must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults at risk only the group or team should be referred to and not individual members. Credit for achievements by an individual child or adult at risk should be restricted to first names only.
- All published events involving children or adults at risk must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/adult at risk 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 adults at risk who are considered particularly vulnerable e.g. the subject of a child or adult protection issue or a custody dispute.

Any concerns or enquiries about publications or internet information should be reported to the council's Designated Safeguarding Officer: Christie Tims or one of her Deputies Lucy Robinson or Sarah Sleigh.

GUIDELINES ON USE OF PHOTOGRAPHY AND FILMING OF CHILDREN AND/OR ADULTS AT RISK (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 adults at risk 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 adult safeguarding
- 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 adult at risk 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 adults at risk or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or adult's home.
- It is recommended that the names of children or adults at risk should not be used in photographs or video footage, unless with the express permission of the child or adults at risk 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 Lichfield District Councils’ Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure, 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 spectators’ 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 film operators are to be reported to Christie Tims, the council’s Designated Safeguarding Officer or her deputies Lucy Robinson or Sarah Sleigh and where relevant, the police.

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/guardians/ carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, adults at risk and parents/guardians/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 Designated Safeguarding 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 Lichfield District Councils’ Safeguarding Children and Adults at Risk of Abuse and Neglect 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 photographic consent form is given at **Appendix M**

Photographic consent

Lichfield 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 Lichfield 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 of child/ adult in my care (block capitals):</p>
<p>Date of birth (if under 18):</p>
<p>Address:</p>
<p>Phone number:</p>
<p>Parent/carer/guardian:</p>
<p>Address (if different from above):</p>
<p>Contact telephone details (if different from above):</p>
<p>Email address (optional):</p>