



## **THE COMMUNITY BROKERAGE NETWORK**

### **V1 DRAFT CHILD PROTECTION POLICY**

#### **INTRODUCTION**

The Community brokerage Network is committed to protecting all children and young people. We recognise that child protection and safeguarding is everyone's responsibility. The Children (Scotland) Act 1995 defines a child as being a person who has not attained the age of 16 years (with some exceptions). Legislation covering the recruitment of adults to work / volunteer with children and the United Nations Convention on the Rights of the Child all define a child as being under the age of 18 years.

**For the purposes of this document, a child is defined as being less than 18 years of age.**

#### **LEGISLATIVE CONTEXT AND KEY MESSAGES**

There are a number of Acts of Parliament *concerned* with the protection of children and young people. There are also a number of important documents, which contain guidance for statutory and voluntary *agencies*. We recognise the purpose of these is to keep children and young people safe from harm, abuse or exploitation.

The main provisions are as follows:

- **United Nations Convention on the Rights of the Child (1989)**
- **Children (Scotland) Act 1995**
- **Protection of Children (Scotland) Act (2003)**
- **Protecting Children- A Shared Responsibility, Guidance on *Inter-Agency* Co-operation, Scottish Office (1998)**
- ***"It's everyone's job to make sure I'm alright"*, Child Protection Audit and Review, Scottish Executive (2002)**
- **Protecting Children and Young People: Framework for Standards, Scottish Executive (2004)**
- **Children's Charter, Scottish Executive (2004)**

There are three key messages from the legislation and guidance, which are: -

1. **Everyone has a responsibility to protect children and young people**
2. **Every child has at all times a right to feel safe and protected from any situation or practice which could result in the child being physically or emotionally harmed or exploited**
3. **Above all, the welfare of the child is the paramount consideration and we must all work together to ensure children and young people are protected**

**The Community Brokerage Network** is committed to creating a safe environment for children and young people. We recognise our moral and legal obligations to protect children and will ensure that the self-employed Brokers, Board Members and others associated with us will take all reasonable steps to promote safe practice and to protect children from harm, abuse, and exploitation.

#### **OUR POLICY IS BASED ON THE FOLLOWING PRINCIPLES:**

- The welfare of children is always the paramount consideration.
- All children have the right to be protected from abuse regardless of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and / or sexual identity.
- Protecting children and young people is everybody's responsibility.
- All children have a right to express their views on matters affecting them and these views should be taken into account when making decisions in relation to children.

#### **WE WILL:**

- Treat everyone with respect.
- Respect and promote the rights, wishes and feelings of children.
- Provide time for children to talk to us and listen to what they say.
- Encourage children to respect and care for others.
- Respect confidentiality and only share information / *concerns* with the people who need to know in order to protect the child having regard to the provisions of the Data Protection Legislation.
- Engage self-employed Brokers using safe recruitment practices.
- Take action to stop any inappropriate verbal or physical behaviour including bullying.
- Take all concerns / allegations seriously and respond appropriately in line with the Local authorities procedures. We will refer **not** investigate, investigation being the responsibility of other professional agencies.

This Policy will be monitored and reviewed every two years or

- When there is a change in legislation or guidance on the protection of children
- Following any issues or concerns raised about the protection of children in the course of our work

## **CHILD ABUSE**

The formal definition<sup>1</sup> of abuse is: -

*'Children may be in need of protection where their basic needs are not being met, in a manner appropriate to their age and stage of development, and they will be at risk through avoidable acts of commission or omission on the part of their parent(s), sibling(s) or other relative(s), or a carer (i.e. the person while not a parent who has actual custody of the child).'*

This is a broad definition that includes placing children at risk as a result of something a person has done to them or something a person is failing to do for them. The definition encourages us to be open-minded and think about a wide range of behaviours and actions, which may be harmful to children. For those working in the field of Child Protection the definition gets broken down further into categories of abuse, namely;

- **Physical injury** (hit, kicked, punched);
- **Physical neglect** (not being properly fed or clothed, poor hygiene);
- **Sexual abuse** (inappropriate sexual behaviour or language, indecent assault, sexual intercourse)
- **Emotional abuse** (constantly criticised, ignored, humiliated, exposed to family violence).

Children and young people quite often do not tell if they are being abused, however there may be signs, which make others/you concerned and may be an indication of a child being abused or neglected.

### **The child or young person may:**

- Have unexplained bruising or bruising in an unusual place
- Appear afraid, quiet or withdrawn
- Appear afraid to go home
- Be left unattended or unsupervised
- Have too much responsibility for their age
- Be acting out in a sexually inappropriate way
- Be misusing drugs or alcohol chaotically

### **The adult may be:**

- Acting in a violent or sexual manner towards a child
- Misusing drink or drugs whilst caring for a child

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<sup>1</sup> Reference 'Protecting Children A Shared Responsibility- Guidance on *Inter-Agency* Co-operation (The Scottish Office, 1998)

- Verbally abusive towards a child

**If you notice any of these signs and / or are worried, you must take action to protect the child.**

### **What to do if you are concerned about a child or young person**

If a child or young person *discloses* i.e. gives you information that might suggest he / she is being abused or you have concerns about the child, you should:

- Remain calm, no matter how difficult it is to listen to the child – think of how hard it must be for the child to make the disclosure. Some things are very difficult to talk about; you've been chosen because the child feels he / she can talk to you. If you show anger, disgust, disbelief then the child may stop talking for fear of upsetting you or may feel that your negative feelings are being directed towards them
- Listen to the child and take him / her seriously. Reassure him / her they have done the right thing by telling you
- Allow the child time to speak. Never interrupt or make suggestions to the child. Avoid asking questions other than to clarify your understanding. **You must never interview the child or investigate.** This is the job of trained *professionals*
- No matter how well you know the child, spare them having to repeat themselves over and over. Apart from anything else, the child may begin to think that you don't believe them
- Be honest, tell the child that you cannot keep what has been *disclosed* secret and that, you have a responsibility to talk to someone who can help
- As soon as practical record in writing everything the child told you using the child's own words (sample form attached). Pass the information to the Community Brokerage Child Protection Officer as soon as possible. Thereafter the information should only be shared with those who need to know in order to protect the child.

If the Child Protection Officer is not available, then the information should be passed to the Social Work Department or police without delay. Do not be afraid to contact them for advice and guidance. Remember – you may not be the only one to have concerns. All referrals are discussed thoroughly by *professionals* prior to any action being taken. Your *concerns* will be treated sensitively.

**It is not your job to decide if a child has been abused but it is your responsibility to report concerns.**

If you consider that the child's circumstances are such as to require immediate action e.g. if, the child is too frightened to go home or you have serious doubts as to the child's safety, contact the Local Authority Social Work Department or the police immediately.

If the *concerns* are of a more general nature covering the child's welfare, they should initially be discussed with the Community Brokerage Network's Child Protection Officer, who would then contact the Social Work Department if considered appropriate.

*Concerns* about the behaviour of a member of staff / volunteer must be reported to the organisation's Child Protection Officer without delay. If necessary he / she will seek advice from Social Work Department and / or the police immediately and take any appropriate action to protect the child concerned. If the *concern* is about the Child Protection Officer, the matter should be reported to the person in charge of the organisation. If this person is the Child Protection Officer contact should be made with the local Social Work Department or with the police.

### **AFTER CONCERNS HAVE BEEN RAISED**

All information received by the Social Work Department and the police is fully investigated and will be acted upon. This might include:

- Checking records and gathering information
- Speaking to the child and family and assessing the situation
- Making sure the child is safe

### **WHAT WILL HAPPEN TO THE CHILD AND FAMILY?**

Once enquiries have been completed one or more of the following might happen:

- No further action
- Support or advice offered to the family
- Referral to another agency for a service e.g. counselling
- Legal action initiated, if appropriate.

### **PHOTOGRAPHING, VIDEOING AND FILMING**

Publications and websites are used to promote the achievements of children. However, there is evidence that some people have used children's activities as an opportunity to take inappropriate photographs or film footage of children. Some children may be subject to statutory Child Protection measures and to reveal their identity may place them at risk. In addition, since the introduction of the Data Protection Act 1998, organisations must be very careful if using photographs, videos, films or any images of clearly identifiable children / people.

We will adhere to the good practice below and will contribute to a child's safe participation in promoting the work of the Community Brokerage Network:

- Consent to photographing, videoing or filming the child will always be obtained from the parent and child and they will be made aware as to why the photographs etc are being taken / used. Consent will also be sought from any other person who may appear in the photograph / video / film.

- No unsupervised photographic/filming/videoing etc sessions with a child will be permitted under any circumstances.
- The Community Brokerage Network reserves the right to prohibit the use of photography, film or video at any event or activity with which it is associated. However *parents*, friends and family members can take photographs of their child and friends participating in an event e.g. nativity play because there is an exemption under the Data Protection Act 1998 for personal and domestic use. The Community Brokerage Network will inform the parent before the event that the photos etc should be for personal and domestic use and no other use.
- People will be made aware to whom they can report *concerns* about the use of photographs and films i.e. the Child Protection Officer for the Community Brokerage Network and / or the police / social work department.

### **PUBLICATIONS AND WEBSITES**

The Community Brokerage Network will always obtain consent from the child and parent before displaying pictures or information relating to that child, whether in a publication or on the internet.

- We will never include personal information that could identify a child or place a child at risk e.g. full name, home address, e-mail address, telephone number, dates, place and times activities take place. If we use a photograph of an individual child, the child's first name will not be used in the accompanying text.
- We will never depict children in an inappropriate manner and only use images of children in suitable dress, to reduce the risk of the images being used inappropriately.

Any images be destroyed either after 2 years from the date of consent or if the images are for a specific project, at the end of that project