

Dungannon & South Tyrone Borough Council

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THIS POLICY REPLACES Child & Vulnerable Adult Policy DATED 2003 PLEASE DESTROY PREVIOUS VERSION				

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DUNGANNON AND SOUTH TYRONE BOROUGH COUNCIL

CHILD PROTECTION AND VULNERABLE ADULT POLICY

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CHIEF EXECUTIVE'S STATEMENT ON CHILD PROTECTION

Dungannon & South Tyrone Borough Council is committed to the safety and care of all users of its facilities and services. The Council recognises its moral and legal responsibility to protect children, young people and vulnerable adults.

This Child Protection and Vulnerable Adult Policy actively promotes and enhances the protection of children and vulnerable adults at all times. The Council will ensure that all Councillors, employees and groups or individuals acting on behalf of the Council accept and recognise our responsibilities to increase awareness of the issues that cause children, young people and vulnerable adults harm.

As part of this policy, the Council will commit to apply safe recruitment and selection practices to comply with The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003, and the guidelines issued by the Department of Health, Social Services and Public Safety.

A Code of Conduct has also been developed that all Councillors, staff and anyone acting on behalf of the Council, must adhere to. This Code complies with our legal responsibilities under The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003.

The Council will also adopt good practice procedures and systems to protect children and vulnerable adults to ensure that it meets its duty of care and protects them from harm. Council will also expect a similar commitment from groups who use or hire Council premises.

It is important that this policy is implemented effectively, efficiently and in a professional manner. To ensure that this happens Council will review the policy on an annual basis and produce an annual report on both the effectiveness of the policy and its implementation.

The Council will work with our employees and our partners from the voluntary and statutory sectors to ensure that all reasonable steps are taken to safeguard and promote the well being of children and vulnerable adults.

The protection of children and vulnerable adults is everyone's responsibility.

1.0 INTRODUCTION

- 1.1 Children, young people and vulnerable adults have the right to live their lives to the fullest potential, to be protected, to participate in and enjoy activities and be treated with dignity and respect. There is a considerable body of legislation, government guidance and standards designed to ensure that these groups are protected from harm.
- 1.2 Everybody has a responsibility for the safety of children and vulnerable adults and in accordance with relevant legislation, Dungannon and South Tyrone Borough Council as an organisation that has significant contacts with children and vulnerable adults across its services; has both a moral and legal obligation to ensure a duty of care.
- 1.3 The purpose of this policy and its associated procedures is to help protect
- 1.4 All children and vulnerable adults irrespective of their age, class, religion, culture, disability, gender, ethnicity, sexual orientation, nationality, family, dependency, or marital status have the right to protection from abuse.
- 1.5 It is important to note that, whilst Council will not be providing personal care services for children and vulnerable adults using its facilities, it will endeavour to create an environment that is safe and promotes well being.
- 1.6 The Council will ensure that it meets the regulations in terms of employment of staff, volunteers and role of members

A copy of Council's Health and Safety Policy is available on request.

A definition of abuse is attached in Appendix 1.

2. LEGISLATION

Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003.

2.1 PROTECTION OF CHILDREN

2.1.1. The term children or child is used to refer to anyone under the age of 18 years.

2.2 Prescribed statutory provisions for the purposes of Article 20(1) of the Order

The following statutory provisions are prescribed for the purposes of paragraph (b) of the definition of "child care organisation" in Article 20(1) of the Order –

- (a) the Health and Personal Social Services (Northern Ireland) Order 1972, Articles 16 and 17[1];
- (b) the Probation Board (Northern Ireland) Order 1982, Articles 3 to 5[2];
- (c) the Adoption (Northern Ireland) Order 1987, Article 10[3];
- (d) the Health and Personal Social Services (Northern Ireland) Order 1991, Article 10 and Schedule 3[4];
- (e) the Children's (Northern Ireland) Order 1995, Articles 73, 89, 105, 125 and 126[5];
- (f) the Further Education (Northern Ireland) Order 1997, Articles 13 and 14[6];
and
- (g) the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, Article 23[7].

2.3 Protection of Vulnerable Adults

Interpretation In these Regulations –"personal care" in relation to a vulnerable adult means –

- (a) rehabilitation, which includes time-limited programmes designed to enable that person to acquire the skills necessary to achieve independent living;
- (b) personal assistance, which includes assistance to get up and go to bed, assistance with dressing and undressing, surgical appliances, prosthesis and or those, mechanical and manual aids and transfers including use of a hoist;
- (c) personal hygiene, which includes bathing, showering, hair washing, shaving, oral hygiene and nail care;
- (d) continence care, which includes assistance with toileting, catheter or stoma care, skin care, laundry and bed changing directly related to continence care or illness;
- (e) assistance with eating, assistance with special diets under the guidance and direction of an appropriate professional and assistance with preparation of food where this is necessary to make sure that person eats regularly and safely;

- (f) assistance with mobility, which includes dealing with the consequences of not being able to move in so far as it impacts on the individual's ability to meet his personal care needs;
- (g) personal safety and well-being, which includes assistance to make sure the person is kept safe which may involve assistance with the management of reminding and safety devices, supervision to reduce or eliminate risk and assistance with the management of behaviours that that may compromise the safety of the person or others; and
- (h) simple treatments, which includes assistance with the administration of medication, application of creams and lotions, simple dressings and oxygen therapy; emotional and psychological support, including counselling, advice, encouragement and supervision, the promotion of social functioning and assistance with cognitive functions which includes speech, physical and occupational therapy;

3.0 DEFINITIONS

- The term children or child is used to refer to anyone under the age of 18 years.
- The term vulnerable adults relates to the need for personal care and safety as defined under The Protection of Children and Vulnerable Adults (Definitions) Regulations (Northern Ireland) 2005, referenced above.
- The term parent is used as a generic term to represent parents, carers and guardians.
- The term staff, elected members and volunteers is used to refer to employees, Councillors, volunteers and anyone working on behalf of and/or representing the Council.

4.0 AIMS

3.14.1 Dungannon and South Tyrone Borough Council accepts the moral and legal responsibility to provide a duty of care for children and vulnerable adults, safeguard their well being and protect them from all forms of abuse or harm when using services or facilities organised or provided by the Council

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4.2 The Council aim to do this by ensuring:

- A robust Health and Safety policy is in place and that all codes of practice are in position to support this.
- That staff, elected members and volunteers are required to follow the Council's Child Protection and Vulnerable Adult Policy and Procedures.
- All staff are properly trained in the use of all Council owned equipment provided to protect vulnerable adults across the Council.
- Robust recruitment procedures are in place to make sure that those individuals whose behaviour could be a threat to the safety and well being of children and vulnerable adults are not offered employment.
- Awareness of the duty of care responsibilities is raised throughout Council.
- Good practice amongst all staff, elected members and volunteers is actively encouraged and by promoting wider awareness wherever possible, i.e. partnership organisations and user groups.
- The creation of a safe and healthy environment within all our services, avoiding situations where abuse or allegations of abuse may occur.
- Staff listens to, respect and promote the rights, wishes and feelings of all and work closely with other agencies.
- Staff and volunteers who work with children and vulnerable adults will be subject to the appropriate level employment check.
- Best practice in training and supervising is adopted and by supporting staff and volunteers who work with children and vulnerable adults to safeguard and protect them from abuse, and themselves against false allegations.
- Any allegations responded to appropriately and implementing the appropriate disciplinary and appeals procedures.

4.3 OBJECTIVES

To achieve these aims the Council's objectives are:

- To develop and implement effective procedures for recording and responding to complaints of alleged or suspected child abuse.
- To provide appropriate training for staff and volunteers.
- To promote the general welfare and well being of children and vulnerable adults within Council facilities and services.
- To aid staff and volunteers to respond sensitively and seriously to anyone who discloses information about abuse, and be confident and able to take appropriate action swiftly, regardless of whom the allegation is about.

5.0 OFFICER ROLES AND RESPONSIBILITIES

5.1 Chief Executive

The Chief Executive has ultimate responsibility for ensuring compliance of this policy. Day to day responsibility for implementation is delegated through the management structure to individual Managers and Officers who are held accountable for ensuring that the requirements set out in this policy are fully implemented.

5.2 Head of Human Resources

The Head of Human Resources will ensure that this Child Protection and Vulnerable Adult Policy is widely available to all Councillors and staff. He/She will also ensure that where identified through job descriptions and representations from individual managers that employment checks are carried out for those members of staff and volunteers who have a substantial level of contact with children.

The Head of Human Resources will also ensure that any records of suspected abuse are stored appropriately.

- 5.2.1 The Head of Human Resources will have responsibility for ensuring that all staff are made aware of the importance of this policy.
- 5.2.2 At their induction training new employees will be made aware of their role in the area of child protection and vulnerable adults.
- 5.2.3 All new employees will serve a probationary period as outlined in their contract of employment. Their post will only be confirmed subject to satisfactory appraisal and personal performance. The Child Protection and Vulnerable Adult Policy will form part of the appraisal and personal performance process
- 5.2.4 Head of Human Resources has the responsibility to ensure there are the necessary procedures for the supervision and support of Councillors, Designated Officers, Managers and Duty Managers in their discharge of this policy.
- 5.2.5 An annual review of this policy and its implementation plan will be prepared by the Head of Human Resources, as advised by the Designated Contact Officers and presented to Council at the statutory meeting in March of each year.

5.3 Managers and Supervisors

Managers and Supervisors are expected to ensure employees are aware of this policy; and to notify the Designated Child and Vulnerable Adult Protection Officer (s) in strict confidence with any matters of child or vulnerable adult protection brought to their attention. Managers and supervisors will also be expected to ensure that their staff members who have substantial contact with children or vulnerable adults attend the relevant training.

5.4 Staff, Volunteers and Elected Members

All staff, volunteers and elected members of the Council have a duty to adhere to this Policy and procedures and to notify the Designated Officer(s) on any matters of child or vulnerable adult protection. They will also be responsible for undertaking the relevant training should they be working with children or vulnerable adults. Attention is drawn to the Code of Conduct contained at Appendix 2.

5.5 Designated Officers for Child Protection

5.5.1 Lead Designated Officer

The Council's Lead Designated Officer for Child Protection is responsible for acting as a source of advice on child protection matters for co-ordinating the Designated Officers action within the organisation and for liaising with Health and Social Services Trusts and other agencies about suspected or actual cases of child abuse.

The Council will formally appoint designated Child and Vulnerable Adult Protection Officers (male and female) who will be responsible for acting as a source of advice on child protection matters for their respective areas, for coordinating action within their area and liaising with the Lead Designated Officer. They will also work with Health and Social Services Trust and other agencies about suspected or actual cases of child abuse

The Designated Officers will undertake comprehensive training on child and vulnerable adult protection and continue to update their skills on an ongoing basis.

6.0 Training

The Council will provide suitable training to staff or volunteers working or coming into substantial contact with children or vulnerable adults. This training will have three levels.

- Level 1** General awareness training for all Councillors and Staff
- Level 2** For those with substantial contact with children or vulnerable adults
- Level 3** Comprehensive training for Designated Officers, Managers and Duty Managers of Facilities

Council will ensure that all staff are adequately trained in the use of all equipment and facilities to ensure an environment of health and wellbeing, and that regular health and safety courses are undertaken for key staff.

7.0 RECRUITMENT AND SELECTION OF STAFF

All staff working in a 'Regulated' position with children and/ or vulnerable adults, whether they are full time, part time, paid or unpaid, will have the standard Council recruitment and selection procedures applied to them, however they will also have as much information as possible is ascertained as to their suitability for the position.

This means choosing people with the necessary skills, knowledge and experience, and ensuring those, whose behaviour could be a threat to the safety and well being of children and vulnerable adults are screened out. To ensure this the Council adheres to the following professional standards.

- 7.1 Under the Council's Equal Opportunities Policy, an open recruitment process is applied for both external and 'internal trawl' positions. The process involves the advertisement of a vacancy, completion of an application form, a requirement to attend for test and/or interview, a requirement for written references from two referees and a declaration of accuracy of the information supplied.
- 7.2 All job positions will be assessed to ascertain whether the position is a regulated one or not. This will be the responsibility of the relevant manager and Human Resources Officer and where necessary, in consultation with designated child and vulnerable adult protection officers.

Where the post is deemed to care for, train, supervise or be in sole charge of children or vulnerable adults then the recruitment team will insert a reference to the fact that the post is a 'Regulated' position governed by The Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003. It will also be stated that before appointing anyone to such a post, it

is the Council's policy to request the relevant POC NI and POVA (NI) check¹.

An identification check will also be requested from the individual, these checks will include photographic identification and one check of a utility bill, bank/building society statement or credit/debit card.

- 7.3 In defining a 'Regulated' position, the following criteria will be used
- A position whose normal duties include caring for, training, advising, counselling, supervising or being in sole charge of children or vulnerable adults.
 - A position whose normal duties involve unsupervised contact with children or vulnerable adults under arrangements made by a responsible person
 - A position whose normal duties include supervising or managing an individual in his work in a regulated position
 - Where any doubt exists in assessing a job, Council will seek a POCVA request as part of the recruitment process.
- 7.4 The Council will only request a check on the **preferred** applicant for a post, that is, an individual to whom a conditional offer of appointment has been made – **not** short listed applicants. The Council will seek a POC (NI) and POVA (NI) check in all cases. Checks will not normally be requested on existing staff however, a check may be requested if:
- An individual takes up new duties in a regulated position with children or vulnerable adults where this had not previously been the case
 - Serious allegations are made about an individual already working with children or vulnerable adults or new information comes to light
- 7.5 Where an applicant lives or has lived in another part of the United Kingdom, Republic of Ireland, Jersey, Guernsey or the Isle of Man, the Police Service of Northern Ireland will check for criminal records with the relevant police force. Where we cannot obtain a POCVA check due to the individual living outside these jurisdictions the applicant will be required to present a Certificate of Good Conduct or extracts from their criminal records or similar document of their suitability to work with children or vulnerable adults by the relevant national authority prior to appointment. However, the level of information disclosed in this way varies from country to country; some provide complete criminal records, others only extracts. We will treat such certificates with caution, as it is difficult to confirm that the information is genuine or complete. In these instances we will personally discuss with the referees the individual's suitability to work with children or vulnerable adults.

¹ From April 2008 a new Vetting and Barring Scheme will be established in Northern Ireland – Access NI. This scheme will replace the POC NI & POCVA (NI) checks referred to in this policy and will be incorporated in March 2009 revision.

- 7.6 Information provided under POCVA arrangements will be treated as highly sensitive and will at all times be treated as strictly confidential. Such information will be stored in a locked cupboard or cabinet which will only be accessible by the Council's nominated officers. After making a final decision about the applicant, the original information and all copies will be destroyed immediately by shredding. The Council will however include a note on any personnel file stating that a check was carried out and that the person's conditional offer of appointment was confirmed/withdrawn as a result. **See appendix 3**, Council's process of information provided by POCVA (NI)
- 7.7 If the Council become aware that an individual who is employed is subject to a Disqualification Order or is included in the DWC (NI) List or DWVA (NI) List, then the individual will be moved to a non child or vulnerable adult care position or the employment terminated.
- 7.8 No matter how good the recruitment and selection procedures may be, they are not 'foolproof'. Best practice professional standards in management and supervision of staff and volunteers after appointment is as important.
- 7.9 If an employee becomes aware of activities which he/she believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the Council's confidential reporting procedure, or any other procedure designed for this purpose.

8.0 RESPONDING TO ABUSE CONCERNS AND ALLEGATIONS

8.1 It is important that all staff, elected members and volunteers are aware that the first person that has concerns or encounters a case of alleged or suspected abuse is **not** responsible for deciding whether or not abuse has occurred. However, staff, elected members and volunteers do have a duty of care to the child or vulnerable adult to report any suspicions you may have. **All clubs, organizations or individual tutors that use Council facilities or services must also report any concerns if they encounter a case of alleged or suspected abuse, to a member of the Council's staff.**

8.2

REMEMBER
It is not your job to judge or investigate BUT to inform

8.3 In general there are 3 situations that staff, elected members and volunteers may need to respond to a concern or case of alleged or suspected abuse:

1. Responding to a child or vulnerable adult disclosing abuse, i.e. they make an allegation of abuse
2. Responding to allegations **or** concerns about a member of staff, elected member or volunteer
3. Responding to allegations **or** concerns about any other person, i.e. parent, carer, other service user

8.4 SPECIFIC RESPONSE PROCEDURES

The following procedures should be followed in each situation.

8.4.1 Responding to an allegation of abuse

Abused children or vulnerable adults will only tell people they trust and with whom they feel safe. The following points are a guide to help you respond appropriately.

- Listen carefully to what is said.
- Find an appropriate early opportunity to explain that it is very likely that the information will need to be shared with others – **do not promise to keep secrets.**
- Ask questions for clarification only, and at all times **avoid asking questions** that suggest a particular answer.
- Reassure the child or vulnerable adult that they have done the right thing in telling you.

- Tell them what you will do next and with whom the information will be shared.
- Record in writing on an Incident Reporting Form, **see Appendix 4** all the details that you are aware of and what was said using the child's or vulnerable adult's own words, as soon as possible.
- Report to and inform the Council Designated Child and Vulnerable Adult Protection Officer as soon as possible.
- Designated Child and Vulnerable Adult Protection Officer informs relevant persons, i.e. Social Services and/or the Police if appropriate.
- Designated Child and Vulnerable Adult Protection Officers forward report and records of any action taken to Lead Designated Officer

8.4.2 **Responding to allegations or concerns against a member of staff, elected member or volunteer**

- Take the allegation or concern seriously.
- Record in writing on a Child Protection Incident Reporting Form, **see Appendix 4** all the details that you are aware of as soon as possible.
- Report to and inform the Council Designated Child and Vulnerable Adult Protection Officer as soon as possible.
- Designated Child Protection and Vulnerable Adult Officer informs relevant persons, i.e. Social Services and/or the Police if appropriate.

8.4.3 **Responding to allegations or concerns against any other person, e.g. parent,**

- Take the allegation or concern seriously.
- Record in writing on a Child Protection Incident Reporting Form **see Appendix 4** all the details that you are aware of as soon as possible.
- Report to and inform the Council Designated Child and Vulnerable Adult Protection Officer as soon as possible.
- Designated Child and Vulnerable Adult Protection Officer informs relevant persons, i.e. Social Services and/or the Police if appropriate.

8.8 Procedures for Referrals to DHSSPS Disqualification List

8.5.1 Under the **Disqualification for Working with Children (DWC (NI)) List** and the **Disqualification from Working with Vulnerable Adults (DWVA (NI)) List** which are lists of individuals who are considered unsuitable to work with children and vulnerable adults as follows: *The Council will refer employees for inclusion on the list/s after conducting an internal investigation*, **see appendix 5.**

- That the Council has dismissed the individual on the grounds of misconduct (whether or not in the course of their employment) which harmed a child or vulnerable adult or placed them at risk of harm;
- That the individual has resigned, retired or been made redundant in circumstances such that the Council would have dismissed them, or would have considered dismissing them, on such grounds if they had not resigned, retired or been made redundant;
- That the Council has, on such grounds, transferred the individual to a position within the Council which is not a child care or vulnerable adult care position; or
- That the Council has, on such grounds, suspended the individual or provisionally transferred them to a non child care or vulnerable adult care position, but has not yet decided whether to dismiss them or to confirm the transfer

8.5.2 Additionally the Council may refer names to the DHSSPS in other circumstances. This would be where they have dismissed an individual, the individual has resigned retired or has been transferred to a position with the organisation which is not a child care or vulnerable adult care position and where information not available to the Council at the time has since become available.

8.6 Confidentiality and Sharing Information

8.6.1 Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only, e.g. Designated Child and Vulnerable Adult Protection Officers, Social Services, Police, child, vulnerable adult, parents and staff/volunteers.

8.6.2 It is extremely important that allegations or concerns are not discussed, as any breach of confidentiality could be damaging to the child, vulnerable adult, their family and any investigations that may follow.

- 8.6.3 Informing the parents of a child or vulnerable adult you may have concerns about needs to be dealt with in a sensitive way and should be done in consultation with Social Services. This will be done in an open and transparent manner.
- 8.6.4 Any individual under suspicion has the right to be notified about the cause for concern. This should be done in joint consultation with Social Services and the Police. It is important that the timing of this does not prejudice the investigation.
- 8.6.5 Recorded information should be stored in a secure place in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).
- 8.6.6 If enquiries arise from the public (including parents) or any branch of the media, it is vital that all staff, elected members and volunteers are briefed so that they do not make any comments regarding the situation. Staff, elected members and volunteers should reply 'no comment' to all questions / enquiries.
- 8.7 A complaints procedure is available for children, vulnerable adults, parents, staff/volunteers. Verbal, written or other accessible format complaints can be made to the Chief Executive and the Council's complaints procedure will be activated. A grievance procedure is also available for staff.

9.0 CLUBS AND ORGANISATION USING FACILITIES

- 9.1 Dungannon and South Tyrone Borough Council would strongly encourage all clubs, organisations, individual tutors or their Governing Bodies that use Council facilities or services, to have an acceptable Child Protection & Vulnerable Adult Policy in place.
- 9.2 As a minimum requirement, all such clubs and organisations must accept and apply the standard of care as outlined within this Policy. A copy of the Policy will be made available on request to hirers with Terms and Conditions of Hire information.

10 Photography

10.1 There is evidence that some people have used activities and events as an opportunity to take inappropriate photographs or video footage of children or vulnerable adults. It is acknowledged that, where there are large crowds, it will be difficult to restrict the use of cameras (including mobile phones and other types of photographic equipment). Staff, elected members and volunteers should be vigilant at all times to ensure that camera usage is appropriate and follows the relevant guidelines below.

Any person, using cameras for media/ publicity purposes at Council events or activities involving children or vulnerable adults, should be approached and asked to complete a Consent Form for the use of Cameras and other Image Recorders, **see Appendix 7**.

10.2 When commissioning professional photographers or inviting the press to cover Council services, events and activities you must ensure that you make your expectations clear in relation to child and vulnerable adult protection.

- Check credentials of any photographers and organisations used.
- Ensure identification is worn at all times, if they do not have their own – provide it.
- Do not allow unsupervised access to children or vulnerable adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child's or vulnerable adult's home.
- Parents must be informed that photographs of their child may be taken during Council services, activities or events, and parental consent forms need to be signed agreeing to this. This must include information about how and where these photographs will be used.
- It is recommended that the names of children or vulnerable adults should not be used in photographs or video footage, unless with the express permission of the parent, guardian or carer.
- All materials promoting an event or activity should state clearly that accredited photographers would be present.
- Only images of children, young people and vulnerable adults in suitable dress should be used, to limit potential 'inappropriate use'. The nature of what is 'suitable dress' is difficult to define, however certain sports such as Athletics, Gymnastics and Swimming may lend

themselves to potential greater misuse. With these sporting activities, the content of the photograph/filming should be focused on the activity and not the particular individual. Photographs should avoid full face-body shots for example.

- **PHOTOGRAPHY in swimming pools will only be allowed for certain special events. Completion of relevant documentation is compulsory. An appointed member of staff will be designated to accompany the photographer for the duration of the shoot. Pool shots should be shoulder up. The age of the photographic subject will also determine what is considered appropriate. Staff have the authority to stop photographic sessions.**

- **No PHOTOGRAPHY of any nature will be permitted in changing areas.**

- Picture phones are not to be used on Council premises. They must be turned off in the Leisure Centre, or in any other changing facility. Non-compliance will result in the individual being asked to leave the premises.

- Dungannon & South Tyrone Borough Council reserves the right to prohibit the use of photography, videoing or filming of any nature at any event or activity with which it is associated.

11 ADULT/ CHILD RATIOS – COUNCIL RUN CHILDREN'S ACTIVITIES

11.1 The Council comes into contact with children across a very diverse range of activities and contexts ranging across leisure and sports development, theatre, arts development, play area maintenance etc. It is unrealistic to determine a prescriptive adult to child ratio for each differing activity and therefore it is a requirement that a risk assessment to determine the appropriate adult to child ratios in respect of child protection be carried out, notwithstanding the particular health and safety requirement.

Levels of supervision must be adequate whether at the Council's facilities or on an external journey/visit. Therefore, when deciding on appropriate adult to child ratios the following guidelines are considered as minimum requirements for any activity, the risk assessment² may well indicate the need for an enhanced level of supervision and staffing for a particular activity. In completing the assessment the following should be taken into consideration.

- 11.2 It is recommended that **no journey/ visit should be undertaken without a minimum of two adults in attendance, one of who must be an employee.** Bus drivers are not to be taken into consideration when considering levels of supervision.
- 11.3 We should aim to ensure that **no adult is in a one to one situation with a child.** Where an adult is on their own with a group another adult must be readily available e.g. caretaker
- 11.4 Appropriate training of the group leader has been provided
- 11.5 The ease of observation of the area e.g. large hall, pitch etc and the nature of the activity
- 11.6 Where an activity involves swimming – the level of adult supervision must be in compliance with the supervisory rules stated by the swimming pool facility provider. If there is none stated, the level of supervision for under 8's should be one adult to one child.
- 11.7 The ratio of staff and volunteers to children with disabilities should be assessed on an individual 'case-by-case' basis after discussion with the child's carers in relation to their abilities and individual needs.
- 11.8 It is recommended that where there is a mix of females and males in a group that there is a gender mix of supervisors or a gender mix is readily available.

² A Health and Safety Risk assessment should be carried out for all activities
Dungannon & South Tyrone Borough Council

12 IMPLEMENTATION PLAN

- 12.1 The following plan outlines the mechanisms that the Council will use to ensure that this policy is implemented in an effective, efficient and professional manner.
- 12.2 This policy will be reviewed on an annual basis to take account of developments in the area of child protection and vulnerable adults.
- 12.3 An annual report will be prepared for Council by the Head of Human Health and Safety Officer as to the implementation of the policy.

The report will outline:

- The number of cases of cases reported to the relevant statutory authorities
 - Recommendations for changes to the policy in keeping with best practice
 - Compliance of the policy throughout the Council
 - Number of newly recruited staff that have received Child and Vulnerable Adult Protection Training under Level 1
 - Number of staff receiving Child and Vulnerable Adult Protection Training under Level 2 & 3
 - An evaluation of the effectiveness of training provided on Child and Vulnerable Adult Protection Training
 - An evaluation of health and safety training provided across Council.
- 12.4 The Designated Child and Vulnerable Adult Protection Officers will carry out an annual audit of all facilities to ensure compliance with this policy.
- 12.5 Human Resources will arrange training appropriate to the level of involvement in child and vulnerable adult protection. Prior to any activity involving children or vulnerable adults relevant staff will receive the required training.
- 12.6 Head of Human Resources will ensure that Designated Child and Vulnerable Adult Protection Officers have the necessary skills, knowledge and experience to undertake the role.
- 12.7 Child and Vulnerable Adult Protection Officers will keep their own knowledge about child and vulnerable adult protection up-to-date to support staff.
- 12.8 Head of Human Resources will provide the necessary support, control and guidance on child and vulnerable adult protection issues
- 12.9 Head of Human Resources will have appropriate mechanisms in place to ensure staff safety and protection.
- 12.10 Head of Human Resources will have appropriate mechanisms in place to ensure health and safety to all Council services and facilities.

APPENDIX 1

What is Abuse?

A person may abuse or neglect by inflicting harm, or by failing to act to prevent harm. It is generally accepted that there are four main forms of abuse, which are outlined as follows. These definitions are based on those from Co-operating to Safeguard Children (2003) (Northern Ireland) (Department of Health, Social Services and Public Safety).

It is accepted that in all forms of abuse there are elements of emotional abuse and that some children or vulnerable adults are subjected to more than one form of abuse at any one time.

Physical Abuse

May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm. Physical harm also may be caused when a parent/carer feigns the symptoms of, or deliberately causes ill health to someone they are looking after. Physical abuse, as well as being a result of a deliberate act, can also be caused through omission or the failure to act to protect.

Emotional Abuse

Is persistent emotional ill treatment causing severe and persistent adverse effects on emotional development. It may involve making a child or vulnerable adult feel or believe they are worthless, unloved, and inadequate or valued only insofar as they meet the needs of another person. It also may involve frequently making them feel frightened, in danger, as well as the exploitation or corruption of a child or vulnerable adult.

Some level of emotional abuse is involved in all types of ill treatment, though it may occur alone.

Sexual Abuse

Involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not they are aware of, or consent to, what is happening. The activities may involve physical and non-physical contact, such as looking at, or the production of, pornographic material or watching sexual activities, or encouraging behaviour in sexually inappropriate ways.

Neglect

Is the persistent failure to meet basic physical and/or psychological needs, likely to result in the serious impairment of health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, leaving a young child home alone or the failure to ensure that a child or vulnerable adult gets appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, basic emotional needs.

APPENDIX 2

Employee, Volunteer, Council Member Code of Behaviour on Child and Vulnerable Adult Protection

- 1 We recognise that it is not practical to provide definitive instructions that would apply to every situation when staff members come into contact with children, young people and vulnerable adults that would guarantee the protection of all.
- 2 The following points cover the standards we expect from our staff, so they can fulfil their roles within the Council. This Code of Behaviour should help to protect children, including children with special needs, young people and vulnerable adults and members of staff.
- 3 STAFF AND VOLUNTEERS MUST **NEVER**:
 - Engage in rough, inappropriate games including horseplay with children.
 - Allow, or engage in, inappropriate touching of any kind.
 - If required to assist a child young person or vulnerable adult :**
 - it should always be in response to the child's needs
 - it should always be appropriate to the child's age and stage of development
 - it should always be with the child's permission.
 - **physically restrain a child, young person or vulnerable adult, unless it is to:**
 - prevent physical injury to the child, young person or vulnerable adult, to other children, to visitors or staff, or to yourself
 - prevent damage to any property
 - prevent or stop the child, young person or vulnerable adult committing a criminal offence.

In all circumstances, physical restraint must be appropriate and reasonable. If not, your action can be defined as assault.

 - Make sexually suggestive actions or comments to, or within earshot of, a child even if in fun.
 - Do things of a personal nature for children that they can do for themselves, or that their parent or the group leader can do for them.
 - Do anything that could be construed as bullying. The Council's anti-bullying and harassment policy provides clear anti-bullying guidelines for staff.

4 STAFF **MUST NOT**, EXCEPT IN EMERGENCIES:

- Have children or young people on their own in a vehicle, unless parents have been notified and extreme caution is taken.
- Take a child to the toilet unless another adult is present, or is told about it (this may include a parent or group leader)
- Spend time alone with a child on his or her own – if you find yourself in this situation; make sure that you can be clearly seen by others.

5 **IMPLICATIONS FOR STAFF**

Staff members and volunteers who breach any of the above Codes of Behaviour may face disciplinary procedure. If an allegation is made against a member of our staff, we will investigate the matter in line with our procedure for dealing with allegations against staff. The investigating officer will take advice from Police or other relevant bodies concerned with Child Protection.

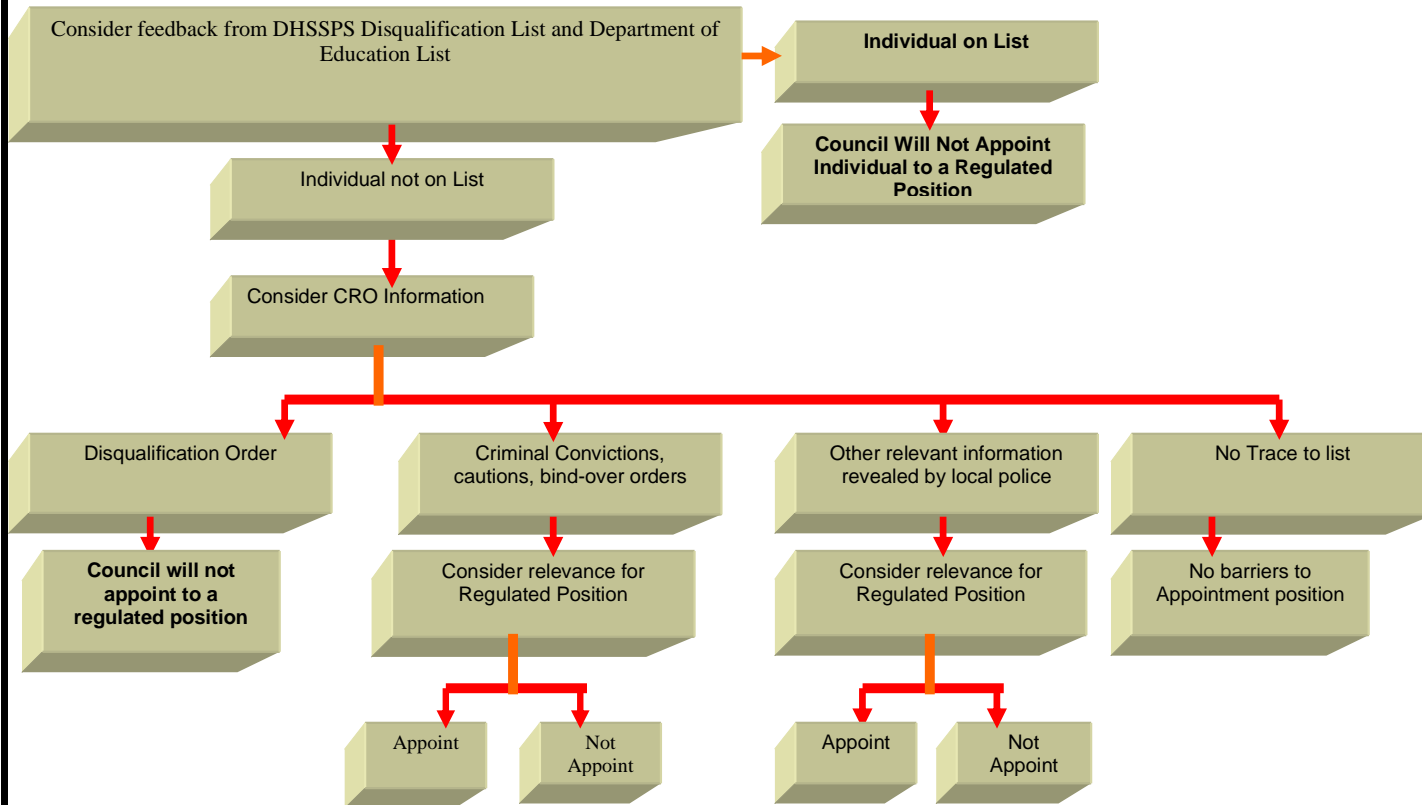
6 **REPORTING PROCEDURES**

If one of our staff members or volunteers is concerned about a child or the child's behaviour, it is essential to report that concern. In the first instance that concern should be reported to the immediate line manager who should then inform the Designated Child Protection Officer



APPENDIX 3

How Council Will Process Information Provided by POC (NI) and POVA (NI)



APPENDIX 4

Child Protection Incident Reporting Form

All information will be treated in strict confidence

Name of Person:		Venue		Date	
Date of Birth		Age:		Time	
Address					
Postcode					
Telephone Number:		Name of Parent/Guardian			
Are you reporting your own concerns or passing on those of someone else? Give details:					
Brief description of what has prompted the concerns: include dates, times etc. of any specific incidents:					
Are there any physical signs? Behavioural signs? Indirect signs?					
Have you spoken to the child, vulnerable adult? If so, what was said?					
Have you spoken to the parent(s) guardians? If so, what was said?					

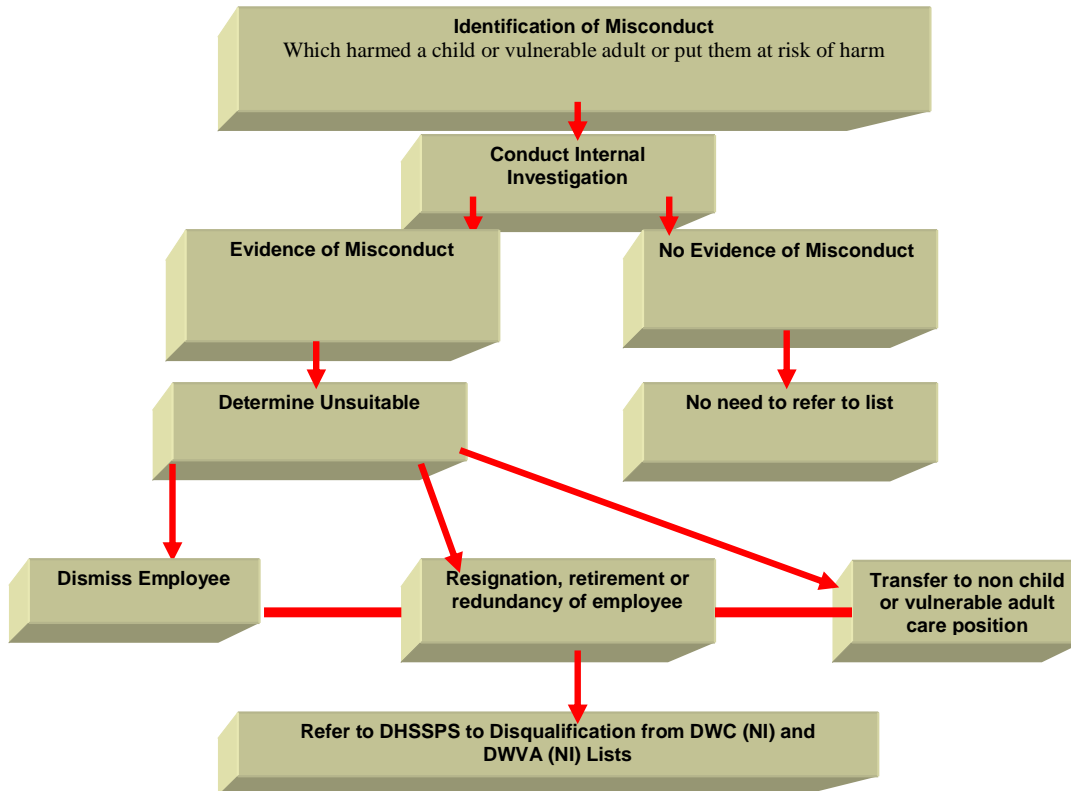


Has anybody been alleged to be the abuser? If so, give details?			
Have you consulted anybody? Give details:			
Your name:		Position	
To whom reported:		Date of reporting:	
Signature		Date	

This form should now be given to a Designated Child and Vulnerable Adult Protection Officer by hand in a sealed envelope marked confidential.

APPENDIX 5

Procedure for Referrals to DHSS Disqualification List



Appendix 6
PHOTOGRAPHY CONSENT FORM
(For use of Photographs, Film or Video Recordings of Children, young people or Vulnerable Adults)

Reference No: _____ Premises: _____

PERMISSION TO TAKE PHOTOGRAPHS OR RECORD IMAGES

In order to protect children and vulnerable adults from potential abuse the Council's policy is that:

"Photography and the recording of images of any kind are allowed only with the written permission of the management of the premises".

Please complete the form below and forward to the Manager of the premises prior to taking photographs or recording any images.

Details of Person Requesting Permission

Name _____

Address _____

Telephone No _____

Name of the Subject _____

Relationship of Photographer and Subject _____

Reason for Photography _____

How do you intend to use the images? _____

Declaration

I _____ hereby declare that the information provided is valid and that the images will only be used for the reasons given.

I also understand and agree that if anyone has any complaints or expresses concern about my use of photographic or recording equipment I will respect the rights of other people and stop when requested.

I also agree that I will not take any photographs or record any images in swimming pools, health suites, toilets, changing areas or any other area designated by management.

Signed _____ Date _____

Appendix 7

Useful Contacts

Social Services	<p>Armagh & Dungannon Health and Social Services Trust ST Lukes Hospital, Loughgall Road Armagh Home First Community Trust Carland Road Dungannon</p>	<p>028 3741 2424 028 87723101</p>
Southern Area Trust Child Protection Committee		
PSNI CARE Units	<p>Mahon CARE Unit 50 Mahon Road Portadown BT62 3SF</p>	Tel 028 9065022
Education	<p>Southern education and Library Board 3 Charlemont Place The Mall Armagh BT61 6AX</p>	Tel 028 3751 2200
Childline (N.I.)	<p>P.O.Box 111, Belfast BT1 7DZ</p>	<p>Tel: 028 9032 7773 Freephone 0800 1111</p>
DHSS Pre-employment Consultancy Services(PECS)	<p>Dundonald House, Upper N'Ards Road, Belfast. BT4 3SF</p>	Tel 028 9052 2644
NSPCC Child Protection	<p>NSPCC Divisional Office Jennymount Business Park North Derby Street Belfast BT15 3HN</p>	<p>Tel 028 90351 135 Helpline 0800 800500</p>
Child Protection in Sport Unit	<p>3, Gilmour Close Beaumont Leys Leicester L4 1EZ</p>	Oll6 2347273



Appendix 8

Facilities Managers Child Protection & Vulnerable Adults Self-Assessment Questionnaire

To be completed by the facility/service manager

Service Area / Facility _____

Manager _____ Date Prepared _____

How many staff are currently employed in your facility/service area? (Include all part-time and casual staff)	
How many staff have received Level 1 general awareness training in child and vulnerable adult protection issues?	
How many staff have received Level 2 intermediate child and vulnerable adult protection training?	
How many staff have received Level 3 comprehensive child and vulnerable adult protection training?	
Did all new staff who have 'substantial' contact with children or vulnerable adults received Level 2 Training prior to commencing work? If not, please advise the reason for this.	
At induction training did all new staff receive information on the Council's Child & Vulnerable Adult Protection Policy?	
What procedures/checks does your service area/facility have in place to ensure?	
Adequate arrangements are in place for the supervision of children, and vulnerable adults	
Adult/Child ratios are adhered to	
Information is conveyed to children/vulnerable adults about how and with whom they can share their concerns and anxieties	

Please return to: Mr Brendan Currie, Head of Human Resources

Note: Child and Vulnerable Adult Protection information is published and available for parents, carers, guardians, children and vulnerable adults about your service activities and who to contact in the event of concerns.



Equality Screening Form

Title of Policy:

Child Protection and Vulnerable Adult Policy

Brief Description:

To actively promote and enhance the protection of children and vulnerable adults who use Council facilities or take part in Council run activities.

Policy Aim:

The protection of staff, elected members, volunteers, children, young people and vulnerable adults who have business with, use or take part in Council activities.

Who implements the policy?

Human Resources, Managers, Supervisors, employees, elected members etc

Is the policy applied uniformly throughout the Council?

YES

Who are the main stakeholders in relation to the policy?

Staff, Elected Members, Volunteers and Public

What factors/forces could contribute/detract from the aim or implementation of the policy?

Policy guidelines not being followed Policy not being implemented throughout the whole Council.

How do we interface with other bodies in relation to implementation of this policy?

Referrals to Social Service, PSNI etc. Advice and guidance sought from professional bodies when necessary.

This policy will also have an impact on bodies that make regular use of facilities or activities

What data are currently available to facilitate the screening of this policy?



Screening the Policy

Where there is little or no evidence, and common sense indicates that a differential impact may be expected, you should discuss with your manager or Equality Officer.

1. Is there any evidence of higher or lower participation or uptake by different groups?

	Yes	No	Not known
Religious belief			x
Political opinion			x
Racial group			x
Age			x
Marital status			x
Sexual orientation			x
Gender			x
Disability			x
Dependants			x

Please comment:

The aim of this policy is the protection of Children, Young People and Vulnerable Adults, participation rates vary across council facilities depending on activity.

2. Do different groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes	No	Not known
Religious belief			x
Political opinion			x
Racial group			x
Age			x
Marital status			x
Sexual orientation			x
Gender			x
Disability			x
Dependants			x

Please comment:

Depending on activity and facility in use.

3. Have consultations with relevant groups, organizations or individuals indicated that policies of this type create problems that are specific to them?

	Yes	No	Not known
Religious belief			x
Political opinion			x



Racial group			X
Age			X
Marital status			X
Sexual orientation			X
Gender			X
Disability			X
Dependants			X

Please comment:

This policy is designed to protect all who fall within its scope regardless of the above

4. In relation to implementing this policy, is there an opportunity to better promote equality of opportunity or good relations by altering the policy or by working with others in Government or in the larger community?

No

Please elaborate:

This policy should be implemented universally throughout the Council

5. With reference to Questions 1 to 4 please summarise how you believe the policy may impact on Council's commitment to the promotion of equality of opportunity.

This policy aims to protect vulnerable groups who use facilities.

6. What data do you believe will be required to ensure effective monitoring of the policy following implementation?

Designated Officers have been appointed and trained. Staff are to be trained at different levels throughout the Council (as outlined in the Policy) the policy is reviewed annually.

7. In the context of Question 3 are there any relevant groups which you believe should be consulted at this time? Please specify

NO. This policy has been recently reviewed. Consultation had been sought with relevant bodies when first implemented.



As this policy is reviewed annually and will be made available to the public any comments will be considered at that time

8. Does this policy have due regard to the need:

- **to promote positive attitudes towards disabled people; and to**
- **encourage participation by disabled people in public life.**

Yes both in the policy and through training

9. Any other comments on the policy and/or screening exercise?

10. On the basis of answers to Questions 1 to 4 above (and in particular positive answers), do you recommend that the policy should be subjected to a full impact assessment? Yes No

N.B. If an EQIA is recommended, please contact the Corporate Strategy and Policy Officer. If an EQIA is not recommended, please sign and date this form and ensure that the reason for not recommending is made clear.

Officer

Screened by: _____

Date: _____

Manager

Screened by: _____

Date: _____

Director

Screened by: _____

Date: _____