

High Peak Borough Council
and High Peak Community Housing

Safeguarding Children
and Vulnerable People
Policy

November 2007



High Peak Borough Council



High Peak
Community Housing

This document is also downloadable from our web site,
www.highpeak.gov.uk

To get a copy of this document in a community language, on audio tape or in large print please contact Call High Peak on 0845 129 7777

The document is also available on the council's website at
www.highpeak.gov.uk

(This box will be translated into six community languages, Hindi, Kurdish, Polish, Mandarin, Punjabi, Urdu)

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How to get in touch

We want to know what you think of this Policy. If you have any comments or suggestions for improvement, please let us know.



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Glossary

This glossary sets out what is meant in the Policy by some key terms.

Term	Meaning
Abuse and neglect	Form of maltreatment of a child or vulnerable adult.
Child(ren)	Anyone who has not yet reached their 18 th birthday.
Vulnerable adult	Any person aged 18 years or over who: <ul style="list-style-type: none"> • Is, or appears to be eligible for local authority/mental health services assistance by reason of mental ill health, physical or learning disability, aged or illness And • May be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation.
Employees	Those employed by High Peak Borough Council and High Peak Community Housing, its Councillors, partners, contractors and Councillors as well as volunteers involved in the delivery of Council activities or in Council premises or facilities.
Local authority	County and borough councils.
Parent	Generic term to include birth parents, step-parents and carers. The term will specify parental responsibility where necessary.
Safeguard and promote the welfare of children.	The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken to as to enable children to have optimum life chances and enter adulthood successfully.
Adult Social Care	Adult Social Care (DCC) is a support service (i.e. funding, planning, monitoring and improving housing-related issues) for vulnerable people - homeless, older people and women fleeing domestic violence.
The Council	High Peak Borough Council and High Peak Community Housing.

1.0 Introduction

- 1.1 Local authorities have a duty under Section 11 of the Children Act 2004 to ensure that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Local authorities also have a responsibility to work with partners to ensure that vulnerable adults, who are at risk of abuse, receive protection and support.

High Peak Borough Council and High Peak Community Housing (hereby referred to as 'the Council') are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm.

We have a responsibility to safeguard and promote the well being of children and vulnerable adults so that they enjoy a safe and positive atmosphere free from harassment and bullying. However, not all children and vulnerable adults have positive experiences in their life, and we are committed to promote the welfare of children and vulnerable adults by encouraging good practice.

1.2 The aims of this policy are to:

- Implement and maintain systems of working practice to safeguard children and vulnerable adults at Council activities;
- Ensure that children/adults and their parents have confidence in Council people, policies and practices in respect of the safe supervision of children and vulnerable adults;
- Ensure that concerns about abuse are reported promptly to the appropriate authorities;
- Offer guidance and support to all employees, volunteers and Councillors involved in Council activity (e.g. Benefits, Community Safety, Democratic Services, Environmental Health, Housing, Leisure, and Parks) to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations;
- Ensure that the Council's role and responsibility in protecting children and vulnerable adults from abuse is clear;
- Raise awareness around safeguarding children and vulnerable adults;
- Live up to our Corporate Plan to support people, consistent with our social inclusion agenda;
- Revise awareness of issues and procedures;
- Work in compliance with the Derby and Derbyshire Safeguarding Children Procedures (www.derbyshireacpc.org.uk) and with 'No Secrets: Home Office and Department of Health Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse';
- Review the Policy every 3 years.

1.3 Key Principles

The guidance given in this policy document is based on the following key principles:

- The welfare of children and vulnerable adults is the primary concern;
- All children and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious beliefs and/ or sexual identity have the right to protection from abuse;
- All incidents of suspected poor practice and / or allegations should be taken seriously and responded to quickly and appropriately. This includes allegations of poor practice against employees, volunteers and Councillors.

1.4 **Shared Information (Appendix E)**

All employees have a statutory obligation to safeguard the confidentiality of personal information¹. Access to personal information should be on a strict need-to-know basis when you are sharing information within the Council and with other agencies.

Children and vulnerable adults of all ages have equal rights to confidentiality. If a child or vulnerable adult is making a disclosure you must always explain that some of this information will need to be shared with appropriate people and/or agencies.

1.5 **Definition of Abuse (Indicators of Abuse)**

Physical Abuse - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional Abuse – is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person 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 a person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

Sexual Abuse - involves forcing a child or vulnerable adult or enticing a child, or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. 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 or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

Neglect - is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the individual'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 or vulnerable adult from physical and emotional harm or

¹ Data Protection Act 1998, Human Rights Act 1998 and the Freedom of Information Act 2000.

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 person's basic emotional needs.

Financial Abuse - misappropriation of an individual's funds, benefits, savings etc. or any other action that is against the person's best interests, eg:-

- Theft of money, possessions, property or other material goods
- Misuse of money
- Fraud or extortion of material assets
- Persuading a vulnerable adult to enter into a financial agreement, which is to their detriment.

1.6 **Scope of the Policy**

The policy covers all of the functions and Services of the Council, as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf.

The policy covers all children up to the age of 18 years of age who are affected by the services delivered by or on behalf of the Council.

Many of the principles set out in this document also relate to vulnerable adults. These are defined as people aged 18 and over who may be vulnerable due to mental or other disability or illness and may not be able to protect themselves against abuse.

The Council recognises that Derbyshire County Council's (DCC) Children's Social Care Service and the Police are the lead agencies in the Borough with regard to child protection, and Derbyshire Adult Social Services is the lead agency with regard to vulnerable adults. The Council also recognises that everyone has a responsibility for child protection, including all employees and Councillors who come into contact with children. Young people and families within our community also have a role to play as well as the community at large.

As a service provider, the Council is committed to equality. The Council will endeavour to work with parents and other relevant parties to organise the environment and to plan activities to ensure that all children and vulnerable adults are able to take part at levels appropriate to their needs. Language and cultural requirements will also be taken into account. It considers that all children and vulnerable adults should be treated equally and fairly.

This is a corporate policy. However, a number of our service areas and venues, such as the Pavilion Gardens and the Leisure Centres have specific additional policies and operating procedures that need to be adhered to when working in those particular areas. Examples of these are number of children per dressing room, minimum age for performers and guidelines for specific events e.g. the music festival. Copies are available from the relevant Business Manager.

Certain professional bodies, e.g. as the National Coaching Foundation, may also have additional policies. Members of professional bodies need to contact their body to find out about any additional child protection policies they must apply. If the allegations are made against a qualified coach/Leader/Teacher, the senior manager will also need to inform the relevant National Governing Body or Leading Authority.

1.7 Working Partners

The Council regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

1.8 Contractors

Contractors will be expected to follow the Policy unless they have their own Policy, which has been recognised as an adequate substitute.

Safe recruitment practice will include those persons who may not have direct contact with children, but because of their presence will still be seen as safe and trustworthy.

The principles of safe recruitment will, therefore, be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for, or adults to work with, children and vulnerable adults for whom the Council provides is responsible.

The Council will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

2.0 Recognition of Abuse and Bullying

- 2.1 It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Council employees are not expected to be experts at recognising such situations, but employees do have a responsibility to act if they have any concerns about the behaviour of an adult or child towards a child or vulnerable adult. All employees have a duty to discuss any concerns they may have about the welfare of a child or vulnerable adult with their line manager or another appropriate senior member of staff as soon as possible.

3.0 Responding to Suspicions and Allegations of Abuse and Poor Practice

- 3.1 We take any allegation seriously and investigate immediately and thoroughly.
- 3.2 There are a number of barriers that exist which prevent a child or vulnerable adult from telling others about abuse, some of the main barriers are that they may:

- be scared because they may have been threatened
- think they will be taken away from home
- believe they are to blame, or they may feel guilty
- think it happens to others
- feel embarrassed
- not want their abuser to get in trouble
- have communication or learning difficulties
- not yet have the vocabulary to describe what has happened
- be afraid that they won't be believed
- think they have already told e.g. by dropping hints
- have told someone before and weren't believed, so what's the point in trying again

Action to be taken if a disclosure or allegation is made:

- React calmly.
- Reassure the person that they were right to tell you.
- Do not make promises of confidentiality, let the person know that you may have to tell another adult.
- Try to reduce any questions you may chose to ask, to an absolute minimum and concentrate on listening to the person. Questions should never be leading, they should only consist of Who ...? Where ...? When ...? What?
- Make a full written record of what has been said, heard and/or seen as soon as possible using an Incident Report form.
- This report form should then be discussed with your line manager or other senior member of staff.

Actions to be avoided

- Panic
- Allow shock and/or distaste to show
- Probe to find out more information than offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises to agree to keep it a secret
- Discussing the issue with anyone other than the appropriate line manager or senior member of staff

3.3 It is not the responsibility of any employee of the Council to decide whether or not abuse has taken place. There is, however, a responsibility to act on any concerns and to protect children and vulnerable adults in order that appropriate agencies (in our case DCC Children's Social Care, DCC Adult Social Care, and the Police) can make enquiries and take necessary action to protect the child or vulnerable adult (Appendix A - flowchart summary of responding to suspicions).

3.4 **Sharing concerns with parents**

The Council is committed to work in partnership with parents or carers where there are some concerns about a child or vulnerable adult. In most

situations it is important to talk to parents and carers to help clarify any initial concerns. The appropriate senior manager should liaise with the parents or carers. There are some circumstances in which a person may be placed at even greater risk if concerns are shared (e.g. where a parent or carer is responsible for the abuse or not able to respond to the situation appropriately). If in doubt speak to Children's Social Care or Adult Social Care.

3.5 Reporting Procedure

Employees

Employees responding to a suspicion of abuse or poor practice should complete an incident reporting form, in liaison with their line manager. The incident should then be reported to the most appropriate senior manager (usually the Business Manager / Head of Service). The senior manager will then decide what appropriate action needs to be taken usually contacting either or both DCC Children's Social Care section and the Police in respect of children; and by telephoning Call Derbyshire 0845 605 8058 in respect of vulnerable adults. The Council will co-operate fully with any investigation carried out by these agencies in line with their procedures.

Senior Managers

If you are unsure about whether to refer, you should ring **High Peak Area Children's Social Care 01629 531025 or 08215 605858** and discuss your concerns. Before you make the telephone call it is important to have all the notes and information available to hand. When you telephone Children's Social Care initially you will be answered by the Customer Services Adviser. It is important to make it clear at this point that you wish to discuss an individual child and wish to talk to a social worker. You will then either be put through to the duty social worker or the social worker will ring you back. This person will take all the details and will be able to discuss with you any concerns you have about your immediate course of action with respect to the child. For example, if the person's parent or carer is about to collect them shortly you will need to be clear about how to act. Referrals telephoned to the Children's Social Care section should be confirmed in writing within 24 hours.

Be sure to take the name and job title of the person you speak to. The social worker's first job is to make a number of enquiries such as obtaining information from other professionals who are involved in the person's welfare. In terms of action the response time will vary depending on the situation. You can expect to be kept informed. If this does not happen within three working days you should phone back.

3.6 Allegations against staff

Any concerns about the welfare of a child or vulnerable adult arising from abuse or harassment by an employee of the Council must be reported immediately. It can often be difficult to report a fellow employee, but the Council assures all employees that it will fully support and protect anyone who, without malicious intent reports their concerns about a colleague's practice or the possibility that a child or vulnerable adult may be being abused or harassed.

Whilst we take any allegation seriously and investigate immediately and thoroughly, we also recognise that it is possible for our employees to become victim to false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times. Examples of how to create a positive environment when working with children and vulnerable adults are set out in Appendix G.

3.7 Types of investigation

If there is an allegation about an employee, there may be three types of investigation

- Criminal
- Child Protection
- Disciplinary

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

3.8 Action to be taken if there are concerns about a member of staff

If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager (usually Business Manager / Head of Service) should deal with it as a misconduct issue and follow the Council's usual disciplinary procedure.

Where it is suspected that abuse has taken place the following should happen:

- Any suspicions that an employee has abused a child or vulnerable adult should be reported to Head of Personnel
- The Head of Personnel will then seek advice from the DCC Children's Social Care or Adult Social contact, who may then involve the Police. If the incident is out of hours the report should be made directly to the Police.
- The disciplinary procedure will then be followed.

In line with disciplinary procedures, the Council will take a neutral stance and suspend any employee accused of abuse pending further investigations by the Police, DCC Children's Social Care section and internally. The Council will assess all individual cases under its disciplinary procedures, to decide whether a member of staff can be re-instated and how this can be handled. The Council will reach a decision on the available information.

3.9 Confidentiality

The Council will abide by the share information protocol.

Every effort should be made to maintain confidentiality, information should be handled on a need to know basis. This includes the following:

- Members of the team leading the internal investigation
- The parents/guardian/carer of the person who is alleged to have been abused
- The person making the allegation
- DCC Children's Social Care and the police

- The alleged perpetrator

Sharing confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or vulnerable adult, reasonable concerns identify that their health or development will be impaired without the provision of services
- Where there is evidence that a child or vulnerable adult is suffering or is at risk of suffering significant harm
- Where there is reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm
- To prevent significant harm arising to children and vulnerable adults or serious harm to adults, including through the prevention, detection and prosecution of serious crime

Sharing information as part of preventative services

- Obtaining consent should be the first consideration
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question
- In making the decision you must weigh up what might happen if the information is shared against what might happen if it is not, make a decision based on reasonable judgement and record it

Any information should be stored in a secure place with limited access and in-line with data protection laws.

3.10 Expert advice

If you are not sure what to do, contact Children's Social Care (**01629 531025 or 08215 605858**) or DCC Adult Social Care (**Call Derbyshire 0845 605 8058**). These agencies will give you guidance and support through the process.

4.0 Handling of difficult situations (Appendix G)

- 4.1 There may be situations when individuals pose an immediate risk to others, property or themselves. For additional health and safety advice refer to the Council's Personnel Practice Note².
- 4.2 Where dialogue and diversion tactics fail there are two types of simple control methods can be used.
- (1) Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
 - (2) Holding or touching to persuade a child or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

² Personnel Practice Note 29 (98/10) - Violence to Employees.

- 4.3 If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the Police should be contacted immediately.
- 4.4 Set procedures must be applied if these control methods are used (Appendix G).

5.0 Recruitment and Employment (I)

- 5.1 High Peak Borough Council will take all reasonable steps to prevent unsuitable people from working with children and vulnerable adults. In particular, it will:
- Ensure all staff with responsibility for recruitment and selection are trained
 - Evaluate the need for Criminal Records Bureau (CRB) Disclosure check, for all vacancies / new posts
 - As appropriate, identify requirement in job advertisement / candidate profile
 - As appropriate, ensure previous experience of working with children and vulnerable adults (and also any apparent gaps in employment history) is covered at interview
 - Confirm identity of prospective appointee
 - Take up two references (one from current or most recent employer) and, as appropriate, enhanced Disclosure check from CRB, prior to commencement of appointment.

A detailed Recruitment & Selection Handbook has been developed for use in all appointments and a summary of the key steps to be followed is shown at Appendix F.

6.0 Learning and Development

- 6.1 The Council has a responsibility to ensure all new staff undertake an induction programme which includes both corporate and service induction. As part of this induction programme, the Council will ensure staff are made aware of and understand their responsibilities in respect of the Safeguarding Children and Vulnerable People Policy.
- 6.2 The Council will also provide on-going learning and development to ensure employees are confident and competent in carrying out their responsibilities and that they are aware of how to recognise and respond to safeguarding concerns.
- 6.3 All new appointments undergo the Council's formal induction modules. In addition as part of the service induction Line Managers will go through this Child Protection Policy with new members of staff who may have work with or have access to children and given them a copy. Employees will be required to sign to acknowledge their understanding of the Child Protection Policy and procedures that they will abide by them. Child protection training will also be provided. Training may include internal courses, workshops, external courses, seminars and workshops organised by Child Protection agencies.

7.0 Work Experience Placements (Appendix D)

7.1 All individual and group work experience and unpaid work placements must be managed through the Managing Work Experience Policy Guiding Principles and Procedure document prepared by Personnel. When placing students under the age of 18 the steps highlighted in the above mentioned document must still be completed.

8.0 Health and Safety

8.1 Under health and safety law, the Council has the same legal and moral responsibilities for the health, safety and welfare of children and vulnerable adults, as its employees.

8.2 Protecting the health and safety of children and vulnerable adults should comply with the Council's legal responsibilities but at the same time not restrict the child's or vulnerable adult's right to autonomy, privacy or dignity.

8.3 We should also take into account that children or vulnerable adults may be:

- inexperienced;
- have not been trained; and
- may not pay enough attention to health and safety

8.4 Risk assessments will be carried out for all activities involving children and vulnerable adults before they start in employment, on work-experience, or participate in supervised Council activities. The risk assessment will determine the level of supervision the child or vulnerable adult requires.

8.5 All children and vulnerable adults will be inducted before they start in employment and work-experience, or undertake supervised Council activities in order to provide them with information and instruction to enable them to carry out their tasks safely, or participate in activities safely.

8.6 An accident, incident or a near miss to a child or vulnerable adult should be reported to managers as outlined in the Council's Personnel Practice Note³ using the health and safety accident report forms on the Council's intranet.

9.0 Guidelines for photography and filming at Council managed facilities and events

9.1 Anyone wishing to use photographic/film/video equipment at the Council's facilities and/or events may do so only with the permission of the Council. Permission will only be granted once a photographer has signed to say he or she will abide by the conditions for use of photographic and filming equipment.

³ Personnel Practice Note 22 – Reporting of Injuries, Diseases and Dangerous Occurrences

These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form
- Any images are taken with the permission of the subjects (Appendix C)
- Proof of identity may be required in order to grant permission to use the photographic filming equipment
- The Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning. Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police
- The photographer should be sensitive to other users/participants and as far as reasonably possible restrict the images taken to those of the subject(s).
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately
- If in the case of dance shows, productions and private hirelings of council facilities it is the responsibility of the organisers/hirers to inform parents/carers of the individuals attending the event that photographs will be taken
- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication
- Images may only be taken in the areas shown on the date indicated on the Photography and Filming Permission Request form
- If for any reason the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the Photographer and Council copies of the permission request, permission to use photographic and filming equipment will be withdrawn

9.2 Photography and filming during external hire of facilities

The control of the use of photographic/film/video equipment by external hirers of Council facilities is the responsibility of the hirer. This responsibility extends from who is allowed to use photographic/film/video equipment, to where and where not equipment is used and what images are and are not allowed to be taken.

It is the hirer's responsibility to ensure that all participants and their parents/guardians/carers if under 16 are aware that photographic/filming/video equipment is going to be used. Where appropriate they may be required to get written permission from participants or their parents/guardians/carers to use the photographs in publicity, promotional or media material.

9.3 Guidelines for taking photographs of children and vulnerable adults

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken:

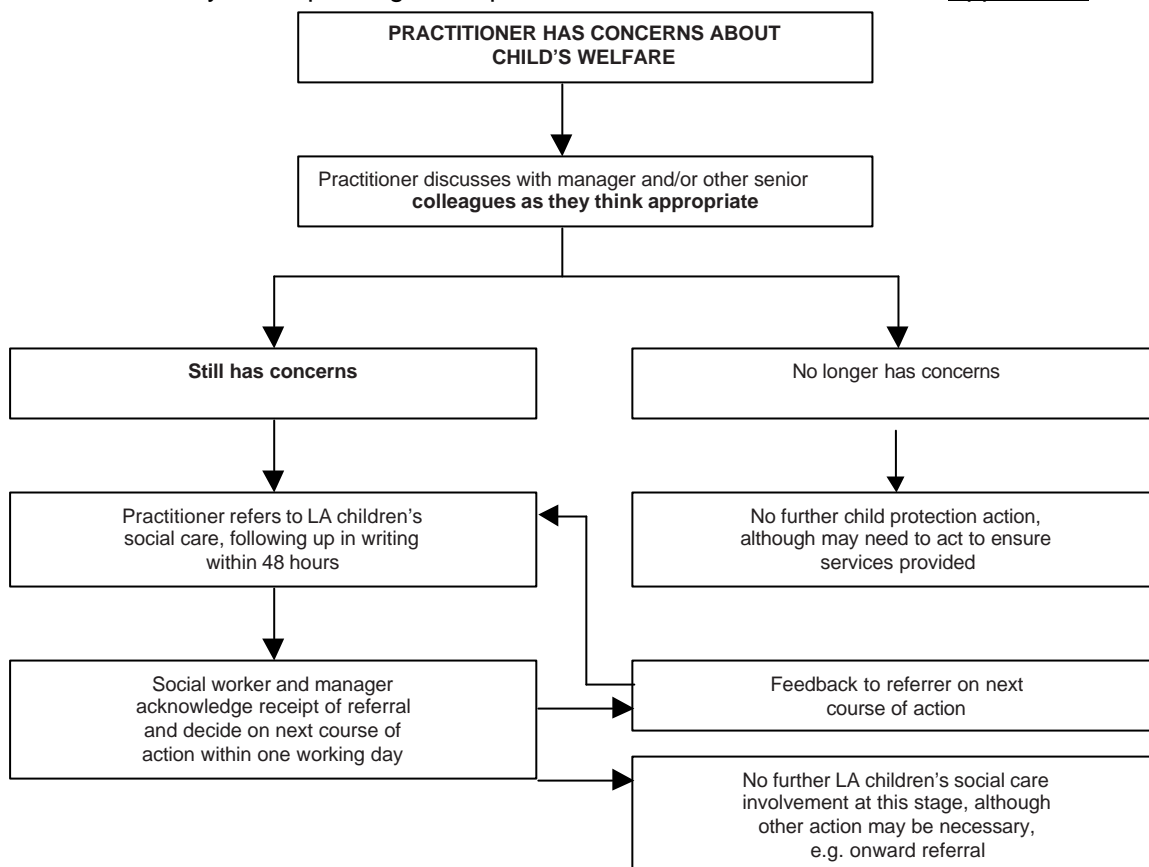
- If a photograph is used, avoid naming individuals
- Before the images are taken the written permission of the individual's parents should be sought
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use
- There are some activities e.g. swimming, gymnastics and athletics where the risk of potential misuse is much greater. With these sports the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example photographs of children and vulnerable adults in a pool would be appropriate or if on poolside from the waist or shoulder up.

9.4 Guidelines for CCTV

The CCTV cameras are operated according to a Framework Code of Practice. This has been reviewed and amended to include Subject Access information and in February 2006 to include Statements from Control Operators and Public Requests for Service.

9.5 Vigilance by the general public

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of "peeping tom" type activity make it very difficult to police. In recognition of this, the Council asks users of their facilities to be alert to any suspicious activity, particularly where children and vulnerable adults may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.



For referral where there are concerns about the welfare of a child or vulnerable adult		
Agency :		
Children's Social Care	Talbot Street Glossop SK13 9DG	Tel. 01457 728888 Fax. 01457 728850 Minicom 01457 861898
	Kents Bank Road Buxton SK17 9HJ	Tel. 01298 308000 Fax. 01298 308050 Minicom 01298 23942
Mental Health Services	Call Derbyshire	0845 605 8058
Police	Derbyshire Constabulary 'B' Division Silverlands Buxton, Derbyshire SK17 6QJ	0845 123 33 33

Child Protection Incident Report Form (see 8.5)

Appendix B

CHILD REFERRAL FORM Sent to:		Children's Social Care				
REFERRED BY: (print)		Status				
Address:						
Postcode:		Telephone:				
Confirmation of verbal referral: Yes / No	If Yes Date:	Receiving Worker:				
Child / Young Person / Expected baby details						
Family Name:		Forename:	DOB:			
Gender: M / F	Disability:	Ethnic Origin:				
Address:						
Postcode:		Telephone:				
Main Address (if different from above):						
Postcode:		Telephone:				
Child / Young Person's principal carers / expectant mother						
Name	Relationship to child	Address	Tel. No.	Parental responsibility	Ethnic Origin	Disability
				Yes / No		
				Yes / No		
Other household members (including children and non-family members)						
Surname	Forename	DOB	Relationship to child	Concerns	Ethnic Origin	Disability
				Yes / No		
				Yes / No		
Other contact address & tel. No.(e.g. grandparents):						
Postcode:			Telephone:			
Agencies Involved						
GP:		Base:		Tel. No.		
Health Visitor:		Base:		Tel. No.		
School Nurse:		Base:		Tel. No.		
School / Day care:		Base:		Tel. No.		
Other agencies involved:						
Is parent /carer aware of referral?	Is the parent/carer aware of re-referral?	Has consent been obtained to refer?		If no, give reason		
Yes / No	Yes / No	Yes / No				
Date	Date	Date				
Has a Common Assessment (CAF) been completed?	Lead professional	Details:				
	Date:					
Is an interpreter /signer required?	Yes / No	Language / method required?		Yes / No		

Additional Information

According to YOUR current knowledge of the family, complete where possible each section with information you currently hold. Be clear and specific about why you feel Children's Social Care involvement is warranted now.

CHILDS NAME:
Child's Developmental needs (may include health, education, emotional and behavioural development, family and social relationships, social presentation, self-care skills):
Parenting Capacity (may include basic care, ensuring safety, emotional warmth, stimulation, guidance and boundaries and stability):
Family and Environmental Factors (may include wider family, housing employment, social/community integration – include any worker safety issues):
Do you believe the information is sufficient to warrant enquiries under the safeguarding children procedures? Is the child at risk of significant harm?
Reason for request for Children's Social Care Assessment:
Signature: _____ Date: _____

Please complete as many areas as possible relevant to your service to provide a complete report.

CONSENT FORM FOR PHOTOGRAPHS OF CHILDREN AND VULNERABLE ADULTS

A. Name of parent, carer or headteacher: _____

B. Name of child / vulnerable adult: _____

Home address (if required): _____

School address (if appropriate): _____

High Peak Borough Council would like to take photographs at a Council organised event/your child's school (delete as appropriate). These photographs may appear in our printed publications, on our web site, or both.

Note to parent/carers: Before taking any photographs of the person named above, we need your permission. Please answer questions 1 and 2 below, then sign and date the form where shown. **Please return the completed form to a Council Officer attending the event or send to the address at the bottom of this form.**

Note to headteachers: If group photographs are organised and individual children cannot be easily identified, headteachers must find out whether any parents do not want their child to be in the photograph. In this instance we ask the headteacher to answer declaration 3 below and sign the consent form. **Headteachers should return the completed form to the address shown below.**

To the parent / carer

Please circle

1. May we use the photograph of the person named in **B.** above in printed publications produced by High Peak Borough Council?

Yes / No

2. May we use the photograph of the person named in **B.** above on our web site?

Yes / No

To the Headteacher

3. Have you established, in writing, which parents are happy for their children to take part in photographs for use in High Peak Borough Council's printed publications or on its web site (or both).

Yes / No

Please note that web sites can be viewed throughout the world, not just in the United Kingdom where UK law applies.

This form is valid for four years from the date of signing. The Council will seek renewed consent if the photograph(s) are to be re-used after that time.

Signature: _____ Date: _____

Please return this form to: APPROPRIATE SERVICE TO INSERT ADDRESS DETAILS

Managing Work Experience Policy Guiding Principles and Procedures

Before a child or vulnerable adult commences in a placement or work experience, managers will:

- Contact Personnel Services before any arrangements are put in place, or agreement is given, to offer a placement or work experience to a child or vulnerable adult
- Arrange for the referring organisation or individual to complete and return a Work Experience Application Form to Personnel Services
- Carry out risk assessments of all activities to be undertaken by the child or vulnerable adult
- Inform the parents/guardian, child, vulnerable adult and/or referring organisation of the risks and the measures in place to control them
- Prepare a draft programme of activities to discuss and agree with the child or vulnerable adult, and/or referring organisation before the start of the placement
- Identify any restrictions placed on work activities
- Determine the level of supervision required
- Identify a named person responsible for the supervision

On commencement in placement, managers will:

Ensure the following induction is covered on day one:

- Nature of the tasks to be undertaken
- Issue and explain risk assessments in place relating to these tasks
- Discuss the main hazards of the tasks and the environment, and the measures in place to control them
- Fire and emergency safety – location of fire assembly point , extinguishers, and fire exits, evacuation procedures, bomb procedures
- First aid facilities – first aiders and location of first aid box
- Accident reporting procedure – how and who to report an accident or near miss to
- Issue and explain relevant Safety Advice Notes
- Give task specific instruction in manual handling
- Undertake an assessment of the VDU and workstation, if appropriate
- Issue and explain the use of personal protective clothing, if appropriate
- Introduce supervisor, buddy, and other staff
- Undertake tour of the premises and site, including kitchen and toilet facilities

Following induction on day one, managers and those undertaking work experience will sign and date the Induction Checklist which should be forwarded to Personnel Services who will retain a copy on file.

Further induction will take place over a number of days and managers will ensure those on work experience also attend Corporate Induction.

Undertaking Risk Assessments

Under health and safety law, we must assess the risks to young people and vulnerable adults before they start in placement. We must also tell them what these risks are.

Risk assessments should be carried out in accordance with the document 'Further Guidance – the Purpose of Risk Assessments' using the Council's standard risk assessment template. Managers will also need to take into account that young people and vulnerable people may be:

- Inexperienced
- Lack training
- Mentally or physically immature

We should take specific account of:

- How the workplace is fitted and laid out
- What type of equipment will be used and how will it be handled
- How the work is organised
- What training is needed to carry out the tasks safely
- Any hazardous substances they may be exposed to
- What are the risks from the work hazards

Restrictions on work:

A child or vulnerable adult must not undertake any tasks where a significant risk remains in spite of the best efforts made to take all reasonable steps to control it, for example:

- Work or tasks that cannot be adapted to meet any physical or mental limitations they may have
- Exposure to substances which are toxic or cause cancer
- Exposure to radiation
- Work or tasks involving extreme heat, noise or vibration

Training and supervision:

All young people and vulnerable adults undertaking work experience placements need to be trained to do the work without putting themselves and other people at risk. It is important to ensure that processes are in place to check that they have understood the training, which should cover:

- The hazards of the workplace
- The control measures in place
- A basic introduction to health and safety

Young people and vulnerable adults will face unfamiliar risks from the job they will be doing and from their surroundings, and for this reason, may require more supervision.

Managers will ensure:

- The supervision of the child or vulnerable adults at all times, including breaks
- Clearly defined work tasks
- Clear methods of working and safe instruction
- A relevant training programme
- Any work restrictions are clearly defined and checked that they have been understood

SHARED INFORMATION

Key Points for sharing information

- Staff should explain to the child, vulnerable adult and parent at the outset, openly and honestly, what information will, or could be shared. They should explain how and why it needs to be shared, and seek their agreement. The exception is where to do so would put the person or others at risk of significant harm, or undermine prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.
- Staff must always consider the safety and welfare of a child or vulnerable adult when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual's safety and welfare must be the overriding consideration.
- Staff should, wherever possible, respect the wishes of children, vulnerable adults or their parents who do not consent to share confidential information. Staff may still share information, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent.
- Staff should seek advice where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, vulnerable adult or to others.
- Staff should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.
- Staff should always record the reasons for their decision – whether it is to share information or not.

Obtaining consent

The individual's consent should always be sought. However a lack of consent should never compromise the safety or welfare of a child or vulnerable adult. However, consideration should be given to why consent is being withheld in line with their human rights. Written consent to share information should be sought wherever possible.

Recruitment & Employment

The Council's Recruitment and Selection Handbook must be followed for all appointments .

For the specific purpose of protecting young people and vulnerable adults, the recruitment process incorporates the following steps:

- i) all staff with responsibility for recruitment and selection shall receive appropriate training
- ii) all new posts / vacancies shall be subject to a risk assessment to determine whether and to what extent the post has access to young people / vulnerable adults
- iii) the risk assessment will determine whether a Criminal Records Bureau (CRB) check is required
- iv) the nature and extent of access to young people / vulnerable adults will be clearly identified in the job description
- v) any CRB disclosure requirement will be clearly identified in the advertisement and candidate profile
- vi) the recruitment process will be based on the Council's standard application form, including:
 - name, address and National Insurance number
 - relevant experience, qualifications and training
 - details of work history
 - names and contact details of two referees
 - the specific question: 'Do you have any unspent criminal convictions? If yes, please provide details.'
- vii) any gaps / omissions must be covered at interview
- viii) once the successful candidate has been selected, his/her identity will be confirmed from official documentation (e.g. birth certificate, passport or driving licence)
- ix) the appointment will not start until satisfactory references and CRB clearance have been received
- x) all appointments will be subject to a probationary period of employment and annual performance appraisal
- xi) CRB checks will be renewed in accordance with Council policy
- xii) Personnel Services will maintain a record of CRB clearances

Good Practice guidelines for employees

Examples of how to create a positive environment when working with children and vulnerable adults:

- Work in an open environment, avoid private or unobserved situations
- Treat all children and vulnerable adults with equal dignity and respect
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals
- Make activities enjoyable and promote fair play
- Maintain a safe and appropriate distance with children and vulnerable adults
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse
- Keep up to date with technical skills, qualifications and insurance requirements
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and vulnerable adults in any work related environment
- Give constructive feedback rather than negative criticism
- Recognise the development needs of the children and vulnerable adults and avoid excessive training or competition.

Things to avoid

You should **NEVER** allow or take part in any of the following:

- Engage in rough physical or sexually provocative games
- Engage in or allow any form of inappropriate touching
- Allow children and vulnerable adults to use inappropriate language unchallenged
- Make sexually suggestive comments to a child, even in fun
- Reduce a child or vulnerable adult to tears, as a form of control
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon
- Do things of a personal nature for a child or vulnerable adult that they can do for themselves including things like applying sun cream
- Transport or take children or vulnerable adults to their home unsupervised
- Administer medication unless specifically trained and approved by the person's parents to do so
- Take a child or vulnerable adult to the toilet unsupervised

Control

Two types of simple control methods can be used in order to prevent injury to the child or vulnerable adult, other children and vulnerable adults or significant damage to property.

- Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
- Holding or touching to persuade a child or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

Wherever possible steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the

Police should be contacted immediately. If other children, young or vulnerable people are present in the area, they should, if possible be moved away from the situation.

Procedure to be followed if these control methods are used

- Notify your line manager immediately after the incident has occurred
- Complete an incident report form (found in the Council's Intranet under health & Safety Guidance) providing details of the incident and submit a copy of this to your line manager .
- Complete an accident report form (found in the Council's Intranet under Health & Safety Guidance) if necessary and send this to the Health and Safety Officer .

Line managers should then:

- Ensure the report is comprehensive
- Ensure that the parents of the child or vulnerable adult are informed of the incident and provided with a copy of the report
- Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible
- Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes
- Keep all records of the incident in a secure locked cabinet
- Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies

Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line manager where possible or senior manager.

Recognition of Abuse and Bullying

Definitions of abuse

The following definitions below are adapted from Department of Health (2006) *Working Together to Safeguard Children*.

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm.. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a person.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person 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 a person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing a child or vulnerable adult or enticing a child or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. 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, young people or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children, young people or vulnerable adults to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the individual'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 or vulnerable adult 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 person's basic emotional needs.

Indicators of abuse

Indications that a person may be experiencing abuse could include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries. Bruises that reflect hand marks or fingertips could indicate pinching or slapping, Cigarette burns and scalds would also be a concern.
- An injury for which the explanation seems inconsistent
- The child or vulnerable adult describes what appears to be an abusive act involving him or her
- Someone else (a child or adult) expresses concern about the welfare of another person
- Unexplained changes in behaviour e.g. becoming very quiet, withdrawn or having severe temper outbursts
- Inappropriate sexual awareness
- Engaging in sexually explicit behaviour
- Discomfort when walking or sitting down
- Distrust of adults, particularly those with whom a close relationship would normally be expected
- Has difficulty making friends
- Is prevented from socialising with other people
- Displays variations in eating patterns including overeating and loss of appetite
- Loses weight for no apparent reason
- Becomes increasingly dirty and unkempt

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place.

Abuse and Children and vulnerable adults with a Disability

Children and vulnerable adults with a disability are at increased risk of abuse and those with multiple disabilities are at even more significant risk both of abuse and neglect. Parents of children with a disability may experience multiple stresses. This group of children and vulnerable adults may be particularly vulnerable to abuse for a number of reasons including:

- Having fewer social contacts than other children
- Receiving intimate personal care from a larger number of carers
- Having an impaired capacity to challenge abuse
- Having communication difficulties resulting in difficulties in telling people what is happening
- Being reluctant to complain for fear of losing services
- Being particularly vulnerable to bullying or intimidation
- Being more vulnerable to abuse by peers than other children.

Bullying

In some cases of abuse it may not always be an adult abusing a child or vulnerable adult. In the case of bullying the abuser may be another child or vulnerable adult. Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those being bullied to defend themselves.

Anyone can be a target for bullying, sometimes victims are singled out for being overweight, physically small, having a disability, being shy and/or sensitive or belonging to a different race, faith or culture. Bullying can and does occur anywhere there is inadequate supervision.

Bullying may include:

- Physical including hitting, kicking and theft
- Verbal including name calling, teasing, racist or homophobic taunts, threats and graffiti
- Emotional including tormenting, ridiculing, humiliating and ignoring
- Sexual including unwanted physical contact or abusive comments
- Cyber bullying e.g. e-mail, text messaging etc.

Bullying can cause a considerable amount of stress to children and vulnerable adults, it can affect their health and development and in extreme cases it can cause them significant harm including self-harm.

Indicators that a child or vulnerable person is being bullied could include:

- Behavioural changes such as reduced concentration, becoming withdrawn, clingy, depressed, tearful, having mood swings, having a reluctance to go to training, events or sports clubs
- A drop in performance at training, events, rehearsals etc
- Physical signs such as stomach aches, headaches, scratching and bruising and damaged clothes
- A shortage of money or frequent loss of possessions

Action if bullying is suspected

The following action to help the victim and prevent bullying should be taken:

- All signs of bullying should be taken seriously
- All children and vulnerable adults should be encouraged to share their concerns
- The victim should be helped to speak out and tell the person in charge or someone in authority
- All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully(ies) should be spoken to separately
- Employees should reassure the victim that they can be trusted and will help them, but do not promise not to tell anyone else
- Records should be kept of what is said

The following action should be taken towards the bully(ies):

- The situation should be explained to the bully(ies)
- An effort should be made to get the bully(ies) to understand the consequences of their behaviour
- An apology to the victim should be sought
- Any items belonging to the victim should be returned
- Encouragement to the bully(ies) to change their behaviour should be offered
- Meetings should be held with parents or carers to report on progress
- All appropriate employees should be informed of action taken
- A written record of action taken should be kept

Anti-bullying Policy

The Council is committed to a standard of individual and corporate behaviour that is respectful, courteous and just. The Council will not accept or condone any form of bullying within service led activities.

ROLES AND RESPONSIBILITIES TO SAFEGUARD CHILDREN

A range of local authority services has the potential to impact upon the lives of children and vulnerable adults.

Sport, Culture and Leisure Services

Staff, volunteers and contractors who provide the following services will have various degrees of contact with children and vulnerable adults.

- Sport and leisure centres
- Play facilities
- Parks and gardens
- Events and attractions

Appropriate arrangements and codes of practice are in place to report concerns about a child or vulnerable adult in line with "What To Do If You Are Worried A Child Is Being Abused"

www.dh.gov.uk/assessRoot/04/06/13/03/04061303.pdf)

Housing Service

Housing authorities that assess the needs of families requiring housing repairs or adaptations are a key link within the community.

- Housing staff in regular contact with families and tenants, have the opportunity to identify concerns
- Homelessness staff play a front line emergency role managing re-housing or repossession when adults and children become homeless or at risk of homelessness as a result of domestic violence.
- All Housing employees are well placed to observe situations that may warrant referral.

Benefits

The Benefits section may be alerted to adverse situations in the following areas:

- Benefit visiting officers may become aware of conditions that impact adversely on a child or vulnerable adult.
- Benefit staff may be alerted to adverse situations by telephone.
- Benefits staff may be alerted to adverse situations by processing Benefit applications.

Environmental Health

Environmental health services are regularly alerted to adverse situations.

- Environmental Health officers may become aware of conditions that impact adversely on a child or vulnerable adult.
- Routine inspections in child care facilities and care homes may reveal abusive situations. Staff need to be especially aware of the risk of neglect, emotional abuse and domestic abuse.

Environmental Services

Daily street maintenance requires staff to be amongst the community.

- Street cleansing teams should also be vigilant of abusive situations that may otherwise go unnoticed, and be aware of the referral procedure.

Community Safety

Staff involved with Anti-Social Behaviour working with children and vulnerable adults liaise with other organizations to reduce unacceptable activities.

- The Community Safety Team should adopt a multi-agency approach in response to suspicions of abuse to children and vulnerable adults.

Voluntary, Private and Community Sectors

Voluntary organizations, private and community sector providers working in partnership with the Council involving children and vulnerable adults will be made aware of the Council's Safeguarding Policy. Organisations that are grant aided will be encouraged to develop an appropriate Policy as a condition of financial support.

Councillors / Managers

The Executive will be responsible for approving the Safeguarding Policy and for ensuring that it is reviewed regularly.

The Corporate Management Team will ensure that the policy is implemented by ensuring that:

- Business Managers understand their responsibilities
- appropriate training is provided

Incidents and concerns are monitored and reviewed, and lessons learned are fed into subsequent revisions of the policy.

POLICY ON CRIMINAL BACKGROUND CHECKS

1. Policy statement on the recruitment of people with past convictions

- 1.1 High Peak Borough Council aims to promote equality of opportunity for all, and recognises the importance of employment in the rehabilitation of ex-offenders. Criminal records will be taken into account for recruitment purposes only when a conviction is relevant. Unless the nature of work demands it, applicants will not be asked to disclose convictions which are spent under the Rehabilitation of Offenders Act 1974. Having an 'unspent' conviction will not necessarily bar applicants from employment. This will depend on the circumstances and background to the offence(s) and their relevance to the post being filled.
- 1.2 Applicants who are offered employment to certain posts exempted under the Rehabilitation of Offenders Act 1974, will require a criminal record check ('disclosure') from the Criminal Records Bureau (CRB) before an appointment can be confirmed. These include posts working with children or vulnerable adults. The disclosure will include details of cautions, reprimands or final warnings, as well as convictions.
- 1.3 Potential applicants to these posts will be provided with information at the beginning of the recruitment process stating that a disclosure will be required for the successful applicant, and including a copy of this policy.

2. Criminal Record Bureau Code of Practice

- 2.1 High Peak Borough Council complies fully with the Code of Practice issued by the Criminal Record Bureau, ensuring that information released in disclosures is used fairly and handled and stored appropriately.
- 2.2 The subjects of disclosures should be reassured that the Council will not use disclosure information unfairly against them.
- 2.3 All employees involved in the disclosure process and in making employment related decisions are provided with guidance on employing people with convictions, legislative requirements and the CRB Code of practice.

3. Legal Obligations

- 3.1 Under the Rehabilitation of Offenders Act 1974 it is unlawful to discriminate against an ex-offender on the grounds of a 'spent' conviction, with the exception of those posts exempt from the Act such as those working with children and vulnerable adults.
- 3.2 Under the Criminal Justice and Court Services Act 2000 it is an offence:
 - to apply for, offer to do, accept or do any paid or unpaid work in a 'regulated position' with children if disqualified (included on a list held by DoH or DfEE or by disqualification order by courts following conviction for serious offence of a sexual or violent nature)
 - to knowingly offer work in a 'regulated position' to a disqualified person or fail to remove them from such work.

i. Lead Countersignatory and Countersignatories

- i.1 The Head of Personnel & Payroll is the Council's Lead Countersignatory.
- i.2 The following posts are Countersignatories:
- Senior Personnel Officer
 - Personnel & Payroll Officer
- i.3 The Lead / Countersignatories are cleared and registered with the CRB.
- i.4 The Lead Countersignatory is a senior figure who has management responsibility for the use of the disclosure service and:
- acts as the principal point of contact with the CRB
 - validates Countersignatory application documents
 - liaises with Countersignatories on the receipt of local police non- conviction information.
- i.5 Countersignatories are responsible for:
- ensuring that positions for which disclosures are requested are covered by the exceptions Order to the Rehabilitation of Offenders Act 1974, and disclosures are requested at the appropriate level.
 - countersigning applications and receive disclosures.
 - controlling the use of, access to and security of Disclosures.
 - ensuring compliance with the CRB Code of Practice.

i. Levels of Disclosure

- i.1 Under the Police Act 1997 three different kinds of disclosure are available from the Criminal Records Bureau:

Basic Disclosure

Issued to individuals on request, containing details of unspent convictions under the Rehabilitation of Offenders Act. The criteria for posts within the Council to which this level of check may be applied will be determined once basic disclosures are available from the CRB.

Standard Disclosure

For posts exempt from the Rehabilitation of Offenders Act such as . Contain details of spent and unspent convictions, cautions, reprimands or warnings from the Police National Computer and information from Department of Health and DfEE lists of individuals barred from working with children or vulnerable adults.

Enhanced Disclosure

For posts which are exempt from the Rehabilitation of Offenders Act and involve regularly **caring for, supervising, training or being in sole charge of** children or vulnerable adults. In addition to the information in the standard disclosure this may also contain non-conviction information from local police records, which a Chief Police Officer thinks may be relevant.

i. **Cost of Disclosure**

- i.1 The costs of checks relating to appointments to Council posts will be met by the Council.
- i.2 Checks for volunteers are free. A volunteer is currently defined as a person working in a position for which there is no remuneration other than out of pocket expenses.
- i.3 The cost of checks undertaken by the Council on behalf of contractors, will be met by the contractor, depending on the particular circumstances and terms of the contract.

f. **Use of Disclosure Information**

- f.1 A disclosure will only be requested following a successful interview. It is the responsibility of the Council as employer to decide whether a person subject to a check should be appointed to or continue in a post, taking into account duties under the Criminal Justice and Court Services Act 2000 and any other relevant legal or regulatory requirements.
- f.2 Applicants are invited to provide any additional information which may improve understanding and fair decision making. Before an employment related decision is made, the applicant will be given an opportunity to discuss any issues revealed in the disclosure.
- f.3 When disclosures or other information reveal an offence or other matter the following will also be considered in decision making:
 - relevance to the post
 - nature and seriousness of the offence/matter
 - length of time since it occurred
 - the circumstances surrounding it and explanation offered
 - **whether there is a pattern of offending behaviour / related matters**
 - whether the applicants circumstances have changed since the offence, making re-offending less likely
 - the country in which the offence was committed (what constitutes an offence may differ between countries).
 - whether the offence has since been decriminalised by Parliament.

Decisions will be made as soon as possible after the disclosure is received.

9. Security and Confidentiality

- 9.1 Disclosure information will be treated with utmost confidentiality and kept in a suitably secure place.
- 9.2 Access to disclosure information will be restricted to named individuals entitled to see it in the course of their duties.
- 9.3 Departments will keep a written record of all those to whom the disclosure information has been revealed.

10. Retention

- 10.1 Disclosures will be retained by the Council for a maximum of 6 months after a recruitment decision has been made (usually because the content of a disclosure has led to an appointment being withdrawn and the record may be needed if there is a subsequent complaint to an employment tribunal). Normally, disclosures will be destroyed as soon as an appointment has been confirmed.
- 10.2 The CRB will be consulted if it is necessary to keep disclosures for longer than 6 months.
- 10.3 Only a record of the date, subject name, type of disclosure, position, CRB unique reference number and recruitment decision taken will be retained for future reference.
- 10.4 Disclosures will be destroyed by secure means e.g. shredded.
- 10.5 No other copies or other representations of the disclosure will be retained.

11. Portability of Disclosures

- 11.1 To safeguard against unsuitable appointments, all appointments to posts eligible for **enhanced** level checks will require a new check, regardless of whether the candidate has had a previous satisfactory check. This is necessary due to the greater level of contact with children or vulnerable adults within these posts, and need for access to up to date local police non- conviction information.
- 11.2 When an employee moves within the Council from one post to another requiring a **standard** check, working with a similar client group (i.e. children or vulnerable adults) evidence of a previous satisfactory standard check would be acceptable.

12. Retrospective Checks

- 12.1 Employees and volunteers in positions now covered by the wider eligibility criteria for disclosure, who were not appointed subject to a criminal background check, will be required to undergo a **standard** check retrospectively.

13. Re-checking

- 13.1 All employees in posts eligible for a **standard or enhanced** check will be contractually required to inform the Council of any subsequent convictions or other matters whilst employed by the Council. Failure to do so may result in the disciplinary process being invoked.
- 13.2 All employees in posts eligible for an **enhanced** check, will be contractually required to undergo a recheck every three years. This is necessary due to the greater level of contact with children or vulnerable adults within these posts.

3. Release of Disclosure Information to Third Parties

- 3.1 Before releasing details of disclosures to a third party, for example an Employment Tribunal, the CRB should be informed.

4. Lost Disclosures

- 4.1 If a disclosure is lost the CRB will be informed immediately, and will consider whether to issue a replacement.

5. Umbrella Organisations

- 5.1 The Council is registered as an Umbrella body with the CRB. Arrangements relating to the administration and costs of obtaining disclosures on behalf of umbrella organisations will be agreed on an individual basis.
- 5.2 Organisations for whom the Council countersigns applications for disclosures as an 'umbrella body' are required to comply with this policy and the CRB Code of Practice.

6. Disputes

- 6.1 Disputes relating to the accuracy of a disclosure should be raised with the CRB.
- 6.2 Any decision of the Council in relation to information obtained in a disclosure will be final.