



Places to live. Space to grow.

Safeguarding Children Policy

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1 Introduction and purpose

1.1 Introduction

We are committed to safeguarding and promoting the welfare of children throughout the areas where we operate and recognise that successful outcomes for children depend on strong partnership working. This policy has been written in line with guidance issued by the Kent and Medway Safeguarding partnerships.

1.2 Purpose

The purpose of this policy is to demonstrate our commitment to safeguarding and promoting the welfare of children we come into contact with. The policy ensures that all staff are aware of their responsibility to recognise a situation where they believe there is a child potentially at risk, and how to respond, report and refer their concern.

2 Policy Statement

- 2.1 We believe everyone has a responsibility to promote the welfare of all children and young people in our homes and communities, to keep them safe and to ensure that our practice is followed in a way that protects them.
- 2.2 We will give equal priority to keeping all children and young people in our homes and communities safe regardless of their age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation.
- 2.3 We recognise and will be sensitive to the fact that some children are additionally vulnerable because of the impact of discrimination, previous experiences, their level of dependency, communication needs or other issues.
- 2.4 Where a staff member observes or has concerns about a child's welfare or receives a safeguarding disclosure form from a third party, the incident must be treated seriously and immediately respond in accordance with our Safeguarding Adults and Children Procedure.

3 Scope

- 3.1 This policy applies to work with all children, defined as anyone under the age of 18. We have an obligation to safeguard the welfare of children ensuring that they are:
 - protected from maltreatment
 - not impaired in their health or development
 - growing up in circumstances that provide safe and effective care
- 3.2 In delivering this we make the distinction between those staff and volunteers that deliver services directly to children and their supervisors, upon whom additional responsibilities lie, and the remainder of West Kent staff who have a general

obligation to promote the welfare of children and young people and be vigilant of and report any child protection concerns.

4 Responsibilities

- 4.1 All staff and volunteers, including contractors and partner agencies, are required to take shared responsibility for the welfare of children who are encountered in the course of our work. Some of our staff are in a direct position of trust, in particular those who support, guide or in any way interact with children and young people either in the West Kent workplace or in the community. Other staff working with adult service users who are parents, or working in family homes, should be mindful of child welfare and alert to any behaviour from service users which might impact on their children.
- 4.2 Concerns about the welfare of a child may be identified by a staff member or disclosed to us by another concerned adult (including members of the public) or the child themselves. We are responsible for recording and responding to all concerns, however raised, in line with our procedures. This includes any reports of non-recent or historical abuse which may be made by or about an adult relating to incidents which took place when the alleged victim was under 18.
- 4.3 Where services are delivered under contract to a statutory body we have a statutory responsibility to ensure the welfare and safety of children under section 11 of the Children's Act 2004. In all other circumstances, it has a duty to be vigilant to safeguarding issues.
- 4.4 The Head of Communities has responsibility for the oversight of the Safeguarding Children Policy and is the senior member of staff responsible for child safeguarding issues or the Designated Safeguarding Lead (DSL). The Community Development Manager (Designated Safeguarding Officer) will support the DSL in providing advice and guidance to staff to ensure appropriate referrals.
- 4.5 The DSL for Children will assist the Designated Safeguarding Lead for Adults in providing monitoring and reporting to the Executive and Communities and Housing Committee.
- 4.6 There is also delegated responsibility to line managers in implementing this policy. Line managers of front line staff must:
- Attend training at the relevant level and ensure their staff also attend appropriate training
 - Act as a source of advice for colleagues on Safeguarding & link with the DSL or DSO to discuss cases
 - Respond to all concerns swiftly in line with policy and procedures
 - Ensure accurate recording of all safeguarding concerns
 - Keep up to date with local safeguarding arrangements in Medway and Kent
 - Make sure that any allegations of colleague conduct around safeguarding are investigated in line with HR processes

- Recognise that dealing with safeguarding situations can be distressing and support the wellbeing of colleagues dealing with reports.

4.7 We will consider any equality and diversity issues of targeted service users. The managerial responsibility for any programme or activity accessed by children rests with the individual who is directing or organising the activity. That person is expected to:

- Ensure that the activity is planned, organised and delivered in accordance with the Safeguarding Children Policy
- Consider safeguarding issues when completing the health and safety risk assessment
- Arrange the appropriate checking, training, induction and guidance for all staff and volunteers
- Inform their line manager or the DSL and complete the appropriate documentation in case of any incident.

5 Safeguarding concerns

- 5.1 All staff and volunteers working closely with children must be alert to possibilities of abuse or maltreatment of a child, whether it is perpetrated by an adult or another child. West Kent staff must contact their line manager, the Child Protection Coordinator or their deputy if they have any cause to believe a young person involved in any activity with West Kent is in any way at risk.
- 5.2 All issues must be reported in line with current Kent and Medway procedures and a case raised on Cx.
- 5.3 It is the duty of staff to inform only not to investigate – this is the role of the Police and Social Services. If staff, in the course of their work, have a child safeguarding issue brought to their notice, this must be treated as a priority over all other work. Guidance regarding a specific incident may be obtained from the line manager or the Designated Safeguarding Officer.

If you believe that a child is in immediate danger you should call 999 without delay.

6 Establishing a caring environment

- 6.1 All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse. We recognise that some children may be additionally at risk because of their circumstances and experiences, including special educational needs, communication issues, a disability or care need. All staff delivering direct services to children are responsible for making West Kent a safe and caring environment for all.
- 6.2 A Safe and Caring Environment is an environment:
 - in which the health, safety and welfare of young people has been assessed and catered for

- in which staff are alive to the possibility of abuse and take measures to prevent that possibility
- where there is a sound and known reporting system for any incident
- where staff take reasonable and practical precautions to avoid any suspicions of abuse being brought against them.

7 Confidentiality and consent

- 7.1 When abuse is disclosed or suspected, information will be restricted to those who need to know, and we will adhere to the Data Protection Act 2018, its Data Protection and Retention Policy and confidentiality as set out in the Code of Conduct.
- 7.2 If we have concerns about the safety and wellbeing of a child/children, we'll make a safeguarding referral even if consent isn't given, but it should be noted that consent from the family or child should be sought where it's possible for us to do this without increasing the risk to the child/children. Do not contact the family if this could indirectly put the child at risk.

8 Staff recruitment

- 8.1 Some staff are in a position of trust, particularly those staff who support, guide, or in any way interact with children and adults at risk and those who supervise them. Such staff must be aware of this and to act accordingly at all times and in line with the staff Code of Conduct.
- 8.2 Staff are recruited in line with our Safer Recruitment Procedure. Staff who will be in regular or significant occasional contact with under-18s in the course of their work, and their direct supervisors, must hold satisfactory Disclosure and Barring Service (DBS) certificates. A 'satisfactory' check is defined as having no criminal convictions (including cautions, reprimands and final warnings) relevant to the post. When staff obtain a valid DBS they must let HR see their valid copy.
- 8.3 The interview process for roles which will work with children and young people will include questions to assess candidate's understanding of safeguarding and address suitable personal behaviours for applicants to these roles. Once appointed, line managers will ensure staff are made familiar with this policy and procedures as part of their induction and are trained and competent to work safely with children and young people in line with these.
- 8.4 All staff or volunteers employed to work with children must report any subsequent criminal convictions to Head of Human Resources and the Child Protection Coordinator. Failure to do so may result in disciplinary action being taken.

9 Allegations of abuse or inappropriate behaviour involving staff

Allegations involving a member of staff, and a person under-18 will be dealt with the strictest confidence and reported immediately to the Head of Human Resources and relevant Department Director. Consideration will be given as to whether the situation falls

within the definition of safeguarding children. The situation will be dealt through our disciplinary procedure and/or reported to appropriate agencies.

10 Relationships with young people aged 16-18

It should be noted that whilst a young person can consent to sexual activity once they reach the age of 16, the Sexual Offences Act 2003 makes it a criminal offence for a person to engage in any kind of sexual activity with a person under 18 where the adult is in a position of trust.

11 Reporting

11.1 Safeguarding case numbers and training information will be reported six monthly to the Executive. A full safeguarding report will be produced every six months for the Communities and Housing Committee where we will identify trends, risks and ongoing actions.

11.2 Any risks or concerns relating to safeguarding will be monitored and actioned as part of the monthly health and safety steering group.

12 Training and awareness

12.1 We will ensure that all staff understand what action to take if they identify a child protection issue, or have one reported to them. This will include how to handle a disclosure, how to report a concern, and the importance of confidentiality and consent through the process.

12.2 Dedicated safeguarding training is available and recommended to all staff, volunteers and partnering contractors.

12.3 The following levels of safeguarding training are provided for staff:

- Introduction and General Awareness – mandatory for all staff and volunteers working with children or young people
- Level 1 – for all staff who interact with customers on phones or whilst carrying out duties
- Level 2 – Increased Awareness for staff who visit customers and are able to make referrals to the local authority
- Level 3 – Designated Safeguarding Lead and Officer.

12.4 The level of training that is required for individual role profiles has been assessed depending on the level of contact with children and the responsibilities that are associated with the role.

12.5 Safeguarding at all levels must be repeated every three years.

12.6 We will also offer training to contractors, in order that they understand the signs of abuse and what actions to take.

12.7 Where opportunities arise, we will also look to raise awareness of safeguarding with our staff and also with our tenants, be that through internal communications, Neighbourhood News, at events or through other means.

13 Media relations

For any activity involving children or young people, parents or guardians must be given the opportunity to refuse permission for photographs, videos or other images to be made of them, their children and for the children to be interviewed by press, broadcasters or other media. The West Kent consent form can be found on Bettie. If colleagues are unsure, they can contact the communications and marketing team for support.

14 Review

This policy will be regularly monitored and reviewed:

- In accordance with changes in legislation and guidance set out by the Kent and Medway Safeguarding Children Multi Agency Partnerships.
- Following any issues or concerns raised about the safeguarding of children or within West Kent.
- In all other circumstances, at least annually.

15 Regulation

The primary legislation regarding the safeguarding of children is:

- Children's Act 1989 and 2004
- United Convention of the Rights of the Child 1992
- Data Protection Act 2018
- Sexual Offences Act 2003
- Care Act 2014
- Children and Families Act 2014
- Working Together to Safeguard Children 2023
- Guidance issued by Kent and Medway Safeguarding Children multi agency partnerships
- The Equality Act 2010

Children and Social Work Act 2017

16 Communication

This policy will be published on West Kent's intranet and website

17 Appendix One

Definitions of Child Abuse and Neglect

The following definitions are based on those identified in Working Together to Safeguard Children and Keeping Children Safe in Education:

Abuse

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. Children may be abused by an adult or adults or another child or children.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces illness in a child.

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve:

- Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person
- Not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate
- Imposing age or developmentally inappropriate expectations on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction

- Seeing or hearing the ill-treatment of another, for example. where there is domestic violence and abuse
- Serious bullying (including cyber bullying)
- Causing children frequently to feel frightened or in danger
- Exploiting and corrupting children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

Sexual abuse may also include non-contact activities, such as involving children in looking at, or in the production of sexual images, watching sexual activities or encouraging children to behave in sexual inappropriate ways or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

In addition, sexual abuse includes abuse of children through sexual exploitation which occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- a) in exchange for something the victim needs or wants, and/or
- b) for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

A child under the age of 13 is not legally capable of consenting to sex (it is statutory rape) or any other type of sexual touching:

- Sexual activity with a child under 16 is also an offence

- It is an offence for a person to have a sexual relationship with a 16 or 17-year-old if they hold a position of trust or authority in relation to them
- Where sexual activity with a 16 or 17-year-old does not result in an offence being committed, it may still result in harm, or the likelihood of harm being suffered
- Non-consensual sex is rape whatever the age of the victim; and
- If the victim is incapacitated through drink or drugs, or the victim or their family has been subject to violence or the threat of it, they cannot be considered to have given true consent; therefore, offences may have been committed.

Child sexual exploitation is therefore potentially a child protection issue for all children under the age of 18 years and not just those in a specific age group.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance misuse, maternal mental ill health or learning difficulties or a cluster of such issues. Where there is domestic abuse and violence towards a carer, the needs of the child may be neglected.

Once a child is born, neglect may involve a parent failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- Protect a child from physical and emotional harm or danger
- Ensure adequate supervision (including the use of inadequate caregivers)
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional, social and educational needs.

These definitions are used when determining significant harm and children can be affected by combinations of maltreatment and abuse, which can be impacted on by for example domestic violence and abuse in the household or a cluster of problems faced by the adults.

In addition, research analysing Serious Case Reviews has demonstrated a significant prevalence of domestic abuse in the history of families with children who are subject of Child

Protection Plans. Children can be affected by seeing, hearing and living with domestic abuse as well as being caught up in any incidents directly, whether to protect someone or as a target. It should also be noted that the age group of 16 and 17 year olds have been found in recent studies to be increasingly affected by domestic abuse in their peer relationships.

It should therefore be considered in responding to concerns that the Home Office definition of domestic violence and abuse (2013) is as follows:

"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence and abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender and sexuality."

This can encompass, but is not limited to, the following types of abuse:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

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

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

In addition, Working Together to Safeguard Children includes the concept of Contextual Safeguarding which recognises that, as well as threats to the welfare of children from within their families, children may be vulnerable to abuse or exploitation from outside their families. These extra-familial threats might arise at school and other educational establishments, from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines, trafficking, online abuse, sexual exploitation and the influences of extremism leading to radicalisation.