



SAFEGUARDING POLICY HANDBOOK

**June 2015
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1. CORE POLICY STATEMENT

This is the core document of the Safeguarding Policy Handbook. It provides the Office of the Children's Commissioner:

- Statement of vision, mission and values
- Principles of ethical practice
- Providing a safe environment for children and young people
- Outline procedure for response to concerns

The information within this document applies to all:

- Staff¹, consultants and volunteers working for or on behalf of the Children's Commissioner

1. Introduction:

The Children's Commissioner for England promotes and protects children's rights in accordance with the United Nations Convention on the Rights of the Child and, as appropriate, other human rights legislation and conventions.

The Commissioner and her team does this by listening to what children and young people say about things that affect them and encouraging adults making decisions to take their views and interests into account.

We publish evidence, including that which we collect directly from children and young people, bringing matters that affect their rights to the attention of Parliament, the media, children and young people themselves, and society at large. We also provide advice on children's rights to policy-makers, practitioners and others.

The post of Children's Commissioner for England was established by the Children Act 2004. The Act makes the Commissioner responsible for working on behalf of all children in England and in particular, those whose voices are least likely to be heard. It says we must speak for wider groups of children on the issues that are not-devolved to regional Governments. These include immigration, for the whole of the UK, and youth justice, for England and Wales.

The Children and Families Act 2014 changed the Children's Commissioner's remit and role. It provided the legal mandate for the Commissioner and those who work in support of her remit at the Office of the Children's Commissioner to promote and protect children's rights. In particular, we are expected to focus on the rights of children within the new section 8A of the Children Act 2004, or other groups of children whom we consider are at particular risk of having their rights infringed. This includes those who are in or leaving care or living away from home, and those receiving social care services. The Bill also allows us to provide advice and assistance to and to represent these children.

2. Our vision

A society where children and young people's rights are realised, where their views shape

¹ For the purposes of this document the term staff will be used to cover all those carrying out duties for the Office of the Children's Commissioner whether paid or unpaid.

decisions made about their lives and they respect the rights of others.

3. Our mission

We will promote and protect the rights of children in England. We will do this by involving children and young people in our work and ensuring their voices are heard. We will use our statutory powers to undertake inquiries, and our position to engage, advise and influence those making decisions that affect children and young people.

4. Our Values

Participation – we listen to children, particularly those least likely to be heard and take their views into account in our work.

Positive in promoting the United Nations Convention on the Rights of the Child – we are positive in responding to challenges and opportunities to use the UNCRC to improve children's lives.

Strategic and objective – we know the big picture. We think about how best to make an impact, basing our work on rigorous analysis of the evidence; remaining free of political partiality, working in the spirit of the Paris Principles and General Comment No 2 of the UNCRC.

Equality – we value diversity and respect the dignity of everyone with whom we engage. We acknowledge, champion and celebrate diversity, difference, tolerance and open mindedness. We recognise the multitude of views and perspectives held by children, young people, and those who influence their lives.

5. The principles of ethical practice which underpin all our work

All work undertaken by Office of the Children's Commissioner will be informed by, and explicitly demonstrate, an ethical value framework based on upon the following principles:

i. Respect for the rights of children and young people: Projects and research will promote children's rights. No activity or project that breaches, or supports others in breaching, children's rights will be undertaken.

ii. Ensuring the voices of children and young people are heard: Children and young people have the right, under the United Nations Convention of the Rights of the Child (UNCRC article 12) to be listened to when decisions that affect them are made. To support this right, the Office the Children's Commissioner involves children and young people in the design and delivery of projects wherever possible. Children and young people's views must be represented accurately and faithfully and, where possible, by them directly. We will check, wherever possible, that we have understood what they have told us and report back to them on work to which they have contributed.

iii. Promoting wellbeing, ensuring safety and avoiding harm: In all the work undertaken by the Office of the Children's Commissioner we strive to ensure as far as possible the safety and wellbeing of children and young people. Children and young people should feel protected and supported when they are engaged with us. We will recognise the potential for risk or harm arising

from our work and strive to prevent this from occurring. These efforts will apply to all those children and adults with whom we engage in any capacity. We will respond appropriately and in a timely manner to all enquiries to the Advice, Assistance and representation service.

'Harm' refers to any negative impact on an individual's mental, emotional or physical wellbeing. It can also arise from and include causing people distress, embarrassment or humiliation, anxiety or loss of self-esteem. In avoiding harm, we include a responsibility for the physical safety of those involved in a project or activity.

The ethical approach and requirements for supporting children and young people involved in all work undertaken by and for OCC will be expected to be detailed in relevant documents, including those provided in response to invitations to tender for commissioned work. In respect of safeguarding, these will attend to such issues as:

- Arrangements for support and accompaniment for young people taking part in an activity.
- The management of interviews and group sessions which may lead to distress for children and young people; including debriefing and checking at the conclusion of the session.
- The management of safeguarding issues in compliance with this Safeguarding Policy.
- Facilitating access to people and organisations offering advice and support to young people, including where appropriate to OCC.

iv. Informed consent, voluntary participation and feedback: *The following guidance on consent applies to all work except for that involved in responding to requests for advice and assistance and to safeguarding concerns from or concerning a child: in those circumstances, we will make a professional judgement as to the need to speak to a child without the consent of the parent or carer. This may include, depending on the circumstances, the engagement of an independent advocate and/or an interpreter in order to safeguard and protect the child. We will always aim to work with the child's consent, but within the guideline below on confidentiality.*

Projects, research and participation: Gaining informed consent is central to any project or research process undertaken by the Office of the Children's Commissioner. Those who participate in research or projects must understand exactly what this involves. They have the freedom not to participate and to withdraw at any time without negative consequences. OCC will provide feedback to all children and young people who contribute and support our work².

Consent must be negotiated appropriately with regard to the age and understanding of those involved. OCC general principles are:

- a child or young person's consent is always required
- if the child is 15 years or under, the consent of a parent/carer is also required
- when the young person reaches the age of 16, they can consent on their own behalf and do not need the consent of a parent/carer (although we would always prefer to have parental/carer consent and support where possible).

v. Confidentiality: The privacy of participants must be respected in all cases except where there are child protection concerns. Adults are responsible for ensuring that information about the child will not be passed on unless there is a concern that this child or another child are being harmed or are at risk of harm. This explanation of our policy must be given to children and young people at the earliest and most appropriate point of contact.

² See [OCC Participation Strategy](#) for more information.

The anonymity of participants in projects and research through OCC must be respected and protected and data protection procedures adhered to.

Transcribers and translators must be subject to a confidentiality agreement. Relevant checks (DBS etc) will apply to all temporary staff and contractors, in addition to all employed staff. (See Staff Handbook and Recruitment Policy).

vi. Equality and diversity: All work undertaken for and by OCC must be developed and conducted with respect and regard to similarities and differences across individuals and groups: these would embrace age, gender, race, ethnicity, sexual orientation, ability, disability, religion, culture, language and personal and family circumstances. This means that those engaged in research and other projects for OCC must endeavour to avoid prejudice, stereotyping, exclusion and discrimination against children and young people. (This is in accordance with UNCRC Article 2: 1: States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. 2: States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.)

We work to avoid the further marginalisation of under-represented groups and seek to actively remove barriers that might prevent their participation and facilitate their meaningful engagement with our work. This will be done through considered planning and support for individual and group needs and working with in partnership with organisations with specialist knowledge and experience.

6. A safe environment in which to work with children and young people

Children and young people are at the heart of our work at OCC and they are engaged and involved with us in many different ways and on many different levels. For example they may telephone our helpline, visit our website, email us directly, attend events, gain work experience, support recruitment and procurement activities and take part in research or our varied and diverse participation activities; including our children's and young people's advisory groups – Amplify and Young Amplify - and Takeover.

Whenever children and young people work with or reach out to us we want them to be safe, feel secure and trust that we will do whatever we can to create a listening, supportive and welcoming environment and protect them from harm. In developing this policy we have worked with the NSPCC to make sure we do this in line with relevant legislation and best practice and with Amplify to make it match the needs of children and young people. We will create a climate of mutual respect, where children and young people feel that they will be listened to, and where their concerns about their welfare will be taken seriously.

We actively seek to involve children and young people in planning and developing our projects and activities. This helps develop their own skills and capacity for identifying and reducing risks and creating a safer environment for themselves and their peers.

Our aim is to have, and to be seen to have, the very highest standards in safeguarding children and young people.

7. Support of our safeguarding practices:

Clear roles and responsibilities:

- The Children’s Commissioner has the role of Designated Safeguarding Officer³ with overall responsibility for the safeguarding of children and young people with whom we come into contact through our work.
- The Principal Policy Adviser (PPA) (Safeguarding) has the lead role in monitoring the Safeguarding Policy and must be consulted on **all** issues which raise safeguarding concerns. If the Designated Safeguarding Officer is involved first, or the matter arises from the Advice, Assistance and Representation (AAR) service for children living away from home or in receipt of social care and the first response is made by the lead for that service, the PPA (Safeguarding) will be kept informed as to the steps taken in response to the concern.
- The Principal Policy Adviser (Safeguarding) and the lead for the AAR Service will be experienced in child protection social work and will be available for discussions about any concerns relating to the welfare of children and young people. Other members of staff who are similarly qualified, can also be approached for advice.
- The Director of Corporate Services holds the responsibility for monitoring and revision of this policy, in line with other policies.

Clear procedures: we will

- Take all suspicions and/or allegations of abuse of or risk to children seriously, and respond to these swiftly and appropriately through the implementation of child protection referral procedures.
- Share information about concerns with those relevant agencies which have a legal duty to act, and involve parents and children and young people where appropriate.
- Provide signposting to other agencies who can help concerned children and young people, parents/carers or professionals when we are unable to help and the matter is not one that requires a child protection referral.
- Provide support to children and young people when situations and allegations are disclosed and to staff in managing these.
- Inform parents and carers about our concerns, unless this would present a danger to the child or other children.

Safe recruitment practice and support for staff: we will

- Recruit staff safely, ensuring all necessary steps are taken and checks are made, in line with best practice and legal requirements.
- Train all staff to ensure an awareness of relevant legislation and guidance relating to the safeguarding of children and young people.
- Train and supervise all staff to adopt best practice to safeguard and protect children against abuse, and themselves against allegations being made against them.
- Provide support for staff. OCC is aware that hearing and reading information about abuse of children is highly distressing and troubling, as are many of the problems faced by the children with whom we work. This is particularly the case in the context of our work with child sexual abuse and exploitation but can also arise in respect of other policy work and advice/information requests. If staff are affected by issues of abuse and other concerns expressed by children or found in written material, they are entitled to seek support and OCC will ensure that there is an appropriate and caring response to their needs. In the first instance this will usually come from their line manager who will assist them in identifying the appropriate source of any further support. Further support through consultation and supervision is offered by the Designated Safeguarding Officer (DSO) PPA Safeguarding,

³ See [section 2](#) for the role and responsibilities of the Designated Officer.

the lead for the Advice, Assistance and Representation (AAR) service or PPA Health. Staff can also contact Right Core Care⁴ support at any time. If a member of staff or manager feels they need more support than can be offered through these routes, they should discuss this with their line manager and help will be given to find the right source of such support. Managers can also use the Right Core care management helpline to assist them with such questions.⁵

- Staff managing the young people who have work experience with us have a responsibility for their welfare. Guidance is given in the Staff Handbook about managing any concerns or needs for additional support. Advice can be sought from the PPA Safeguarding as necessary.

Flowchart of staff support:

Staff member or manager is affected by issues arising from their work with OCC



They discuss the impact of this with their line manager in the first instance- this may identify options for further support (including internal sources) - and information is provided about access to Right Core Care



Further sources of advice, support and training are identified with the line manager if issues are unresolved or if wider issues emerge affecting young people, the project work or OCC more broadly. (e.g. Inquiry work)



Line manager or HR lead can support access to further help if this is needed for the individual member of staff or manager.

Working safely with young people

- Ensuring all Office of the Children's Commissioner activities are planned and organised with children's best interests and safety as a priority.
- Ensuring all work with children and young people undertaken by and for OCC takes place within our ethical framework.
- Storing children and young people's contact information and correspondence securely and in accordance with data protection legislation and guidance.
- Including guidance for working with children and young people in our staff handbook, engagement policy and safeguarding policy documents.
- Respecting and promoting the rights, wishes and feelings of children and young people.
- Listening to them and providing clear complaints processes.

⁴ <http://wellness.rightmanagement.co.uk/workplacewellness-home>

⁵ <http://managementsupport.rightcorecare.co.uk/>

- Understanding the inequality of power between adults and children and young people.

Procurement

- Ensuring that all our partners and contractors adhere to best practice in safeguarding children and young people and that they agree to follow our ethical principles.

8. Handling concerns about children and young people (See flowchart)

If a child is in immediate danger, staff will phone the police on 999. If not, we follow the flowchart below.

It is essential that all staff tell the Designated Safeguarding Officer, the PPA (Safeguarding) or the Team Manager for the AAR service about any concerns they have about a child at the earliest stage. The DSO and PPA (Safeguarding) will need to be informed about all such cases if they are not immediately involved and urgent action is needed.

The flowchart below applies to disclosures or information which raise concerns that come to the attention of staff by letter or email and to any disclosures made by a child or young person directly or over the phone.

Section 2 of this Policy Handbook gives detailed guidance on the handling of concerns; disclosures about the alleged or actual risk posed by an adult working with a child or an organisation to a child or children and disclosures about the alleged or actual risk posed by staff working for or with the OCC. Immediate advice, in the absence of the DSO or the above staff, can be obtained from the NSPCC.

Managing concerns and making referrals



2. PROCEDURES FOR HANDLING CONCERNS, DISCLOSURES OR ALLEGATIONS

The information in this document concerning handling disclosures and allegations, on the nature of abuse and neglect and on information sharing is important guidance for all staff.

The information concerning follow up action within this document is primarily for the use of the Designated Safeguarding Officer (DSO) at OCC, the PPA (Safeguarding), the PPA (Care and Protection) and Directors – all of whom may be involved in managing referrals resulting from concerns.

1. The role of the Designated Safeguarding Officer (DSO) within the Office the Children's Commissioner

The Children's Commissioner is the Designated Safeguarding Officer for the Office of the Children's Commissioner (OCC). If you have concerns relating to the alleged or actual risk to a child, or any alleged or actual risk posed by an adult or organisation, you must share those concerns immediately with her and with the Principal Policy Advisor for Safeguarding or the Team Manager of the AAR Service. In the temporary absence of all three, concerns must be addressed to a Director. The PPA Safeguarding and the AAR Team Manager will consult with the DSO where necessary and inform her in all cases.

The OCC's Designated Safeguarding Officer retains overall responsibility for ensuring that safeguarding remains an integral part of the culture of the Office. They must ensure that Directors and all other staff are provided with opportunities to understand child protection procedures so that they can be acted upon when necessary.

2. Procedures for handling concerns, disclosures or allegations

- **If a child is in immediate danger, phone the police on 999. If not, see the flowchart below.**
- It is the Office of the Children's Commissioner's policy to refer all information about alleged and/or actual harm or abuse of children and young people directly to the Local Authority in which the child or young person resides.

For example if the child or young person lives in the Borough of Westminster, referral must be made to:

Access to Children's Services Team on 020 7641 4000

- All referrals must be made within 24 hours of receiving the disclosure or concern being raised.
- Referral forms, letters, e-mails or any related documents must be passed on in accordance with the procedures outlined below.
- It is not the job of staff in the OCC to decide whether someone has abused a child or poses a risk to children. Neither is it our role to investigate disclosures, allegations or information about harm or abuse of children. However, it is our task and our personal and professional

responsibility as representatives of the Children's Commissioner to report any concerns in accordance with the procedures contained within this document.

Referral to relevant authorities will normally be made by the Designated Officer or the PPA for Safeguarding and the Team Manager of the AAR service in their absence, this will be managed by a Director. Referrals in respect of AAR enquiries will be made directly to relevant DCS.

- In situations where the above are not immediately available and it is unclear as to whether a referral should be made or you are unable to ascertain which Local Authority the child or young person resides in, advice can be sought from, and referrals can be made via the NSPCC National Helpline on 0808 800 5000.

3. Working with children and child welfare concerns⁶

Achieving good outcomes for children requires all those with responsibility for the assessment and the provision of services to work together according to an agreed plan of action. We expect colleagues working on our behalf, including those undertaking research and project work, to follow these or similar processes as required by their own organisation, provided those meet with the principles in our policy statement. Effective collaborative working requires OCC staff and agencies working with us to be clear about:

- their roles and responsibilities for safeguarding and promoting the welfare of children
- the purpose of their activity and what decisions are required at each stage of the process
- the legislative basis for the work
- the protocols and procedures to be followed, including the way in which information will be shared across professional boundaries and within agencies, and be recorded
- which agency, team or professional has lead responsibility, and the precise roles of everyone else who is involved
- any timescales set down in Regulations or Guidance which govern the completion of referrals.
- It follows that with all tenders and contracts for research, it should be made clear that OCC will wish to agree on the application of this policy to research projects. All those contracting to work with OCC are required to adhere to the OCC's policies on Safeguarding, on DBS checks and on the Retention and Disposal of records. The management of and reporting to OCC of safeguarding concerns which arise in the course of research should be agreed in the set up meeting of every project.

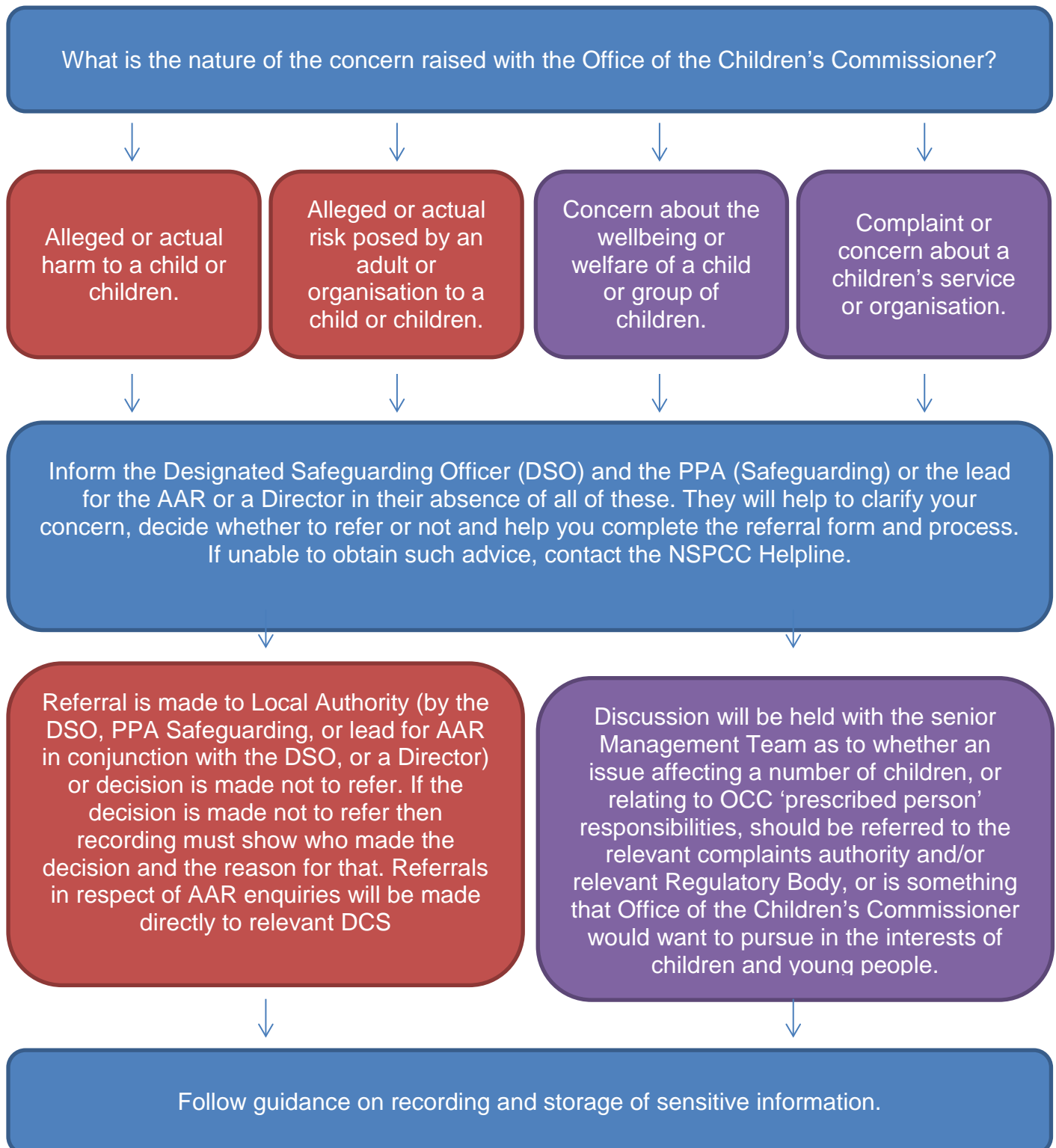
And it is important to bear in mind that

- Many children will not tell about abuse or recognise that it is happening to them. They need adults to be vigilant and to look out for signs that children are having problems. Children who have experienced racism or other forms of prejudice and discrimination may find it harder to trust adults from different backgrounds. Some children may find it difficult to trust adults or authority figures at all and may wonder whether you will be any different.
- Children with a disability may also have to overcome additional barriers before disclosing

⁶ See [section 4](#) 'Guidance for Working with Children and Young People' for more information.

abuse. They may rely on the abuser for their daily care and have no knowledge of alternative sources, or they may have come to believe they are of little worth and simply comply with the instructions of adults.

4. Managing concerns and making referrals



5. Handling concerns or a disclosure of risk or abuse made directly by a child or young person

Face to face:

There may also be times, during participation events and recruitment processes, when a member of staff becomes aware of a child's problems or the child tells them about things which raise concerns. The following guidance will be relevant to responding to these situations for and with children, as is the overall process above. In all such situations, staff members should contact their line manager and/or the DSO or PPA Safeguarding as soon as possible to gain advice and support in the first instance and then to have help in identifying sources of suitable follow up support..

On the phone:

There will be occasions when a member of staff at OCC not involved with the AAR service answers the phone to a child in distress. Wherever possible, and at an early stage, this call should be passed to the Designated Safeguarding a member of the Care and Protection Team or a Director in their absence with an explanation to the child that there is someone who will listen to them fully.

If a child discloses abuse of themselves or of another child in person or over the telephone, they must be treated as sensitively as possible:

- Acknowledge how difficult it must have been for them to tell you.
- Make sure they know that you will have to tell someone else who can help (the Local Authority Children's Services).
- Remain sympathetic but do not, if at all possible, become involved in any detailed discussion with the child about the abuse. It will be necessary for members of the Care and Protection team or for the Designated Safeguarding Officer to have basic information in order best to contact the child again and follow up as needed.
- Suggest that the child can also ring the specialist child counselling services of Childline on 0800 1111 for support as they will have good advice to offer.
- Complete a referral form (immediately after disclosure). This is to be discussed with and given to the Designated Safeguarding Officer, PPA Safeguarding or lead for AAR.
- With the support of the DSO, PPA Safeguarding, or the AAR lead as appropriate, or a Director, you should contact the relevant Local Authority's duty child protection Officer and forward your completed referral form to them. It may be the case for some children living away from home or in receipt of social care (within section 8A) that the decision is made to also inform the Director of Children's Services for the child's Local Authority. (If in doubt, Westminster child protection service can be accessed through their Children's Services Team: 0207 641 4000)
- Request a response from the Local Authority Children's Services Duty Officer and the Director of Children's Services where a referral has been made to them directly.
- Record all the above actions and pass this information to the DSO who will be ultimately responsible for ensuring that a response is received and recorded.

6. Handling disclosures in letters or e-mails

If you receive a letter or e-mail from someone alleging the abuse of a child or from a child disclosing their own or another child's abuse:

- Bring the correspondence to the attention of the DSO, PPA Safeguarding, Team Manager AAR Service or a Director immediately. They will guide the following process.
- The DSO, PPA Safeguarding or lead for AAR, or in their absence a Director, will authorise or directly make contact with the Local Authority Duty Officer by telephone to advise on what will be forwarded, when it arrived at Office of the Children's Commissioner and whether any other actions e.g. e-mail/letter confirmation to the sender to say that the referral has been made are necessary.
- Request the email address of the Safeguarding Duty Officer and forward any e-mails to them, accompanied by the standard referral form.
- Copy any letter, retain the copy and forward the original to the relevant Local Authority Children's Services Duty Officer, requesting a response.
- Record all the above actions and pass this information to the Designated Safeguarding Officer. The DSO will be responsible for ensuring that a response is received and recorded.

7. What is an allegation against someone who works with children?⁷

The framework for managing cases set out in this guidance applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer, significant harm. It also caters for cases of allegations that might indicate that s/he is unsuitable to work with children in their present position, or in any capacity.

It must be used in respect of all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

There may be up to three strands in the consideration of an allegation:

- A police investigation of a possible criminal offence.
- Enquiries and assessment by children's social care about whether a child is in need of protection or in need of services.
- Consideration by an employer of disciplinary action in respect of the individual⁸.

⁷ From '[Working Together to Safeguard Children](#)', DfE 2010, appendix 5

⁸ For the purposes of this document the term employer is used to refer to anyone with a working relationship with the organisation, whether paid or unpaid.

8. Disclosures about the alleged or actual risk posed by an adult working with a child, or an organisation

If you receive any information alleging risk to a child or children posed by an adult working with them, or by the actions or lack of actions of an organisation providing services or activities for children, you must immediately bring this to the attention of the DSO or PPA Safeguarding. They will clarify the nature of the concern and arrange to forward the details to the LADO or the Duty Officer at the relevant Local Authority in line with these procedures.

9. Disclosures about the alleged or actual risk posed by Office of the Children's Commissioner's staff, those working for us or in partnership with us

If you become aware that an allegation or disclosure is made against or about a member of staff, someone working on behalf of Office of the Children's Commissioner or someone working in partnership with us on a specific project, you must discuss the concern with the DSO or PPA Safeguarding or, in their absence, a Director. They will, wherever possible, liaise with the relevant line manager. They will then seek advice from the Westminster Council Local Authority Designated Officer (LADO) – for concerns relating to Office of the Children's Commissioner's staff members or the relevant Local Authority LADO for the partnership organisation. Following this, a decision will be made as to the most appropriate course of action.

Jane Foster is the Safeguarding in Employment Manager (LADO) for Westminster Council: 0207 641 6018, jfoster1@westminster.gov.uk

If an allegation is made against you: (this applies to all OCC staff, managers and anyone associated with the organisation) you are required to report the allegation to the Designated Safeguarding Officer immediately. Failure to make such a disclosure, whether it concerns a current or historic allegation, will result in immediate suspension and disciplinary proceedings.⁹

10. Follow-up of referrals made

The Local Authority may contact the member of staff at Office of the Children's Commissioner who originally made a referral for further information.

All referrals to a Local Authority must be followed up with a telephone call to ensure that the referral has been received. A response must be received to all referrals to confirm action taken or explain a decision for no further action. If this is not received in one week, a follow up enquiry will be made. It is the responsibility of the Designated Safeguarding Officer to ensure that this is done.

Should questions arise regarding specific referrals, e.g. Office of the Children's Commissioner being re-contacted by the original referrer, the DSO, PPA Safeguarding or lead for AAR, where appropriate, will contact the duty manager/officer at the Local Authority to which the referral was made to discuss the contact.

11. Secure storage of concern / referral data

⁹ Detailed information on this process is in the Staff Handbook: under revision at time of this Policy update

Whatever the outcome of the discussion or disclosure, a record must be made to detail:

- the nature of the concern first raised
- by whom and when
- who it is related to i.e. a specific child, adult or organisation
- the points discussed with the DSO, PPA Safeguarding or lead for AAR or a Director
- when and with whom the discussion occurred; the decision reached and reasons why
- actions taken.

The above record (on the prescribed form) must be signed off by the DSO.

Confidentiality must apply throughout the process and information must only be shared within the Office of the Children's Commissioner on the basis of the best interests for the child or young person.

If, as a result of the discussion, a referral is made using the procedures as set out above, a copy of the referral form must be kept together with this record. It must include the name and designation of the person to whom the referral was made, their telephone number and the time and date¹⁰.

All electronic records must be stored in the restricted area of the Shared Folders, and hard copies kept in a locked cabinet. These must only be accessible to named persons.

12. Golden rules of information sharing:

There are 'seven golden rules'¹¹ to support organisations in making decisions about when it is appropriate to share information with others, these are:

1. **Remember that the Data Protection Act 1998 is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately.
2. **Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information, will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice** if you are in any doubt, without disclosing the identity of the person where possible.
4. **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, the lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.

¹⁰ Staff are reminded that if a decision has been made not to refer a concern to the Local Authority and they remain concerned that the child may be at risk then they should take personal responsibility and contact the NSPCC Helpline to discuss their concern.

¹¹ HM Government Information Sharing: Guidance for practitioners and managers

6. **Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Government guidance¹² relating to both children and young people, and to vulnerable adults, stresses the importance of sharing information relating to concerns of possible harm with the appropriate statutory authorities as early as possible.

In terms of information sharing within OCC:

- In respect of children and young people with whom we are working, as particularly when it comes to safeguarding issues, this should be on a 'need to know' basis.
- **If a member of staff has been involved with a safeguarding issue in respect of a young person, they should be informed as to the outcome and this will be explained to the young person but without disclosure of further information without the young person's permission.**
- Young people involved with OCC should know very clearly what information is known and recorded about them, this must be justified in terms of their safety and wellbeing and any records kept securely.

We should be careful not to talk unnecessarily in the office about the young people with whom we work, as the information we learn about them in the course of our work is private to them.

13 Key Definitions:

i. **Definition of safeguarding and promoting the welfare of children**

(Note key Guidance is 'Working Together to Safeguard Children 2013'¹³)

Safeguarding and promoting the welfare of children is defined for the purpose of statutory guidance under the Children Acts 1989 and 2004 respectively as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes.

Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is

¹² ['Working Together to Safeguard Children'](#), DfE 2013 and ['No Secrets'](#), DH 2000

¹³ ['Working Together to Safeguard Children 2013'](#)

undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

ii. Definition of a child in need

Children who are defined as being 'in need', under the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services plus those who are disabled.

The critical factors to be taken into account in deciding whether a child is in need under Section 17 of the Children Act 1989 are:

- what will happen to a child's health or development without such services being provided
- the likely effect the services will have on the child's standard of health and development.

iii. Definition of significant harm

Some children are in need because they are suffering or likely to suffer significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty under Section 47 of the Act to make enquiries to decide whether they should take action to safeguard and promote the welfare of a child who is suffering, or likely to suffer, significant harm.

iv. Definitions of child abuse and signs and indications

Recognising child abuse is not easy, and it is not your responsibility to decide whether or not child abuse has taken place or if a child is at significant risk. You do however, have a responsibility and duty to act in order that the appropriate agencies can investigate and take any necessary action to protect a child.

The following definitions are drawn from previous Working Together Guidance (2010); from 'What to do if you're worried a child is being abused' DfE Guidance which continues to be available via the revised Working Together 2013 and from Children's Commissioner work.

Abuse and neglect are forms of maltreatment – a person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children and young people may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger for example via the internet. They may be abused by an adult or adults, or another child or children. Different forms of abuse may also be experienced by a child or young person at the same time; sexual abuse for example will have emotionally abusive consequences for the child.

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 or carer fabricates the symptoms of, or deliberately induces illness in a child.

Most children will collect cuts and bruises as part of the rough and tumble of daily life, and injuries should always be interpreted in light of the child's medical and social history, developmental stage and the explanation given. Most accidental bruises are seen over bony parts of the body, e.g. elbows, knees, shins and are often seen on the front of the body. Some children, however, will have bruising which can almost only have been caused non-accidentally. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the

injury or when it appears on soft parts of the body where accidental injuries are unlikely, e.g., cheeks, abdomen, back and buttocks. A delay in seeking medical treatment when it is obviously necessary is also a cause for concern, although this can be more complicated with burns as they are often delayed in presentation due to blistering taking place sometime later.

The physical signs of abuse may include:

- unexplained bruising, marks or injuries on any part of the body
- multiple bruises - in clusters, often on the upper arm, outside of the thigh
- cigarette burns
- human bite marks
- broken bones
- scalds, with upward splash marks,
- multiple burns with a clearly demarcated edge.

Changes in behaviour which can also indicate physical abuse:

- fear of parents being approached for an explanation
- aggressive behaviour or severe temper outbursts
- flinching when approached or touched
- reluctance to get changed, for example in hot weather
- depression
- withdrawn behaviour
- running away from home.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed 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. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix/play with other children.

The physical signs of emotional abuse may include:

- a failure to thrive or grow, particularly if the child puts on weight in other circumstances e.g. in hospital or away from their parents care
- sudden speech disorders
- developmental delay, either in terms of physical or emotional progress.

Changes in behaviour which can also indicate emotional abuse include:

- neurotic behaviour e.g. sulking, hair twisting, rocking
- being unable to play
- fear of making mistakes
- sudden speech disorders
- self-harm
- fear of parent being approached regarding their behaviour.

Sexual Abuse

Sexual abuse involves forcing, coercing or enticing a child or young person to take part in sexual activities whether or not the child is aware of what is happening. It includes sexual exploitation of a child. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts.

They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Adults who use children to meet their own sexual needs abuse both girls and boys of all ages, including infants and toddlers. Young people may also be abused by other young people. There may be different signs and indications of abuse among older and younger children. Usually, in cases of sexual abuse it is the child's behaviour which may cause you to become concerned, although physical signs can also be present. In all cases, children who tell about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to and taken seriously.

The physical signs of sexual abuse may include:

- pain or itching in the genital area
- bruising or bleeding near genital area
- sexually transmitted disease
- vaginal discharge or infection
- stomach pains
- discomfort when walking or sitting down
- pregnancy.

Changes in behaviour which can also indicate sexual abuse include:

- sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- fear of being left with a specific person or group of people
- having nightmares
- running away from home
- sexual knowledge which is beyond their age, or developmental level
- sexual drawings or language
- bedwetting
- eating problems such as overeating or anorexia
- self-harm or mutilation, sometimes leading to suicide attempts
- saying they have secrets they cannot tell anyone about
- substance or drug abuse
- suddenly having unexplained sources of money
- not allowed to have friends (particularly in adolescence)

- acting in a sexually explicit way towards adults.

Child Sexual Exploitation

Sexual exploitation of children is a form of child sexual abuse. It 'involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability'¹⁴

The above indicators of child sexual abuse are also therefore relevant to sexual exploitation too. The OCC Inquiry and reports into Child Sexual Exploitation in Gangs and groups provide further indicators of risk of child sexual exploitation.¹⁵

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 abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Neglect can be a difficult form of abuse to recognise, yet have some of the most lasting and damaging effects on children.

The physical signs of neglect may include:

- constant hunger, sometimes stealing food from other children
- constantly being dirty or 'smelly'
- loss of weight, or being constantly underweight
- inappropriate dress for the conditions.

Changes in behaviour which can also indicate neglect may include:

- complaining of being tired all the time
- not requesting medical assistance and/or failing to attend appointments
- having few friends
- mentioning their being left alone or unsupervised.

¹⁴ Department for Education (2012) Tackling Child Sexual Exploitation: National Action Plan Progress Report

¹⁵ OCC Interim Report on Child Sexual Exploitation in Gangs and Groups Nov 2012 Page 116

These definitions and indicators are not meant to be definitive but only to serve as a guide to assist you and so that you can seek further advice.

It is important too, to remember that many children and young people may exhibit some of these indicators at some time, and that the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death or the birth of a new baby in their family, relationship problems between their parents/carers etc. In assessing whether indicators are related to abuse or not, the authorities will always want to understand them in relation to the child's development and context.

3. ADVICE, ASSISTANCE AND REPRESENTATION FOR CHILDREN

As a result of the expanded remit for the Office of the Children's Commissioner under the Children and Families Act 2014 which brought responsibilities for those children living away from home and in receipt of social care services, the OCC has established the Care and Protection Team to ensure an effective response to requests for advice and assistance to those children. Children and young people now contact OCC directly, as do others on their behalf, to seek advice and help to resolve difficulties with their care or support.

The Team Manager for the AAR service, together with the Advice and Assistance Officer, respond to the majority of these calls and will follow the Safeguarding Policy in respect of consultation, recording and referral as needed of any safeguarding concerns in conjunction with the PPA (Safeguarding).

It is important to note that this is not an emergency service and the team is not set up to deal with child protection enquiries unless these emerge from a request for advice. However, the team will endeavour to take all calls to OCC from vulnerable children and young people and to assist others when they answer the phone to such callers and the Team Manager for the AAR service will, in consultation with the Designated Safeguarding lead, follow through on any safeguarding referrals resulting from the Advice and Assistance function, informing the PPA (Safeguarding) of these.

The PPA and Team Manager for AAR in the team are able to discuss and advise on safeguarding issues related to this group of children and young people, however they arise

Any calls to the Advice line which are out of the hours covered by the Care and Protection Team should not be responded to but answerphone messages should be picked up - if necessary by a member of the Corporate Services Team – as soon as possible and a response arranged through the Team, in accordance with the Protocol for that Team.


Callers in person: it may be that callers will arrive at the office to seek advice and assistance in the context of the above remit. The OCC protocol is that adults will need an appointment to meet with senior staff or with the Care and Protection Team but that any child or young person who is in distress or in need of help should be seen by a member of the Team. If an adult arrives with concerns about the safety of a child, they should be assisted by a member of the Team to contact the Police or appropriate local authority and the 'Managing Concerns and making Referrals' guidance in this Policy should be followed

in these cases.

4. INFORMATION FOR CHILDREN AND YOUNG PEOPLE


A two page document has been created for children and young people and can be [downloaded from the Children's Commissioner's website](#).

What we do at the Office of the Children's Commissioner to keep you safe



When the Children's Commissioner, and those in her team (OCC), meet with children and young people, we do everything possible to make sure everyone is safe.

This means that we have:

- done all we can to spot any risks, reduced them as much as we can and planned for managing things which may go wrong
 - people on our staff team who can give advice to all of us on what to do if we have concerns about a child or young person
 - worked hard to make sure that any other organisation we work with has been equally careful and taken the same steps
 - trained all of us on what to look out for and what to do if we become concerned about a child or about a risk from an adult to a child (more about that later)
 - worked hard to make sure that you will be safe when using our web site and online forums and that there is advice there for you about keeping safe on-line
 - been careful in deciding who works for and with us by checking their backgrounds and having strict rules for how all adults can behave when with children and young people
- 



If you are worried about something, or someone is harming you, you can tell always tell us.

We will try to give you some advice or tell you who the best person to speak to is but, if we are really worried about you, we are not allowed to keep what you tell us to ourselves and we will have to tell other adults whose job it is to keep children and young people safe.

We will tell you when we do this and what will happen next. We will always try to do the right thing to keep you safe!

Lots more information overleaf...

What happens if a member of staff becomes worried that a child might be being harmed or that someone poses a risk to children?

Everyone working for the Office of the Children's Commissioner has been given clear advice on what they must do if they think a child is at risk of harm or that someone poses a risk to children. Just like everyone else who works with children and young people (e.g. teachers, doctors, nurses, social workers, youth workers) they have been told they are not allowed to keep that information to themselves but have to share it with others in order to keep those children safe. From past experience we know that this is the best way to make you safe.

This means that should they be told, or even suspect, that a child or young person is being harmed or that someone might harm a child, they will discuss that with the person in our office who can help them to decide what to do next.

If they believe that the risk of harm might be serious, they will contact the Local Authority where you live and ask them to look into it. They have to do this as there are only some organisations, like children's services, the police and NSPCC, who are allowed by the law to look into things like this. While this is going on, they will try to find the best support to help you through it as we know it can be scary and hard to understand who is doing what, why and when.

If you are ever being harmed, or another young person or adult tries to harm you, you should always tell someone. Either tell your parent or carer, one of the staff here, or a teacher or any adult you know and trust. The other thing you can do is ring Childline on 0800 1111 – but please make sure you tell someone. You don't have to suffer and there is someone who can protect you.



5. GUIDANCE FOR WORKING WITH CHILDREN AND YOUNG PEOPLE

This guidance applies to all staff and adults working for and on behalf of the Office of the Children's Commissioner (OCC) and will help them to work with children and young people in a safe, respectful and supportive way. The guidance has been developed to provide advice which helps to protect children, and also identify any practices which could be mistakenly interpreted and perhaps lead to false allegations of abuse. This guidance will provide standards which help all adults to monitor their own behaviour and to identify inappropriate behaviour by others which might raise safeguarding concerns.

Those working for or on behalf of OCC are in a position of trust - the public expect the highest standards. Adults must be aware that they may be seen as role models by children, and must act in an appropriate manner at all times. This guidance is also underpinned by key legislation and other rules for the protection of children: for example that forbidding any sexual relationship with a child encountered through work with OCC, even if they are of or above the age of consent, and that regarding the giving or receiving of gifts.

If in doubt, staff and other adults must always consider how an action or activity may be perceived as opposed to how it is intended.

Below are some specific guidelines on good practice for working with children and young people. They must be implemented within the positive framework of the OCC key principles of ethical practice:

1. Climate and environment:

- Always try and plan in advance for meeting and working with children and young people. It will be useful to identify the factors that will assist you in effective planning e.g. ages or access and support needs.
- Always work with children and young people in an open, safe and transparent way. Other adults must always know about the work you are doing with children.
- Respect children and young people at all times; be aware of showing favouritism, disapproval or prejudice.
- Always try to meet with children and young people and young people in a work setting but if you are meeting somewhere else, make sure it is with their parents' or carer's knowledge and consent.

2. Personal behaviour:

- Seek support from your manager if you become concerned about a young person's behaviour to you personally.
- Consider your appearance, and dress appropriately for the task and the age group you are working with.
- Always consider the appropriateness of your language. While the use of humour can help to diffuse a situation, avoid sarcasm, demeaning comments and suggestive remarks.

- Do not smoke or drink alcohol whilst working with children and young people.
- If you need to comfort a child or young person who has become distressed it is important that you do so in a way which is both age appropriate and respects their personal space. Never act in a way which may be perceived as threatening, intrusive, or over-familiar and check with them before you act.

3. Communication and contact:

- Do not agree to keep any information relating to the harm of a child or young person confidential. Follow the procedures for reporting concerns.
- Do not engage in or tolerate any inappropriate activity involving children and young people, whether based on talking or touching or potentially sexually provocative games.
- The focus of the relationship with a child or young person you have met through your work must always remain on the work. The aim must never become to develop that into a friendship or relationship.
- Do not exchange personal contact details, like phone numbers and email addresses with any children and young people you may meet through your work.
- Do not engage with children and young people you have met through your work on social networking sites, e.g. Facebook. Be aware if you have a twitter account that some children and young people may follow you. Make it clear it is not a good idea - it is a personal account and they should follow the organisational account.
- Never invite or allow a child or young person you have met through your work into your own home.
- Do not offer to transport a child or young person alone in your car. In unavoidable circumstances ensure other responsible adults you work with have been informed and a record is made of the circumstance.
- Avoid unobserved situations of one-to-one contact with a child or young person.

Some circumstances may arise which are potentially in conflict with this guidance: for example one to one contact with a child or giving them a lift in a car. These actions must be subject to discussion with a manager and a record kept of the decision. Staff and adults must always be mindful of situations which may lead them to be in a position which conflicts with this guidance. Staff who breach this guidance outside of these specific circumstances will be subject to disciplinary procedures.

4. Online safety advice for children and young people: the OCC has produced 'Ten Top Tips' which should be promoted with children.

http://www.childrenscommissioner.gov.uk/content/publications/content_876

6. VISITS TO CHILDREN IN CARE IN ENGLAND

The Children and Families Act 2014 amends the Children Act 2004 (Section 2E) in respect of powers of entry. For the purposes of the primary function, the Children's Commissioner, or a person authorised by them, has powers to enter any premises, other than a private dwelling, for the purposes of observing the standard of care and to interview any child accommodated or cared for there; and if the child consents, to interview the child in private. They may also interview any person present on the premises, who works there (whether they are paid or not).

As part of the development of the remit towards children who are living away from home and receiving social care (Section 8A), staff from the OCC will be arranging visits to areas and establishments where children are living. This may be for the purposes above and/or to gain their views and experiences of their care.

During these visits or participation events information may come to light with respect to either historic or current abuse. OCC team members may also become concerned during their visit about the possibility of abuse occurring within the establishment or from those involved in organising an event. This might relate to a member of staff or another young person.

This information should be treated in accordance with OCC procedures for 'Handling Concerns Disclosures or Allegations of Abuse.' and using the Flowchart specific to visits and NPM role below. (See further details in Section 7)

In all cases, unless in the case of police referral where there is an emergency and they cannot be contacted, the concerns/allegations should first be discussed with the DSO, PPA Safeguarding or the lead for the AAR service prior to any discussions with the establishment management or a referral being made and an attempt should be made to discuss the concern with an OCC manager prior to referral if this does not result in delay that would expose a child to further risk of harm.

7. NATIONAL PREVENTIVE MECHANISM

Further to the powers given to the Children's Commissioner to enter premises for the purposes above, OCC has been designated as part of the UK National Preventive Mechanism in relation to the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

These duties and powers are primarily exercised on visits to four types of establishment where children and young people may be detained:

- The Youth Justice Secure Estate
- Immigration Detention
- Secure Mental Health Establishments
- Police Custody

During these visits information may come to light with respect to either historical or current abuse. Historical in that a child or young person may disclose having been abused during their past and prior to their detention; current in that they may disclose recent or ongoing abuse during an OCC visit. OCC team members may also become concerned during their visit about the possibility of, abuse occurring within the establishment. This might relate to a member of staff, an adult resident or another young person.

In either case, this information should be treated in accordance with OCC procedures for 'Handling Disclosures or Allegations of Abuse.' (see flowchart below)

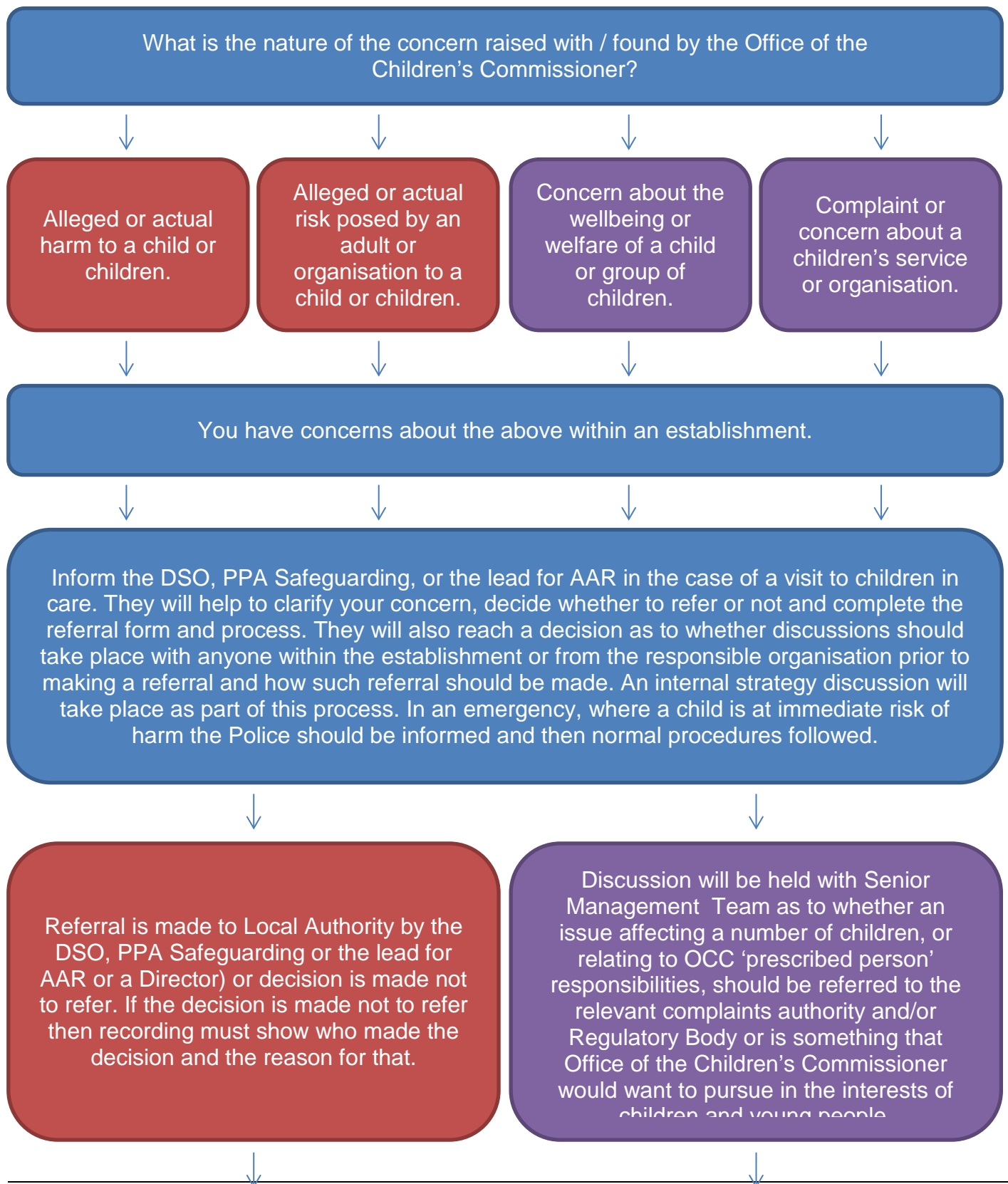
For consideration in action to be taken

In the case of historical abuse it should be remembered that the abuser may still have access to other children and young people thereby posing a threat to their wellbeing. The fact that the child making the allegation is no longer subject to harm from them should not deter us from reporting the concern to the Local Authority in which the abuse is alleged to have occurred and/or where the alleged perpetrator currently resides.

In relation to current abuse within the establishment, if the allegation relates to someone working with children then the Local Authority Designated Officer (LADO) for that area should be informed or if out of normal office hours the Local Authority Emergency Duty Team (EDT). If appropriate the Regulatory Body will also be informed. If the abuse is alleged to have been caused by anyone else within the establishment the allegation should be passed to the Local Authority Children's Services department for that area as per normal procedures. In either case, a decision will need to be made, after taking advice from the LADO or Children's Services as to what discussions should take place with the establishment management in relation to the concerns raised. Again where necessary it may be appropriate for the Regulatory Body to be informed. (For example in the case of secure children's homes this would be Ofsted)

In all cases, unless in the case of police referral where there is an emergency and they cannot be contacted, the concerns/allegations should first be discussed with the DSO or PPA Safeguarding prior to any discussions with the establishment management or a referral being made and an attempt should be made to discuss the concern with an OCC manager prior to referral if this does not result in delay that would expose a child to further risk of harm.

Managing concerns and making referrals: visits to establishments and events



8. ENGAGEMENT AND EMPLOYMENT OF YOUNG PEOPLE WITH CRIMINAL RECORDS

1. Purpose:

This document will guide our advice and management of the contract with organisations that will involve young people as researchers. It will be reviewed as part of the overall process of reviewing the Safeguarding policy for the organisation over the next year.

2. Paramount principle:

There will be no compromise on the safety and wellbeing of all children and young people involved in the research as researchers and as participants.

General principles in addition:

- It is important to provide young people who have criminal records the opportunities to learn relevant and important skills so they can move forward in their lives.
- It is important that we protect the safety and wellbeing of the children and young people taking part in the research.
- The associated risks with different stages of the research process will be identified.
- A risk assessment will be carried out with each of the young researchers and in liaison with key workers supporting the young people. Any risks will be identified, and any support necessary planned for the young people to take part. The nature of the past offence/s will be considered in this context as will whether the young person has removed themselves from criminal activity and associates and so is striving to move away from this activity.
- No young people with criminal records will be left alone or in charge of other children and young people but will be supported by research team staff - so they can learn and make the most from this opportunity but within the boundaries and safeguards of protecting all children and young people and organisations taking part.

3. Ensuring the safeguarding and wellbeing of all the children and young people involved in this project will be part of an ongoing monitoring and review process and involve:

- Liaison between the research organisation and OCC, university ethics departments and the partner agencies as necessary.
- Advice from a colleague in the research organisation / other as appropriate with experience in probation and expertise in risk assessment.

4. Process of approval – young researchers

i. Role of research agency / University

- The young people concerned who have declared they have a criminal record will be told that they will be considered for the positions, but references will be taken up (through key workers) and the situation discussed with funders.
- With agreement of the young people, research team staff will speak to their key workers at the relevant organisation about their offences, any identified risks, and any support necessary for the young people to take part.
- Research organisation/University staff will consider the risks associated with different stages of the research process. (These are likely to include: content analysis, preparing interview schedules and recruitment materials, running focus groups with young people and potentially with adults (family members and professionals), analysing the data, any launch event and potentially other dissemination events.)
- All the above information, together with that obtained from the records following a CRB report will contribute to a risk assessment overseen by a colleague with relevant experience and credentials who is known to the research organisation/University.

ii. Decision making

Given that OCC is ultimately accountable for the research they commission, this organisation will need to make the final decision concerning whether a young person will be involved in the research. However, we do wish to make clear that the decisions will be made on the basis of our positive approach to providing such opportunities and the principles as stated above and that we are pleased to work with colleagues at the relevant research organisations and supporting organisations working with young people.

- A recommendation based on the above assessment and support plan will be provided by the research organisation to OCC in respect of each relevant young person prior to the approval of their appointment. A brief report based on an agreed pro-forma assessment is requested.
- Agreement of OCC would need to be reached before approval of the young person's involvement with the research. (There would be a very short turn-around time for this – within one week of receipt of the assessment). This agreement will be subject to confirmation in the CRB check that no further offences come to light through that check. This check would need to be obtained prior to actual engagement in the research activity.

9. ONLINE SAFETY

This document should be read in conjunction with 'Social Media Guidance for Civil Servants' Home Office, May 2012.

The website manager for OCC is responsible for leading on keeping all policies and practices regarding online activities up to date, in consultation with the Designated Safeguarding Officer.

1. Social media sites - Facebook, Twitter and YouTube:

The OCC's official use of Facebook, Twitter and You Tube is subject to the guidance below. Children and young people may raise safeguarding concerns on our social media sites such as Twitter or Facebook. We have a policy in place for reporting safeguarding concerns on our social media sites (this is outlined in our Social Media Strategy under 'key risks,' which is currently for internal use only):

If a child or young person or adult posts something on our social media, we examine the issue in question and raise with the Care and Protection team. If the issue is related to a child in care or receiving social care services, they will be directed to our advice and assistance function. If not, we will direct them to another appropriate form of help or information service. The post will be removed immediately.

To militate against this risk, we do not allow people's posts on our wall on Facebook to become visible without being approved. Therefore, people can contact us but other members of the public will not be able to see it. They can also private message us.

Our About Us page on Facebook says not to contact us with safeguarding issues:
https://www.facebook.com/officeofthechildrenscommissioner/info?tab=page_info

2. Website:

Children and young people may raise safeguarding concerns on our website. We have a policy in place for reporting safeguarding concerns on our website (this is outlined in our Website Strategy under 'key risks,' which is currently for internal use only):

Children and young people may raise safeguarding concerns on our website. We have a policy in place for reporting safeguarding concerns online. If a child or young person or adult posts something on our website, we examine the issue in question and raise with the Care and Protection team. If the issue is related to a child in care or receiving social care services, they will be directed to our advice and assistance function. If not, we will direct them to another appropriate form of help or information service. The post will be removed immediately.

We have designated places for help on our website: Contact Us and Get Advice.

3. General:

As with the decision to use the above sites, a risk assessment will be done when there is any proposal to make use of such sites. A decision will then be made about whether it is appropriate for the Office of the Children's Commissioner to engage with young people through the site or to be associated with the site. Issues to consider in the risk assessment may include:

- security of the site and of information and details submitted through the site
- details of who would have access to information and details submitted through the site.

4. Personal and professional use of external social networking sites

It is essential that staff using personal spaces on external social networking sites such as Facebook and Twitter do not allow a blurring of their professional and personal views and opinions to take place. The staff handbook states:

- Do not engage with children or young people you come into contact with through the course of your work on social networking sites such as Facebook etc. If you are contacted by a child or young person inform them to use the Office of the Children's Commissioner's pages and not your personal pages.
- If using Twitter, you must make clear that all comments and views expressed are your own and do not necessarily reflect those of the OCC.
- As a staff member and advocate of the OCC's vision and mission, you should also consider whether comments made on personal sites could bring the office into disrepute.

5. Raising awareness with young people about online safety

The main risks associated with online activity are:

- Children and young people being groomed online.
- Children and young people experiencing online bullying.
- Children and young people being exposed to inappropriate or harmful material.
- Children and young people sharing personal details and contact information, as this could lead to them being targeted by those who wish to cause them harm.

Signposting to help and guidance regarding online safety or child protection should be provided through the Office of the Children's Commissioner's website and social networking sites where possible.

Links to the following should be displayed:

For adults

NSPCC Child protection helpline 0808 800 5000

NSPCC <http://www.nspcc.org.uk>

Child exploitation and online protection centre (CEOP) www.ceop.gov.uk

For children and young people

Childline 0800 1111

Child exploitation and online protection centre (CEOP) <http://www.thinkuknow.co.uk/>

Child and family consultation service <http://www.there4u.info/index.html>

NSPCC <http://www.nspcc.org.uk/under18>

CEOP's 'report abuse' button (for both adults and children) should be prominent on the Office of the Children's Commissioner website and social networking sites, especially on pages that provide opportunity for any interactive dialogue or uploading content.

10 CHILD PROTECTION RECORDING AND REFERRAL FORM

Name of child:		
Name of Local Authority (and Placing Authority if different):		
Gender:	Age:	Date of birth if known:
Ethnicity:	Language/communication method:	Additional needs / disability (If known):
Name of parent(s)/carer(s) (If provided):		
Child's address of residence:		
Child's home address/placement address if in care and address(es) of parents if different: (Only if relevant in the case of a child in care)		
Details of the disclosure/allegation, incident or concerns: including times, dates, description of any injuries and whether the information is first hand or the account of others:		
Has this concern been discussed with anyone else (including the establishment in which the child resides if it is a child in care and an adult calling):		
If information is the account of others how was this received: e.g. conversation, letter, e-mail, phone:		
Details of the adult or organisation which may pose a risk to children and why:		

If risk relates to an individual, the organisation they are employed by:

Has the concern been discussed by the Children's Commissioner's Office with anyone from that organisation:

Please provide details of the time and date the concern was discussed with the Children's Commissioner's Designated Officer or Safeguarding/Care & Protection Policy Officers:

Date, time and name and designation of the person the concern was passed to by the Children's Commissioner's Designated Officer or Safeguarding/Care and Protection Policy Officers:

Children Services:

LADO (in the case of allegation against someone working with children):
EDT (out of hours)

Police:

Regulatory Body (where appropriate):

If decision reached not to refer the concern, the reason for this decision:

Details of response received from the organisation the concern was referred to:

Date and time of response:

Signature of the Children's Commissioner's Designated Officer or Safeguarding/Care & Protection Policy Officers making the referral:

It is unlikely that OCC when considering making a referral would have all the following information relating to the child/young person however it is worth noting that the information normally expected on a referral will include:

- Name and address of the child
- Age and date of birth
- Ethnic origin
- Religion, if any
- Disability
- Preferred communication method
- Preferred language
- Name and address of adults involved
- Date and time of the alleged incident
- Nature of injury, behaviour or concern
- When the behaviour or injury was first noticed
- The child's explanation in her/his own words as near verbatim as possible (or other form of communication)
- Adult's explanation (if known)
- Date and time of the recording
- Any questions which were asked, as near verbatim as possible
- Signature of the person recording the concern.

And considering whether the referral:

- Is free from jargon
- Is sensitive to diversity issues
- Separates fact from opinion
- Includes all relevant information
- Is clear and concise and legible

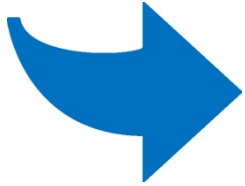
- Includes the worker's professional judgment.

WANT TO FIND OUT MORE

You can get in touch with us at:

The Office of the Children's Commissioner

Sanctuary Buildings
Great Smith Street
London SW1P 3BT



Tel: 020 7783 8330

Advice Line: 0800 528 0731

Email: Advice.TEAM@childrenscommissioner.gsi.gov.uk

Email: info.request@childrenscommissioner.gsi.gov.uk

Website: www.childrenscommissioner.gov.uk

Twitter: [@ChildrensComm](https://twitter.com/ChildrensComm)

YouTube: [ChildrensChampion](https://www.youtube.com/ChildrensChampion)