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SAFEGUARDING POLICY

NOVEMBER 2017

**Office of the Police and Crime
Commissioner for Warwickshire**



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Policy/Procedure Title	Safeguarding Policy
Responsible Party	Chief Executive and Monitoring Officer

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Revision record

Date	Nature of revision
New policy	n/a

PCC's safeguarding statement

The Office of the Police and Crime Commissioner for Warwickshire (OPCC) makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe.

The Police and Crime Commissioner (PCC) has a legal duty under section 1(8)(h) of the Police Reform and Social Responsibility Act 2011 to hold the Chief Constable to account for the exercise of duties in relation to safeguarding children, and the promotion of child welfare under sections 10 and 11 of the Children Act 2004. The Children Act 2004 requires the local Chief of Police to be a statutory member of the local Safeguarding Children Board.

The Care Act 2014 requires that the local Chief of Police is a statutory core member of the local Safeguarding Adults Board, working with partners to identify vulnerable adults and provide support. Chief Constables also have a duty under the Victims Code of Practice 2013 to assess the immediate needs of victims and enable them to be appropriately supported through the criminal justice system. The PCC will hold the Chief Constable to account for these responsibilities.

Local organisations, including the police, have a responsibility to ensure that they consider the need to safeguard and promote the welfare of children and adults at risk when carrying out their functions, and through co-operation with local authorities to promote the well-being of these groups in Warwickshire. Cooperation is necessary at all levels, from strategic level through to operational delivery.

The PCC works closely with partner organisations involved in the local Safeguarding Children's and Adults' Boards to oversee actions to improve the protection and wellbeing of children and adults at risk.

Safeguarding Policy for OPCC staff and volunteers

This policy recognises that safeguarding is everyone's business and seeks to ensure that OPCC staff and volunteers undertake their responsibilities with regard to the protection of children and adults at risk, and respond to concerns appropriately, even though they are not in roles where they are responsible for diagnosing, investigating or providing a therapeutic response to abuse. This policy applies to all staff and volunteers, and anyone working on behalf of the OPCC.

OPCC staff and volunteers come into contact (directly and indirectly) with children, young people and adults through the following activities:

- Community Engagement
- Visits to funded projects
- Correspondence and other forms of contact
- PCC quarterly grant returns

Organisations that have received grant funding from the OPCC are responsible for their own policies for child protection and protection of adults at risk and need to ensure that their employees are competent and confident in carrying out their responsibilities for safeguarding and promoting the welfare of children and adults at risk. Such policies and procedures will be checked by OPCC staff before funding is allocated.

DEFINITIONS

Safeguarding and promoting the welfare of children is defined as:

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

The definition has been taken from the statutory guidance, **Working Together to Safeguard Children 2015**. A child is a person under the age of 18 (as defined in the United Nations Convention on the Rights of a Child).

Adult safeguarding is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do, and a key responsibility of local authorities.

Safeguarding is aimed at people aged 18 years or over with care and support needs who may be in vulnerable circumstances and at risk of, or experiencing, abuse or neglect.

WHAT IS ABUSE?

Abuse and neglect can be defined in many ways and there can be no exhaustive list. At the end of this document there are some descriptions which help to identify different types of abuse and neglect in relation to children and adults.

RESPONSIBILITIES

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and / or adults at risk wherever possible.

In contrast, child and adult protection is about responding to circumstances that arise.

All staff and volunteers have a responsibility to follow the guidance laid out in this policy and to pass on any welfare concerns, having consulted with the OPCC Safeguarding Lead, using the procedures described on Warwickshire's safeguarding website:

www.safeguardingwarwickshire.co.uk

Legislation and guidance to be read in conjunction with this policy:

Human Rights Act 1998

The Children Act 2004

Safeguarding Vulnerable Groups Act 2006
Care Standards Act 2000
Public Interest Disclosure Act 1998
Mental Capacity Act 2005
Working Together to Safeguard Children 2015
Protection of Freedoms Act 2012
Children and Families Act 2014
Care Act 2014
Data Protection Legislation:
Data Protection Act 1998 (and any future enactments)
General Data Protection Regulation ((EU) 2016/679) (applicable from 25 May 2018)

HOW TO RESPOND

If you find yourself in a situation where a child or vulnerable adult shares information about abuse or neglect, YOU MUST:

- Listen carefully to the child or vulnerable adult. DO NOT directly question them.
- Give the child or vulnerable adult time and attention.
- Allow the child or vulnerable adult to give a spontaneous account; do not stop someone who is freely recalling significant events.
- Make an accurate record of the information you have been given taking care to record the timing, setting and people present, the presentation of the child or vulnerable adult as well as what was said. Do not throw this away as it may later be needed as evidence.
- Use the child's or vulnerable adult's own words where possible.
- Explain that you cannot promise not to speak to others about the information they have shared - do not offer false confidentiality.
- Reassure the child or vulnerable adult that:
 - they have done the right thing in telling you;
 - they have not done anything wrong;
- Tell the child and/or vulnerable adult what you are going to do next and explain that you will need to get help to keep him/her safe.
- DO NOT ask the child and/or vulnerable adult to repeat his or her account of events to anyone

REPORTING - ACT NOW – DO NOT DELAY

It is the responsibility of the individual OPCC staff member or volunteers to ensure that safeguarding concerns are reported, following consultation with the OPCC Chief Executive who is the OPCC safeguarding lead officer, as follows:

If there is concern about a vulnerable adult or any child contact should be made to the Harms Assessment Unit within Warwickshire Police via 101.

In an emergency, contact the Police by ringing 999.

To report a crime or raise a concern about abuse with Warwickshire Police, phone the non-emergency number 101. But if it is an emergency always dial 999.

Whilst advice can be sought from a designated safeguarding professional this should not unduly delay the referral process.

Concern need not be related to a single specific incident, it may also arise from the accumulation of minor concerns which should be logged as they occur by the OPCC in the tracker.

The process outlined below details the stages involved in raising and reporting safeguarding concerns.

- Communicate your concerns with the Safeguarding Lead – Neil Hewison, Chief Executive.
- Obtain permission to make a referral if safe and appropriate.
- Refer or report the concern using the appropriate route within 24 hours.
- Ensure that feedback is received and you keep a record of the response.
- Ensure that you keep an accurate record of your concern(s) made at the time.
- Accurately record the action agreed or that no further action is to be taken and the reasons for this decision.
- All of the information is to be stored on the OPCC tracker.

MANAGING INFORMATION

Information will be gathered, recorded, and stored in accordance with Data Protection Legislation and the OPCC Data Protection Policy.

All staff must be aware that they have a professional duty to share information with other agencies in order to safeguard children and vulnerable adults. The public interest in safeguarding children and vulnerable adults may override confidentiality interests. All staff must be aware that they cannot promise service users or their families / carers that they will keep secrets.

When making decisions about the sharing of information with other agencies, staff will have regard to the Information Commissioner's Office Sharing Code of Practice and any relevant non-statutory guidance including:

- Caldicott principles derived from the 1997 Caldicott Report and subsequent 2013 Caldicott Review
- Seven 'golden' rules of information sharing as set out in HM Government's Information Sharing 2015 (Advice for practitioners providing safeguarding services to children, young people, parents and carers) as replicated in Schedule 1.

DEFINITIONS OF ABUSE – adults at risk

- Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
- Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called ‘honour’ based violence.
- Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.
- Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.
- Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- Neglect and acts of omission – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Self-neglect – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding.

WHO ABUSES AND WHERE DOES IT HAPPEN?

Anyone can carry out abuse or neglect, including:

- spouses/partners;
- other family members;
- neighbours;
- friends;
- acquaintances;
- local residents;
- people who deliberately exploit adults they perceive as vulnerable to abuse;

- paid staff or professionals; and
- volunteers and strangers.

While a lot of attention is paid, for example, to targeted fraud or internet scams perpetrated by complete strangers, it is far more likely that the person responsible for abuse is known to the adult and is in a position of trust and power.

Abuse can happen anywhere: for example, in someone's own home, in a public place, in hospital, in a care home or in college. It can take place when an adult lives alone or with others.

DEFINITIONS OF ABUSE – children at risk

The following definitions of abuse and the guidance on recognition are given to assist professional staff and those providing services to children in assessing whether abuse may have occurred. These definitions of categories of abuse in which a child is suffering or is likely to suffer significant harm apply throughout these Procedures. They will be used when considering whether a child is in need of a child protection plan.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born; neglect may involve a parent or carer failing to provide adequate food and clothing, shelter including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-givers, or the failure to ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Deprivational abuse is the deliberate and malicious withholding of a child's needs and is a form of neglect.

Physical Abuse

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

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually

inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyber bullying), causing children to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Schedule 1

The seven golden rules to sharing information

1. Remember that the Data Protection Act 1998 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.