



Safeguarding Children and Young People Policy

Mind in Brent, Wandsworth & Westminster

2023

Safeguarding Children and Young People Policy

1. Introduction

BWW Mind is committed to safeguarding the welfare of children and young people. Safeguarding is broader than 'child protection' as it also includes prevention. Safeguarding is taking all reasonable measures to ensure that the risks of harm to children and young people's welfare are minimised.

In this respect BWW Mind acknowledges its responsibility as a provider of services for children and young people, many of whom may have social, emotional, or behavioural difficulties.

As BWW Mind works with such people every year we have developed this policy to primarily protect children and young people in our care.

It is designed to reassure service users, their parents/carers/advocates and the contracting/commissioning bodies for whom we provide services. It also establishes the roles and responsibilities of everyone who works for BWW Mind in relation to safeguarding the children and young people with whom we work. It does this by setting out clear guidance, so Staff, Volunteers, trainees and management committee members are able to act appropriately in any given situation.

Furthermore, we recognise that it is our duty to safeguard any child or young person, whether or not they are in our caseload. If, therefore, in the course of our work we become aware of a potential safeguarding issue, we would raise a concern with either the third-party organisation we are working with in that particular situation, who may have a duty of care for the individual and /or their family, or with the relevant Local Authority Designated Officer, Safeguarding Adults Board or Safeguarding Children Partnership.

This policy is based on and reflects, the principles of both UK legislation and guidance and other relevant BWW Mind policies and procedures. The approach has been developed in such a way as to be consistent with 'Best Practice' within the field of safeguarding children and young people.

2. Statutory Framework

- 2.1. The Children's Act 1989 provides the legal framework for the protection of children in the UK. Under the Children's Act a child is defined as any person under 18 years of age.
- 2.2. The Protection of Children Act 1999 requires employers to carry out a Disclosure and Barring Service (DBS) check before employees are allowed to come into contact with children. BWW Mind is required under this legislation to apply for enhanced disclosure from the Disclosure and Barring Service for staff working with children.

- 2.3. The Safeguarding Vulnerable Groups Act 2006 was passed in November 2006 for full implementation during Autumn 2008. This Act has introduced a new vetting and barring system which will integrate the current List 99 (for teachers) and the Protection of Children Act lists (for those working in childcare settings). It will transfer the responsibility for barring decisions to a new statutory Independent Board and for the first time enable employers to make a 'real time' instant check of whether a prospective

employee is barred with secure online access.

- 2.4. As the majority of staff are working in schools: Keeping Children safe in Education
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf

3. Forms of Abuse

Abuse can take many forms. These include:

3.1. Physical Abuse

This may include hitting, shaking, throwing burning or scalding, drowning, suffocating, or otherwise causing physical harm to a young person. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a young person who they are looking after. This is commonly described using such terms as 'fictitious' illness by proxy or 'Munchausen's Syndrome by proxy'.

3.2. Sexual Abuse

Involves forcing or enticing a young person to take part in sexual activities, whether or not the young person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape) or non-penetrative acts. They may include non-contact activities such as involving young people in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging young people to behave in sexually inappropriate ways.

3.3. Neglect

This is the persistent failure to meet the young person's basic physical and/or psychological needs, likely to result in the serious impairment of the young person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing; failure to protect a young person from physical harm or danger, or failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a young person's basic emotional needs.

3.4. Emotional

Emotional Abuse is the persistent emotional ill-treatment of a young person such as to cause severe and persistent effects on the young person's emotional development. It may involve conveying to young

people that they are worthless and unloved, inadequate, or valued only so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed on young people. It may involve causing young people frequently to feel frightened or in danger, or the exploitation or corruption of young people. Some level of emotional abuse is involved in all types of ill-treatment of a young person, though it may occur alone.

3.5. Significant Harm

Some young people may be in need because they are suffering or likely to suffer significant harm. The Children Act V section 47 (1) introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the young person.

4. Protection From Harm or Abuse

It is everyone at BWW Mind's responsibility to promote the safety of the children and young people we work with. Staff, volunteers, trainees and management committee members are always expected to maintain a sense of proportion, apply common sense to situations and protect the child' or the young person's welfare as the key priority.

It is also BWW Mind's duty to ensure that staff, volunteers, trainees and management committee members are never placed in situations where abuse might be alleged. It is not intended that the policy should restrict staff, volunteers, trainees and management committee members from normal ways of working, but they always need to consider how an action or activity may be perceived as opposed to how it is intended.

5. Principles of Good Practice

BWW Mind considers that:

- 5.1. All children and young people, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have a right to be treated with care, respect and dignity.
- 5.2. The welfare of the child or young person is the paramount consideration.
- 5.3. Those working for BWW Mind will be perceived by children and young people as trusted representatives of the organisation(s) providing support.
- 5.4. It is important to ensure communication with children and young people is open and clear.

- 5.5. It is essential to assess the risks to children and young people of its activities through comprehensive risk assessment at the inception of the request for support and before the receipt of services.
- 5.6. It is important for staff, volunteers, trainees and management committee members to avoid physical contact with children and young people except for that which is clearly outlined in the service user's risk assessment and the duties outlined in job descriptions and role profiles.

Designated Safeguarding Children and Young People Officer

The **designated lead for safeguarding children and young people for Brent, Wandsworth and Westminster Mind is Ayla Mammadova**. The person assigned to this role will always:

- 5.7. Ensure that BWW Mind's Safeguarding Children and Young People Policy is implemented throughout the organisation and;
 - 5.7.1. Carry out all necessary child protection/safeguarding-related enquiries, procedures and investigations.
 - 5.7.2. Ensure secure and confidential record-keeping on safeguarding matters, that a "need to know" confidentiality policy is preserved on such matters and that all staff, volunteers, trainees and management committee members apply themselves fully to the Data Protection Act 2018 which is the UK's implementation of the General Data Protection Regulation (GDPR).
 - 5.7.3. Liaise with social services and the police in the relevant boroughs on child protection/safeguarding matters, both formally and informally.
 - 5.7.4. Report allegations and suspicions of abuse to the appropriate authorities.
 - 5.7.5. Ensure there are adequate and appropriate induction and training for all Staff, volunteers, trainees and management committee members on child safeguarding matters.
 - 5.7.6. Ensure that all activities carried out by BWW Mind satisfy safeguarding requirements with regard to personnel, practices and premises.

- 5.7.7. Check and countersigns all incident reports made by staff making such reference to outside agencies as is appropriate.
- 5.8. Report on the implementation of the Safeguarding Children Policy at all BWW Mind management committee meetings.

6. Staffing Issues and Disclosure

Please refer to the full guidance in BWW Mind's "**Guidance on Disclosure and Barring Service (DBS) checks and positive returns process**" for full details.

- 6.1. All employment candidates, volunteers, contractors and existing staff who as a result of their role come into significant contact with vulnerable adults, children and young people will be subject to an enhanced Disclosure and Barring Service (DBS) check prior to starting their role at Mind.
- 6.2. A positive disclosure will not necessarily bar someone from working at BWW Mind. This will depend on the nature of the job and the details/circumstances of the disclosure.
- 6.3. If the disclosure shows that the candidate has previous convictions, but they are not related to children or young people, BWW Mind will decide whether the candidate is suitable for the post they have applied for.
- 6.4. Any decision will be recorded in writing and stored for future reference.
- 6.5. Current Staff:
 - 6.5.1. All current members of Staff, volunteers or trainees who have unsupervised access to children and young people will have been subject to a DBS enhanced disclosure on appointment. If they continue to undertake unsupervised work their DBS disclosure will be updated every three years.
 - 6.5.2. If the disclosure reveals that that they have been convicted of any offence relating to children or young people and/or subject to any disciplinary action or sanction relating to children, BWW Mind's Grievance and Disciplinary Procedure will be enacted.
 - 6.5.3. If the disclosure shows that the candidate has received a conviction, but that it is not related to children or young people, BWW Mind in consultation with any contracting body will decide whether the candidate can remain in post.
 - 6.5.4. Employees, volunteers or contractors that are charged with a criminal offence during the course of their employment or

engagement with Mind are required to notify their line manager or HR promptly.

- 6.5.5. The line manager should make arrangements to discuss the disclosure with the individual and carry out a risk assessment as outlined above. Suspension may be considered on a case-by-case basis.
 - 6.5.6. Failure to notify BWW Mind of being charged with a criminal offence will be regarded as gross misconduct and could lead to summary dismissal under Mind's Conduct Policy.
 - 6.5.7. If the disclosure reveals no convictions or disciplinary action or sanctions the post holder will remain in post and no further action will be taken.
 - 6.5.8. Any decision will be recorded in writing and stored for future reference.
- 6.6. There may be instances where BWW staff, volunteers, trainees or management committee members who do not ordinarily work directly with children and young people are required to do so.
- 6.6.1. If access is supervised at all times by an authorised person who has received a cleared enhanced DBS disclosure it is not necessary for the staff member, volunteer, trainee or management committee member to be subject to a DBS check.
 - 6.6.2. If access is unsupervised for any period of time an enhanced DBS check will be undertaken and clauses 7.2.2, 7.2.3 will apply.
 - 6.6.3. Any decision will be recorded in writing and stored for future reference.
- 6.7. Current Staff Convictions

Irrespective of the requirements outlined under 7.2.1 should a member of BWW Mind's personnel be charged or convicted of any offence clauses 7.2.2. or 7.2.3 will apply.

7. Procedures for BWW Mind's Personnel (Staff, Volunteers, Trainees, Management Committee Members)

Reporting Witnessed Incidents or Abuse or Reports from Children and Young People

7.1. Reporting Witnessed Incidents



- 7.1.1. All BWW Mind staff, volunteers, trainees or management committee members should be alert to any signs of abuse and report any concerns or suspicions to their line manager or in the case of management committee members directly to the Designated Child Safeguarding Lead, immediately or as soon as it is practicable to do so.
 - 7.1.2. The member of staff, volunteer, trainee or management committee member will be required to complete an occurrence report.
 - 7.1.3. In the case of staff, volunteers or trainees the line manager will refer this matter to the Designated Children and Young People Lead who should contact the contracting authority or agency. The contracting authority or agency's child protection/safeguarding children and young people's procedures will then apply.
 - 7.1.4. If the alleged incident did not occur within the context of a contract operated by BWW Mind the local authority within which the alleged incident occurred should be contacted and/or the police. Their guidance should then be followed.
 - 7.1.5. A record of the incident and action taken must be kept and filed within BWW Mind's record-keeping on safeguarding children matters and must be secure and confidential, that a "need to know" confidentiality policy is preserved on such matters and that all staff and members of the management committee within BWW Mind must apply themselves fully to the Data Protection Act 2018 which is the UK's implementation of the General Data Protection Regulation (GDPR).
- 7.2. Reports from Children and Young People
- 7.2.1. If a child or young person tells a member of BWW Mind personnel of any incident of abuse, or states any concerns about the behaviour of any person this person must inform the child or young person that this matter cannot remain confidential.
 - 7.2.2. The member of Staff, volunteers or trainee should contact their line manager who will require them to complete an occurrence report. If this is a management committee member they should contact the Designated Children and Young People Safeguarding Lead.
 - 7.2.3. The line manager will then refer this matter to the Designated Children and Young People Safeguarding Lead who should contact the contracting authority or agency. The contracting authority or

agency's child protection/safeguarding children and young people's procedures will then apply.

7.2.4. If the alleged incident did not occur within the context of a contract operated by BWW Mind, the local authority within which the alleged incident occurred should be contacted and/or the police. Their guidance should then be followed.

7.2.5. A record of the incident and action taken must be kept and filed within BWW Mind. Record-keeping on safeguarding children matters must be secure and confidential, that a "need to know" confidentiality policy is preserved on such matters and that all staff and members of the management committee within BWW Mind must apply themselves fully to the Data Protection Act.

7.3. Allegations Made Against BWW Mind's Staff, Volunteers, Trainees or Management Committee Members

7.3.1. If an allegation against any person working for BWW Mind is made the following procedure must be followed. The person or persons making the allegation will be required to complete an occurrence report. This should be taken by a member of BWW Mind's senior management team. The manager will then refer this matter to the Designated Children and Young People Safeguarding Lead.

7.3.2. The member of Staff, Volunteer, trainee or management committee member in question will remain suspended unless and until the police and/or social services confirm there was no substance to the report. An incident report will be made and treated as confidential.

7.3.3. If no criminal allegation has been made the Designated CYP Safeguarding Lead or nominee will conduct an investigation by gathering as much detail as possible from available sources of information. For Staff, Volunteers and trainees the investigation will follow BWW Mind's Grievance and Disciplinary Procedure. The contracting authority (if relevant) will be informed of the outcome of the investigation process and any resultant appeal.

8. Review and Evaluation

8.1. Documenting Disclosure

In all cases outlined above written records of the process and the decisions taken throughout must be maintained. In the first instance this will include the completion of an incident report.

8.2. Monitoring, Review and Evaluation

Incidences of breaches of this policy should be kept and reviewed at contract/depot meetings and Senior Managers meetings to review how these matters were dealt with to inform future policy and practice.

Appendix A

Designated Safeguarding Children and Young People Lead

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