



North Ayrshire Child Protection Committee
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Practitioner Guidance

Understanding when it is child protection



Care
Protection
Commitment
to North Ayrshire's Children







NORTH AYRSHIRE

Child Protection Committee





Purpose

The guidance aims to help staff / volunteers differentiate when a concern about a child is child protection or not. It has been produced to assist all those who work with children in North Ayrshire in a paid or unpaid capacity, to make the right decision on how to proceed where a concern has been raised about any child.

“Children may be in need of protection where their basic needs are not being met in a manner appropriate to their 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), from other relatives(s), or a carer (i.e. the person(s) while not a parent who has actual custody of a child). To define an act of omission as abusive and /or presenting future risk for the purpose of registration a number of elements must be taken into account. These include demonstrable or predictable harm to the child which must have been avoidable because of action or inaction by the parent or other carers”

Protecting Children:
A Shared Responsibility – Scottish Office 1998

Taking Appropriate Action

It is essential that where you become aware of a concern about a child you take the most appropriate action immediately. You must never make decisions in isolation and should always refer to your own agency child protection procedures for guidance on how to deal with familial abuse. This guidance is provided to offer additional support to staff / volunteers where they are unclear whether a situation is child protection or not.

All Agencies

There are a number of ways a child may become subjected to a harmful situation. Each situation will be unique to that child and should be treated individually. The circumstances surrounding the alleged incident determine whether a situation is child protection due to familial abuse or whether other action is required for their safety & wellbeing.

Social Services

North Ayrshire Social Services are the key agency in relation to dealing with Child Protection (familial abuse). They hold the Child Protection procedures relevant to protect all children in North Ayrshire. Qualified Social Workers employed within Children & Families Teams are trained to investigate Child Protection concerns on their own or with the Police. A Social Services Manager / Team Leader will confirm whether a situation is child protection or not, this is their area of expertise.

Everyone living or working in North Ayrshire has a significant part to play in protecting North Ayrshire's children. Multi-agency working and information sharing is essential for good practice in protecting children. **"Sharing Information about Children at Risk – A Guide to Good Practice"** is available to print from the Scottish Executive website:

www.scotland.gov.uk



Responses to the type of alleged or actual incident follow basic rules in decision making:

1. When a child / young person is harmed or at risk of harm by a member of their family.

Child Protection Procedures only apply where a child or young person has been subjected to harm or abuse in a familial way. That means that the child has been harmed / or is at risk of harm by someone who is a member of their family, both immediate and extended, such as relatives & co-habitees. This can be Physical Abuse, Physical Neglect, Sexual Abuse, Emotional Abuse or Non-Organic Failure to Thrive (Please refer to Appendix I). It can also be a combination of these that may have occurred. If you believe a child has been harmed / or is at risk of harm in this way please use your own agencies procedures and refer to;

Guidance A

This guidance relates to those children or young people who are alleged to have been harmed in a familial way as described in 1. This harm may be direct or indirect in nature but the outcome will be the same for the child or young person and they will have been and / or are likely to be placed at risk of future significant harm. The protection of that child or young person is therefore paramount and you should respond immediately using your Child Protection procedures.

It is always your duty or that of your line manager, to advise Social Services or the Police. It is not for you to decide if it is a Child Protection situation, so do not worry about making the referral when you are unsure whether the concern you have is a 'child protection' concern or not. Individual agency protocols for making a referral will be outlined in their Child Protection Procedures. If they are not or you are unclear, please do not delay in making a referral. Remember - you can report back to your own agency later.

Once you have given Social Services or the Police all the information you have they will decide on how to proceed (please refer to Appendix II). Neither this nor the investigative process is your responsibility. You may be asked for further details and should where possible leave your full contact details. Although it is always good practice to inform parents of concerns in most situations, in allegations of familial abuse a parent or carer may be the alleged perpetrator and you should therefore not advise them in the first instance of your concern.

This may place a child in a more dangerous situation or prejudice the outcome of any Social Services or Police Investigation. Do not worry about whether the referral is appropriate or not. The Police and Social Services are trained to make such decisions and will take the appropriate action.

Further advice on single agency Child Protection Procedures can be obtained as shown:

North Ayrshire Council Social Services Child Protection Procedures Manager, Children & Families	01294 317700
North Ayrshire Inter-Agency Child Protection Procedures Child Protection Lead Officer	01294 835659
Strathclyde Police Child Protection Procedures Ayrshire Public Protection Unit	01563 505092
NHS Ayrshire & Arran Child Protection Procedures Child Protection Advisor	01294 322028
North Ayrshire Council Education Child Protection Procedures Quality Improvement Manager	01294 324449
North Ayrshire Council Housing Child Protection Procedures Principal Officer	01294 475540

Good Practice Note: *You should, as a minimum, have completed Child Protection Awareness Training within your agency or organisation or as provided by the Child Protection Committee. You should seek to do so if you have not. This is essential to support you in your role in whatever capacity. This promotes good practice in protecting North Ayrshire's Children. Further information on training can be downloaded from North Ayrshire Child Protection Committee website:*

www.childprotectionnorthayrshire.info

2. When a child / young person is harmed or at risk of harm by a member of staff or volunteer.

Where any person / child alleges harm to a child or young person by a member of staff or volunteer in any organisation, in a paid or unpaid capacity, this is not familial and therefore not child protection. However, any harm inflicted on a child or young person is abusive and the situation may need to be investigated further. This is because the child may need protected from future harm or abuse and immediate action may need to be taken regarding the adult concerned. In this instance you should refer use your own agencies procedures and refer to:

Guidance B

This guidance relates to those children or young people who are alleged to have been harmed by a member(s) of staff or volunteer(s) in any organisation as described in 2. This harm can be direct or indirect, deliberate or not. This is not familial abuse. However, whatever the circumstances no child should be subjected to an abusive situation by an adult. It can be dangerous and harmful and must not be allowed to continue. In order to protect a young person from future harm or abuse from a member of staff or volunteer you should refer to your own agency guidance or contact your local Police office. Parents / carers should always be informed in the first instance.

You should have clear details with you in relation to the alleged incident (Please refer to Appendix II). Do not worry about whether the referral is appropriate or not. The Police are trained to make such decisions.

In the event of an investigation into the conduct of a member of staff or volunteer all actions taken should follow your own agency procedures. These will be held within your workplace or held by Personnel. Where the concern is about alleged inappropriate conduct with a child or young person, this must be discussed with your line manager and advice should firstly be taken from them or the Police. This must be done before an employee becomes aware of the situation or is asked any questions in relation to the incident.

Good Practice Note: *It is often difficult to comprehend when someone we know or trust in a work capacity is alleged to have acted inappropriately towards a child. Try not to be influenced by your personal thoughts on the member of staff / volunteer and apply the same practice as you would to any adult alleged to have harmed a child. Never advise the alleged perpetrator of the concern or try to conduct an investigation yourself.*



3. When a child / young person is harmed or at risk of harm by member of the public.

Where any person / child alleges harm to a child or young person by any member of the public, this is not familial and therefore not child protection. However, any harm inflicted on a child or young person is abusive and the situation may need to be investigated further. This is because the child or young person may need protected from future harm or abuse. In this instance you should discuss with your line manager, contact your local police office and refer to:

Guidance C

This guidance relates to those children or young people who are alleged to have been harmed by any member of the public as described in 3. This harm can be direct or indirect, deliberate or not. Whatever the circumstances no child should be subjected to an abusive situation by an adult. It can be dangerous and harmful and must not be allowed to continue. In order to protect a young person from future harm or abuse you should contact your local police office. Parents / carers should always be informed. You should have clear details with you in relation to the alleged incident. Do not worry about whether the referral is appropriate or not. The Police are trained to make such decisions.

The protection of any child or young person is always paramount and you should respond immediately.

Good Practice Note: *You should always be prepared with as much information to hand as possible when you call the Police. As well as information about the child, you should also, where possible, have details of the person alleged to have harmed the child. You should never interview or question a child or the alleged perpetrator after an allegation has been made. It is the role of the police to do so. Further information on what to do when a child alleges an abusive situation can be found in the booklet Information for Service Providers, which can be downloaded from our website www.childprotectionnorthayrshire.info*

4. When a child / young person is harmed or at risk of harm by another child or young person

Where a child, parent or carer alleges that a child or young person has been harmed by another child or young person (where there are no familial links) in any community situation, this is not familial and therefore not child protection.

However, any harm inflicted on a child or young person can be upsetting and should be prevented wherever possible. In this instance you should discuss with your line manager, contact your local police office and refer to:

Guidance D

This guidance relates to those children or young people whom are alleged to have been harmed by another child or young person as described in 4. There are many situations that may give rise to concerns in parents or carers that a child may have been the victim of an abusive situation by another child or young person. These situations range from childhood disagreements to bullying or a serious assault, either physical or sexual.

The type of allegation and where the incident is said to have taken place is fundamental in deciding how you act to protect the child in your care. Where a child has been the victim of serious harm or injury the Police should always be contacted for advice and guidance (Refer to Appendix II).

Common sense applies in many situations. For instance, where a child is being bullied at school, then the school should be contacted for support. If a child is involved in childhood disagreements in the community these often sort themselves out. This is part of growing up and developing relationships. If things don't improve try speaking calmly to the parent of the other child to advise them of your concern. If the concern is during group activities consider advising the Group Leader of the situation.

Remember parents have the primary responsibility for the safety and well being of their child.

Good Practice Note: Adults should always try and avoid confrontational situations and should consider what supports are available before acting. Never delay in contacting the Police where you believe a child or young person has significantly harmed another child. If any agency or group becomes aware of issues between children the parent or carer they should be notified in the first instance.

5. When a child / young person is harmed or at risk of harm by a person Looking After them, such as residential or foster care.

Where any person / child alleges that a child or young person has been harmed by another child, young person or adult where they are Looked After by the Local Authority, such as in residential care or foster care, this is seen as familial. This is because these children or young people are living in a substitute family situation and it therefore must be dealt with under the rules that apply to Child Protection. You should therefore refer to your own agencies procedures and refer to;

Guidance A & B

Good Practice Note: You should always refer to your own agency child protection procedures in the first instance. The guidance above is to clarify where uncertainty exists whether a situation is in fact child protection or action is required to protect a child from harm in any other situation.

Appendix 1

– Categories of Abuse

Physical Injury

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

Sexual Abuse

Any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour.

Non-Organic Failure to Thrive

Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

Emotional Abuse

Failure to provide for the child's basic emotional needs such as to have a severe adverse effect on the behaviour and development of the child.

Physical Neglect

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child.

Appendix II

- What to do

It is everyone's responsibility to make sure children in North Ayrshire are protected from harm.

If a child tells you something, or you suspect a child is being abused or at risk of harm, you must report your concerns immediately. This may be your line manager or yourself depending on your organisation's procedures and structure.

It is essential that you gather as much information as possible as you prepare to make a referral to Social Work or Police where a child may have been harmed. This information helps the agencies responsible for protecting North Ayrshire's Children decide what to do next:



If any of the above points are not known the referral should not be delayed to allow such details to be obtained. Undue delay may place the child at further risk.

Useful Contacts

Social Services – Reception Services

Kilbirnie	01505 684551
Irvine	01294 324800
Saltcoats	01294 605261
Arran	01770 600742
Out of Hours - Standby Social Services	0800 811 505

Strathclyde Police

Irvine	01294 404400
Largs	01475 674651
Saltcoats	01294 404500

Educational Services

Irvine	0845 6030 590
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Scottish Children's Reporter Administration

Irvine	01294 278151
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Health

You can contact your Health Visitor who can be found through your local Surgery or Health Centre

Childline Scotland	0800 1111
Childline Scotland Bullying Hotline	0800 44 1111
Parentline	0800 800 2222

Please also visit our website where you can download a comprehensive range of child protection information for professionals, children, young people and carers.

www.childprotectionnorthayrshire.gov.uk

For further information on this document contact the Child Protection Development Team on **01294 835659** or email cmclean@north-ayrshire.gov.uk