

Welwyn Hatfield Borough Council Safeguarding Children Policy

1. INTRODUCTION

Welwyn Hatfield Borough Council is committed to the safeguarding of children and young people. This policy sets out our approach to ensuring that the young people we work with and provide services to have the chance to live a life free from harm, exploitation and abuse, have their rights protected and are able to grow up in an environment where they can realise their full potential.

Our council recognises the key role it plays within the borough, working alongside other agencies, to ensure the wellbeing of children and young people. We will be proactive in encouraging and supporting local public services and partner agencies to do the same in safeguarding children.

Our approach to safeguarding is led from the top of the council, and this is reflected by the high-level membership of our corporate Safeguarding Steering Group. The work of the steering group includes safeguarding children and vulnerable adults. The group's membership includes the Executive Director for Housing and Communities, the Lead Member for Sports and Heads of Service drawn from all areas of the council.

The Steering Group takes the strategic lead on safeguarding within the council, and is responsible for developing and reviewing the council's safeguarding policies and through their implementation, ensuring the council meets its legal and moral obligations. Importantly the steering group makes sure that safeguarding is embedded across all areas of our organisation and that employees and elected members are clear about the council's commitment and responsibility to safeguard those vulnerable members in our communities.

We encourage you to read this Safeguarding Children Policy so you are familiar with both this council's role and responsibilities, and those of the many local partners with whom we work together in partnership.

Cllr Tony Kingsbury
Executive Member, Policy and Culture

Simone Chinman Russell
Executive Director, Housing and Communities

2. VALUES AND PRINCIPLES

The purpose of this policy is to set out the council's approach to safeguarding children and promoting their welfare. It provides a strategic framework for the procedures which the council has adopted to ensure that we deliver on our commitment in a consistent way across the organisation.

Our approach to safeguarding children links to our corporate priorities, which includes a commitment to maintain a safe and healthy community, to be achieved by

- Working with partners to keep people safe
- Helping to improve and maintain the health and wellbeing of residents

The council has a set of core values. Our values demonstrate what is important to us in our dealings with residents, businesses, partners and employees.

2.1. Our Values

Integrity: We will be honest, clear and consistent about what we do

Transparency: We will be approachable, accountable and transparent in the way we communicate and conduct our business

Respect: We will have respect for residents, businesses, partners and employees

Fairness: We will fair in our policies and decision making, listening to the views and feedback we receive

We will deliver our legal and moral obligations and act at all times within the principles of our corporate values. Our Safeguarding Children Policy clarifies the responsibilities of our employees, volunteers, contractors and elected Members, as well as the many partners we work with.

This is also reflected within the framework of procedures which have been developed to ensure a consistent and robust approach to safeguarding children.

Our procedures have been developed in line with those of the Hertfordshire Safeguarding Children's Board (HSCB), of which the council is a partner. On this basis we are responsible for informing Hertfordshire County Council of any concerns about a child's wellbeing.

2.2. Taking a child-centred approach

The implementation of this policy and related procedures will be based on the principle of a child-centred approach.

The importance of this has been highlighted in the Munro Review (2011) of the Child Protection system.

Every child, as each adult, has the right to be involved in the decisions which affect their lives.

To achieve this we will ensure that:

- The views of children and their families are taken into account in service planning and delivery.
- The protection of children, and promotion of their welfare, will be central to our work, whether that work directly or indirectly involves children and families.

3. DEFINITIONS

For the purposes of this policy the following definitions have been adopted:

3.1. Safeguarding and promoting the welfare and wellbeing of children

- Protecting children from maltreatment;
- Preventing the impairment of children's health or development;
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- Enabling children to have optimum life chances and to enter adulthood.

3.2. Child

- A child is any person under 18 years of age.

3.3. Child abuse

- Child abuse is any action by another person, adult or child, that causes significant harm to a child.

Child abuse can be distinguished into four main categories:

1. **Physical abuse** – deliberately hurting a child by causing injuries such as bruises, broken bones, burns or cuts.
2. **Emotional abuse** – ongoing emotional maltreatment or emotional neglect of a child that can seriously damage a child's emotional health and development. This also includes abuse that takes place online (e.g. cyberbullying).
3. **Sexual abuse** – forcing or persuading a child to take part in sexual activities. This does not have to be in the form of physical contact and it can happen online in a virtual context.
4. **Neglect** – ongoing failure to meet a child's basic needs.

3.4. Additional categories of abuse

There are additional areas of concern that could affect children:

- **Child sexual exploitation** – a type of sexual abuse in which children are sexually exploited for money, power or status.
- **Honour based abuse** – a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.
- **Female genital mutilation** – a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons.
- **Forced marriage** – a marriage conducted without the valid consent of one or both parties and where duress is a contributing factor.

- **Domestic abuse** – any incident, or pattern of incidents, of controlling, coercive and threatening behaviour or violence. A child may suffer from abuse not only by being physically abused directly, but also seeing or hearing the maltreatment of another such as a parent or sibling.
- **Radicalisation** – the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.
- **Online abuse (cyberbullying)** – any type of abuse that happens on the web, whether through social networks, playing online games or using a mobile phone to interact with others.
- **Child trafficking** – children are recruited, moved or transported and then exploited, forced to work or sold. Children are trafficked for child sexual exploitation, benefit fraud, forced marriage, domestic servitude, such as cooking, cleaning and childcare, forced labour in factories or agriculture, criminal activity such as pick pocketing, begging, transporting drugs, working on cannabis farms, selling pirated DVDs, and bag or shop theft.
- **Grooming** – when someone builds an emotional connection with a child to gain their trust for purposes of sexual abuse or exploitation.
- **Harmful sexual behaviours** – using sexually explicit words and phrases, inappropriate touching, using sexual violence or threats, full penetrative sex with other children or adults witnessed by the child.
- **Substance misuse and alcohol abuse** – this may apply to the child directly or to other people in the child’s life whose behaviour is impacting upon the child.
- **Ritual abuse and spirit possession** - The belief in ‘possession’ and ‘witchcraft’ is relatively widespread. It is not confined to particular countries, cultures, religions or immigrant communities in this country. The number of *identified* cases of child abuse, linked to accusations of ‘possession’, are small, but the nature of the related child abuse can be particularly disturbing and the children involved can suffer damage to their physical and mental health, capacity to learn, ability to form relationships and self-esteem.¹
- **Children with a disability** - Disabled children may be especially vulnerable to abuse for a number of reasons. They may be more inclined to be socially isolated, have extra dependency on parents and carers for daily living needs, including intimate personal care, have an impaired capacity to resist/avoid abuse, have limited ability to communicate with others when there is a problem and may not have anyone they trust to disclose their concerns to. Research shows that children with a disability are especially vulnerable to bullying and intimidation.²

4. HOW THE LAW PROTECTS CHILDREN

4.1. United Nations Convention on the Rights of the Child (1989)

This is an international agreement setting out the minimum standards for protecting children’s rights. The Convention refers to all children up to the age of 18 years. In relation to safeguarding children, it states that:

- the best interests of the child should be a primary consideration when action is taken concerning them;
- children are to be protected from all forms of discrimination;
- every child has the inherent right to life, survival and development;
- children should not be punished cruelly or in a way that belittles them;
- children have the right to be protected from all forms of abuse and neglect, and be given proper care by those looking after them;

¹ HM Government, (2015), *Working Together to Safeguard Children*

² HM Government, (2015), *Working Together to Safeguard Children*

- children who are victims of abuse are entitled to the care and treatment needed to recover from the effects of their mistreatment.

4.2. The Children Act 1989

This brought together legislation on caring for and protecting children and provides the framework for safeguarding children and promoting their welfare. The Children Act 1989 is underpinned by the following principles:

- **Welfare principle** – the child’s welfare is the paramount consideration in any decision that affects them
- **Parental responsibility** – replaces parental rights. Parents share parental responsibility with the local authority for a child in care
- **Partnership** – professionals and families must work together for the welfare of children
- **The child’s voice** – a child’s wishes and feelings should be sought and taken into account in making decisions affecting them (if they are old enough to understand)
- **Family is best** – a child’s own family is the best place for a child to be brought up
- **No order principle** – a court order should not be made unless it is needed to improve the child’s life
- **Diversity issues** – racial, cultural, religious and linguistic background must be taken into account in all decisions.

The main safeguarding provisions of the Act are:

- **Child protection** (s47) – a local authority shall make inquiries where there is reasonable cause to suspect that a child or young person living in the area is suffering or likely to suffer significant harm.
- **Children in need** (s17) – a local authority has a duty to safeguard and promote the welfare of children within the area who are in need – unlikely to achieve or maintain a reasonable level of health or development, or whose health or development is likely to be significantly or further impaired without the provision of services – and to promote the upbringing of such children by their families.
- **Inter-agency working** – health, education and other public sector agencies are required to assist children’s social care in safeguarding and promoting the welfare of children
- **Court orders** – a court can order a child to be taken into care or to be under a supervision order. It can also order that a child is given emergency protection or undergoes an assessment

4.3. The Children Act 2004

The Act imposes a duty on all organisations that have contact with children to ensure they make sufficient arrangements to protect them.

Statutory agencies are required to safeguard and promote the welfare of children.

The Act requires every local authority to establish a Safeguarding Children Board to oversee all work to safeguard children. This duty is undertaken by Hertfordshire County Council.

The Children Act 2004 places responsibilities upon Welwyn Hatfield Borough Council, as a relevant partner to Hertfordshire County Council’s Children’s Services, to safeguard and promote the welfare of children. The Act requires that children have a right to be safe and should be protected from all forms of abuse and neglect. The Act requires that Safeguarding is everyone’s responsibility and promotes early intervention. The Act promotes the principle that

children and families are best supported and protected when there is a coordinated response from all relevant agencies.

In line with the Children Act 2004 Welwyn Hatfield Borough Council must (in section 10) co-operate to improve wellbeing and (in section 11) have arrangements in place to safeguard and promote the welfare of children.

To meet the requirements of section 11 of the Children Act 2004, Welwyn Hatfield Borough Council should have regard to statutory guidance 'Working Together to Safeguard Children' (HM Government 2015). The Council has accepted its duty to co-operate with Hertfordshire County Council's Children's Services and it will ensure that it meets the requirements set out by the Hertfordshire Safeguarding Children Board.

5. OUR PRIORITIES UNDER THE PRINCIPLES OF 'WORKING TOGETHER TO SAFEGUARD CHILDREN'

HM Government: Working Together to Safeguard Children (2015) guidance covers the legislative requirements and expectations on individual services to safeguard and promote the welfare of children; and sets out the following priorities which all organisations providing services for children, parents or families should demonstrate to fulfil their commitment to safeguard and promote the welfare of children. Welwyn Hatfield Borough Council has agreed to be audited regularly on these outcomes by the Hertfordshire Safeguarding Children Board.

To meet these priorities we will:

- Have a policy for safeguarding and promoting the welfare of children in line with guidance from Hertfordshire Safeguarding Children's Board.
- Develop and implement recruitment and selection procedures that take account of the need to protect children and young people including arrangements for appropriate checks on new staff and volunteers.
- Take all reasonable measures to safeguard and promote the welfare of children.
- Lead from the top through clear commitment by senior management to safeguard and promote children's welfare.
- Put in place sound governance arrangements with a clear line of accountability within the organisation in relation to safeguarding issues.
- Have in place recruitment and human resources management procedures which take account of the need to protect children and young people, including arrangements for appropriate checks on new staff and volunteers.
- Develop and implement clear and comprehensive procedures for reporting and dealing with allegations of abuse against members of staff, Members and volunteers.
- Put in place arrangements to ensure all staff and Members undertake and refresh appropriate training to equip them to carry out their safeguarding responsibilities effectively.
- Put in place arrangements to work effectively with other organisations to safeguard and promote the welfare of children, including arrangements for sharing information.

- Promote a culture of listening to and talking with children to ensure their views on actions and intervention are taken into account.

Further professional guidance is available from the *Hertfordshire Safeguarding Children Board Procedures Manual*

6. SAFER RECRUITMENT

6.1. Employing and training safer employees

In line with the Safeguarding Vulnerable Groups Act 2006 we will take reasonable steps to ensure that staff working with children and young people are safe to do so. Posts will be appropriately assessed to determine their level of contact with children and young people.

Where appropriate we will vet potential employees using the Disclosure and Barring Service (DBS) to support safer recruitment decisions and to prevent unsuitable people from working with at-risk groups. There are three types of checks which can be conducted:

- Standard check - this will check for spent and unspent convictions, cautions, reprimands and final warnings.
- Enhanced DBS check - the same as the standard check plus any additional information held by local police which is reasonably considered relevant to the post being applied for.
- Enhanced with list checks – same as the enhanced check, but includes a check of the DBS Barred lists.

All disclosures for unsupervised work with children and young people, that meet the definition of regulated work, will be at an enhanced level.

Additionally, all individuals we recruit will undergo pre-employment referencing covering a three year period.

6.2. Providing our employees with the right training and support

We will ensure that all employees who work with or have contact with children are appropriately trained. Although not all staff, volunteers, contractors or Members will work directly with children or have direct access to their information, they will be required to understand the responsibility they have in protecting children from harm.

All staff, volunteers, contractors and Members will be appropriately trained and supported to ensure their skills and knowledge match the level of contact they have with children through their work.

We will offer different levels of training, appropriate to different roles and responsibilities within the council and provide updates to reflect changes in legislation and government guidance.

6.3. Behaviour standards for staff, Members, volunteers, contractors and councillors

Staff will provide the highest level of care ensuring a child's welfare is a primary guide to their actions whilst maintaining professional standards of conduct with children who use our services. Staff, volunteers, contractors and Members should never act in such a way that could leave them open to allegations of abuse or inappropriate behaviour or relationships with a child.

The standard of behaviour expected by employees is set out in the council's Code of Conduct for employees and supported in the Code of Conduct for Members.

7. SAFEGUARDING CHILDREN: EVERYONE'S RESPONSIBILITY

7.1. The role of council employees and representatives

Every employee, volunteer, contractor or elected Member, who, during their work has any kind of contact (direct or indirect) with children and their families, or who have access to information about them, has a responsibility to safeguard and promote the welfare of children.

Government guidance requires professionals from different agencies to work together and take shared responsibility, each contributing their skills and expertise.

To achieve this we will:

- Promote the concept that the safeguarding and welfare of children is not just the duty of people who work directly with children.
- Demonstrate this at all levels of the organisation; political, strategic and operational.
- Ensure that no act or omission on our part or that of our employees and partners puts a child inadvertently at risk.
- Put in place clear and rigorous procedures to proactively safeguard and promote the welfare of children and support employees in fulfilling their obligations.
- Raise awareness with the independent contractor organisations which work on our behalf. These organisations are required to meet our standards in protecting children, promoting their welfare, responding to concerns about a child or a member of staff.

7.2. Ensuring a joined-up approach across the council

We will ensure that our Safeguarding Children policy is aligned with and cross referenced to other related council policies, including our:

- Safeguarding Adults at Risk Policy
- Whistleblowing Policy
- Recruitment and Selection Policy
- Disciplinary Procedure
- Code of Conduct
- Health and Safety Policy
- Equality Policy
- Complaints Procedure
- Data Protection Policy
- Information sharing protocol

7.3. How we will approach partnership working

Partnership working is a key priority to ensuring the council safeguards and promotes the welfare of children. As Welwyn Hatfield Borough Council is not the only agency to come into contact with children and families, we will ensure that staff work in partnership with other agencies, such as police, health, education and children's social care services.

8. KEEPING, ACCESSING AND SHARING CHILDREN'S INFORMATION SAFELY

Effective information sharing underpins integrated working and is a vital element of both early intervention and safeguarding.³

We will comply with current legislation at all times when processing information about children. This includes the Data Protection Act 1998 and the new General Data Protection Regulations which come into force in May 2018.

9. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment was carried out by the Equality and Diversity Steering Group on 10 January 2018. No negative impact was identified on any of the protected groups under Equalities legislation.

10. MONITORING AND REVIEW

This policy sets out our approach up to 2020. We will review our Safeguarding Children Policy by the end of March 2020 or at such time that new legislation or codes of practice require us to do so.

11. USEFUL RESOURCES

Linked/related legislation and policy guidance

[HM Government Working Together to Safeguard Children \(2015\)](#)

[Hertfordshire Safeguarding Children Board](#)

[Safeguarding Vulnerable Groups Act 2006](#)

[Children Act 1989](#)

[Children Act 2004](#)

[Children and Young Persons Act 2008](#)

[Children and Families Act 2014](#)

12. RELATED COUNCIL POLICIES

- Data Protection Policy
- Health and Safety Policy
- Equality and Diversity Policy

³ HM Government, (2015), *Working Together to Safeguard Children*