

Community Groups Guidance

Protecting Children and Young People in Community Groups



Care Protection Commitment

to North Ayrshire's Children



Welcome

Welcome to the North Ayrshire Child Protection Committee 'Protecting Children and Young People in Community Groups' guidance. Community groups and volunteers play an important role in children and young people's lives. This guidance will provide you with the help and support you need to protect children and young people from abuse and harm.

Child protection is the responsibility of every adult who comes into contact with children, this has been made explicit in the National Guidance for Child Protection in Scotland (2010).

North Ayrshire Child Protection Committee is committed to the principles of the Children's charter and the UN Convention on the Rights of the Child. Article 19 of the UN Convention states that all children and young people have the right to be protected from abuse, harm and exploitation.

North Ayrshire Child Protection Committee is committed to working in partnership with all adults who work with children on a paid or voluntary basis. This document has been designed to help you create a safe environment for children and young people.

I would like to thank everyone on the Child Protection 'Child Protection in the Community' sub group for their commitment and time in compiling this guidance.



Sheena Gault
Chair, North Ayrshire Child Protection Committee

About this document

North Ayrshire Child Protection Committee recognises that community groups offer a valuable service to children and young people.

Article 31 of the UN Convention states that all children have the right to play and to engage in recreational activities.

Through your group, children and young people learn and develop different skills and make new friends. They also learn to trust and respect the adults involved. This places your staff/volunteers in a unique position in children's lives. There may come a time when a child feels the need to confide in a volunteer or when the volunteer feels that all is not well in the child's life. Your group has a duty to ensure that staff/volunteers are equipped with the necessary information and knowledge to give that child the support, guidance and help needed at the time.

Contents

Welcome	1
About this document	2
What does this document do?	3
Who is this document for?	3
Facility Hire	3
Who do we mean by "child"?	4
What is Child Protection?	5
What does the law in Scotland say about the protection of children?	5
United Nations Convention on the Rights of the Child (1989)	5
Children (Scotland) Act 1995	6
Protection of Vulnerable Groups (Scotland) Act 2007	6
Key documents in Child Protection	7
National Guidance for Child Protection in Scotland (2010)	8
ACCORD for the Protection of Children in Sport	9
Creating a safe environment in your group	10
What is child abuse?	12
What to do if you are concerned about a child or young person	13
What happens next?	15
What will happen to the child and family?	15
Responding to Suspicions or allegations of child abuse – flow chart	16
Recommended recruitment procedure for positions involving regulated work with children and young people	17
PVG Scheme	19
Photographing, videoing and filming	21
Publications and Websites	22
Transporting Children and Trips Away	22

What does this document do?

This document has been designed to help your group understand their responsibilities in relation to protecting children. It will also direct you to other documents which will provide detailed guidance on how to create a safe environment for children and young people, develop policies and procedures for child protection and review the management of any child protection concerns.

Who is this document for?

This document will help those in your organisation who make decisions about the management/running of the group or those who lead the activities for children and young people. It is intended to assist both those organisations who employ staff and those who utilise volunteers to deliver activities/services.

Facility Hire

North Ayrshire Child Protection Committee actively encourages any individual or group wishing to hire facilities to deliver a children's service to have child protection policies and procedures in place.



Who do we mean by “child”?

A child can be defined differently in different legal contexts.

- Section 93(2)(a) and (b) of the Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the age of 16 and 18 who are still subject to a supervision requirement by a Children’s Hearing can be viewed as a child. Young people over the age of 16 may still require intervention to protect them.
- The United Nations Convention on the Rights of the Child applies to anyone under the age of 18. However, Article 1 states that this is the case unless majority is attained earlier under the law applicable to the child.

Although the differing legal definitions of the age of a child can be confusing, the priority is to ensure that a vulnerable young person who is, or may be, at risk of significant harm is offered support and protection. The individual young person’s circumstances and age will, by default, dictate what legal measures can be applied. For example, the Adult Support and Protection (Scotland) Act 2007 can be applied to over-16s where the criteria are met.

Where a young person between the age of 16 and 18 requires protection, services will need to consider which legislation, if any, can be applied. This will depend on the young person’s individual circumstances as well as on the particular legislation or policy framework. Special consideration will need to be given to the issue of consent and whether any intervention can be undertaken where a young person has withheld their consent.

This guidance is designed to include children and young people up to the age of 18. However, as noted above, the protective interventions that can be taken will depend on the circumstances and legislation relevant to that child or young person.

What is Child Protection?

Every day in Scotland thousands of children and young people take part in activities in the community. Organisations already do a number of things to protect children such as checking that equipment and the environment is safe and suitable for the activity and level of ability. Most children participate safely, in the care of well-meaning adults. However, a small minority of these adults seek access to children through organised activities to harm them. Child Protection is not just about protecting children from adults. A trusted leader/helper may be the person a child chooses to tell about abuse happening in their life outside the organisation. Whenever there are concerns, all adults should know what action to take and share information with those who need to know to protect children and young people.

What does the law in Scotland say about the protection of children?

There are a number of Acts of Parliament concerned with the protection of children and young people. There are also a number of important documents which contain guidance for statutory and voluntary agencies. The main provisions are as follows:

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

This tells us that all children have the right to be protected from all forms of abuse at all times.

Children have a right to express their views on matters which affect them.

The Children (Scotland) Act 1995

This Act states that anyone aged 16 or over, who has care and control of a child, has a duty to do all that is reasonable in the circumstances to safeguard a child's health, development and welfare.

This means that all adults have a responsibility to protect children, including:

- Parents
- Friends
- Members of the public
- Family members
- Neighbours
- Professionals

Protection of Vulnerable Groups (Scotland) Act 2007

This Act makes provision for the following matters concerning the protection of vulnerable groups:

- establishing a list of individuals unsuitable to work with children and consequently repealing PoCSA (Protection of Children Scotland Act) which had established the DWCL, and establishing a separate list of individuals unsuitable to work with protected adults;
- replacing enhanced criminal record certificates with new disclosure records for those working with vulnerable groups, whether paid or unpaid;
- establishing a scheme for those working with vulnerable groups, membership of which enables the ongoing collection of vetting information and assessment for unsuitability to work with those groups;

The Act is put into practice through the Protecting Vulnerable Groups (PVG) Scheme.

Key documents in Child Protection

“It’s everyone’s job to make sure I’m alright” - Scottish Executive (2002)

The title of this report was taken from the words of one child who was interviewed during the national audit of child protection systems in Scotland.

This report stressed members of the public and children themselves need to know who to contact if they are worried about a child or need help.

Protecting Children and Young People: Framework for Standards (2004)

This sets out what each child in Scotland can expect from professionals and agencies to ensure that they are adequately protected and their needs met. It also sets out what parents or other adults who may report abuse and neglect can expect.

Protecting Children and Young People: Children’s Charter, Scottish Executive (2004)

Developed in consultation with children and young people the Charter sets out what children and young people need and expect to help protect them when they are in danger of being, or already have been, harmed by another person.

Getting It Right For Every Child (GIRFEC) (2005)

Getting it Right for Every Child is a national programme that aims to improve outcomes for all children and young people.

It promotes a shared approach that:

- Builds solutions with and around children
- Enables children to get the help they need when they need it
- Supports a positive shift in culture, systems and practice
- Involves working together to make things better

Getting it right for every child is the foundation for work with all children and young people, including adult services where parents are involved.

National Guidance for Child Protection in Scotland (2010)

This document replaced Protecting Children: A Shared Responsibility (1998) which was previously Scotland's national guidance for child protection. The revised document is written to reflect a GIRFEC approach and takes account of child protection developments over the preceding decade.



ACCORD for the Protection of Children in Sport

The ACCORD for the Protection of Children in Scottish Sport presents a support framework to help organisations work towards recommended good practice in protecting children and to fulfil responsibilities introduced as part of the Child Protection Reform Programme.

North Ayrshire Child Protection Committee encourages all those involved with children and young people to contribute to creating safe environments in which children can learn and develop to the best of their potential.

North Ayrshire Child Protection Committee encourages all community groups working with children and young people to strive to achieve best practice in Child Protection as laid out by the ACCORD framework and offers training and guidance in relation to this

Key Messages:

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



Creating a safe environment in your group

Remember- the protection of children and young people is the responsibility of everyone in your group, not just the people who run or manage the group.

The following measures can help to create a safe environment for both adults and Children:

1. Adopt a Child Protection policy and make sure that it is clearly displayed. Give copies to all staff/volunteers, children and parents.
2. Agree a code of conduct for those who work/volunteer with children and young people which clearly states behaviour which is acceptable and unacceptable towards children, including bullying. Give copies to all staff/volunteers, children and parents. Identify any risks to children participating in your activities.
3. Make sure everyone involved in the group and parents know who to speak to and what to do if they are concerned about a child or the conduct of a staff member/volunteer towards a child. Give them information on how they can complain.
4. Encourage parents to get involved in the activities you offer. Find out who your local social services and police contacts are.
5. Make sure that everyone who works/volunteers with children and young people has been safely recruited and are have been carefully considered and vetted to do regulated work with children. Also ensure they receive adequate support and supervision.



6. Support those who work/volunteer with children and young people to access child protection training. See www.childprotectionnorthayrshire.info for information about local training.
7. Make sure the group has a procedure for dealing with concerns about the conduct of staff/volunteers i.e. disciplinary procedures. This could be a concern about poor practice, bullying or child abuse. If you have an umbrella organisation you could contact them for assistance with putting in place disciplinary procedures.
8. Make sure that safeguards are in place when taking children and young people away from home and when using photographs or images or any other “safe care” issues relevant to your organisation.
9. Make sure that all policies and procedures are regularly monitored and reviewed.
10. Have in place a procedure for reviewing the management of concerns about poor practice, misconduct and/or child abuse.
11. Designate someone in the organisation who will take a lead in ensuring that policies are being followed and are up to date. This person is often referred to as the Child Protection Officer.

The Child Protection Officer

The Child Protection Officer can be a staff member/volunteer and does not require to be an expert in child protection. The Child Protection Officer is ideally someone who is able to follow policies and procedures and can encourage others to do so as well. He/she should have an understanding of the need for confidentiality and be able to seek advice from professionals when necessary

Any concerns about child abuse or the conduct of a group or staff member towards children should be reported to the Child Protection Officer in the first instance.

What is child abuse?

The formal definition of abuse is:

“Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger.”

Reference ‘National Guidance for Child Protection in Scotland, Scottish Government,’ (2010)

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

- Physical abuse (hit, kicked, punched)
- Neglect (not being properly fed or clothed, not having access to medical treatment)
- Sexual abuse (inappropriate sexual behaviour or language, indecent assault, sexual intercourse)
- Emotional abuse (constantly criticised, ignored, humiliated, exposed to family violence)

Many children live in complex family situations that can place them at risk, such as domestic abuse, parental alcohol misuse, parental drug misuse or parental mental health problems. It is important that children living in any complex or high risk situation have access to the right kind of help and support they need. Often, if help can be given at an early stage it can prevent the situation escalating to child protection.

Children and young people rarely tell if they are being abused, however there may be signs which make you concerned and may be an indication of a child being abused or neglected.

The child or young person may:

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

The adult may be:

- acting in a violent or sexual manner towards a child
- misusing alcohol or drugs whilst caring for a child
- verbally abusive towards a child

If you notice these signs or any other signs that concern you and/or you are worried about any issue, please take action to protect the child.

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

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

- Remain calm - No matter how difficult it is to listen to the child – think of how hard it must be for the child to talk about it. Some things are very difficult to talk about, you've been chosen because the child feels they can talk to you. If you show anger, disgust, disbelief then the child may stop talking for fear of upsetting you or may feel that your negative feelings are being directed towards them;
- Listen to the child and take him/her seriously. Reassure him/her they have done the right thing by telling you;
- Allow the child the time to speak.
- Never interrupt or make suggestions to the child. Avoid asking questions other than to clarify your understanding. Any questions that you do have to ask should be open and not be leading. **You must never interview the child or investigate. This is the job of trained professionals;**

- Let the child go at their own pace - No matter how well you know the child, spare them having to repeat themselves over and over. Apart from anything else, the child may begin to think that you don't believe them;
- Be honest - Tell the child that you cannot keep a secret, you have to talk to someone who can help. Make sure you don't make any promises or guarantees about anything – you can't control all that happens.
- As soon as practical write down everything the child told you using the child's own words
- Pass the information to the Child Protection Officer as soon as possible.

Thereafter the information should only be shared with those who need to know in order to protect the child.

If the Child Protection Officer is not available, then the information should be passed to social services or police without delay. Do not be afraid to contact them for advice and guidance. Remember – you may not be the only one to have concerns.

All referrals are discussed thoroughly by professionals prior to any action being taken. Your concerns will be genuine and treated as such by them.

(a) It is not your job to decide if a child has been abused.

(b) It is your responsibility to be alert to any concerns about children and to share these concerns with others

If the situation is clearly an urgent case, the child is too frightened to go home or you have very serious doubts about the child's safety, contact social services or the police immediately.

If concerns are more general about a child's welfare, they should initially be discussed with the organisation's Child Protection Officer who would then make a referral to social services.

Concerns about the behaviour of a member of staff/volunteer must be reported to the organisation's Child Protection Officer without delay. If necessary he/she will seek advice from social services and/or the police immediately and take any appropriate action to protect children. If the concern is about the Child Protection Officer, the matter should be reported to the person in charge of the organisation.

Key messages:

- Listen to the child
- Take all concerns seriously and act promptly
- Share concerns but do NOT investigate
- Record the information in writing as soon as possible

ALWAYS SEEK ADVICE IF YOU ARE UNSURE

What happens next?

All information received by social services and the police is treated seriously and will be acted upon. This might include:

- Making a written record of your concerns
- Checking agency records and gathering information
- Speaking to the child and family and assessing the situation
- Making sure the child is safe

What will happen to the child and family?

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

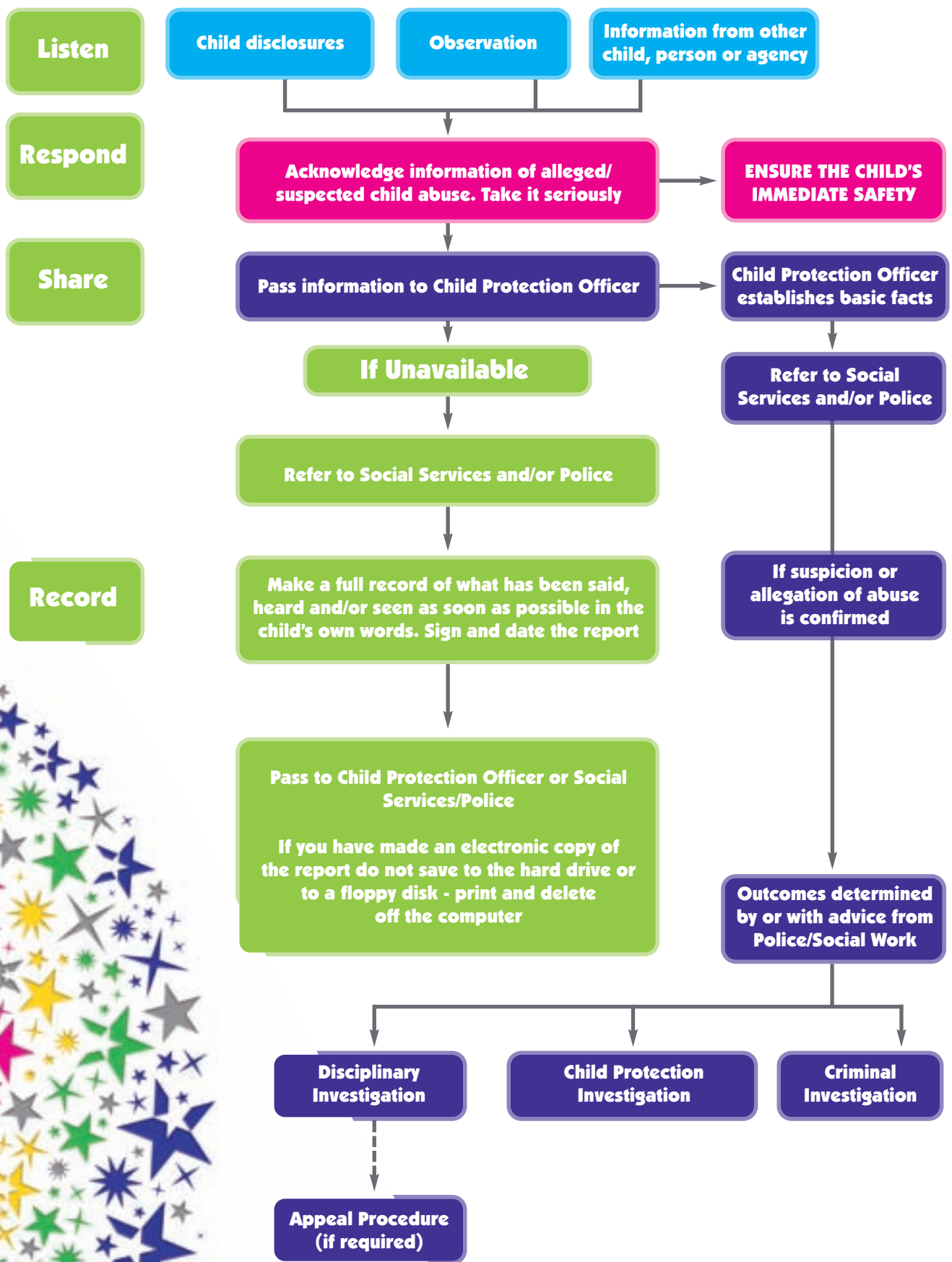
- No further action
- Support or advice offered to the family
- Referral to another agency for a service
- A fuller assessment of the child's needs
- Referral to the appropriate legal system
- A child protection investigation

Where child protection concerns are identified an inter-agency meeting (called an initial child protection conference) will be held to decide the best way to protect the child. This will include people who have a knowledge of the child and family e.g. health visitor, police, teacher, social worker, parents/carers.

In a small number of cases, immediate, emergency action may be necessary to protect the child, such as placing them overnight with a relative or foster carer.

Back page contains a list of local telephone numbers where you can discuss concerns about a child.

Responding to Suspicions or Allegations of Child Abuse



Recommended recruitment procedure for positions involving regulated work with children and young people

All organisations have a duty to ensure that children and young people are protected and kept safe from harm while they are with staff or volunteers. Furthermore, organisations have a legal duty under the Protection of Vulnerable Groups (Scotland) Act 2007 to ensure that individuals who are barred from regulated work with children are not engaged in regulated work with children, whether in a paid or unpaid capacity.

Selection:

- All applicants for paid and unpaid positions, should complete an application form and self declaration form
- Short listed applicants should be asked to attend for interview/discussion
- Short listed applicants should be asked to provide references and these should always be taken up prior to confirmation of appointment. References should be followed up with a telephone call or personal contact during which the applicant's suitability to work with children, young people should be discussed. A record of this discussion will be kept in the applicant's file

Membership of the PVG Scheme:

The successful applicant should be required to submit a Scheme Record/Scheme Record Update and abide by the organisations process for ongoing assessment of suitability



Training:

- The successful applicant should receive induction training, which should give an overview of the organisation and ensure they know its purpose, values, services and structure
- Induction training should also include clarification, agreement and signing up to the child protection policy and procedures, including the Code of Conduct
- Relevant training and support should be provided on an ongoing basis, and should cover information about their role and opportunities for practising skills needed for the position
- Training on specific areas such as Health & Safety procedures, identifying and reporting abuse, and confidentiality should be given as a priority to new staff/volunteers, and should be regularly reviewed
- Visit the training page of our website where you can download “An Introduction to Child Protection – Self Learning Pack” with certificate included!

Supervision:

- All staff/volunteers should be subject to an agreed probationary period
- All staff/volunteers should have a designated supervisor who should provide regular feedback and support
- All staff/volunteers should attend an annual review, where their performance, skills, motivation, and expectations should be discussed. Annual reviews should be minuted and copies made available to the member of staff/volunteer
- All staff and volunteers involved in recruitment, training and supervision should be aware of this procedure and receive appropriate training and support to ensure its full implementation.



PVG Scheme

The Protection of Vulnerable Groups (Scotland) Act 2007 introduced the PVG Scheme for those in regulated work with children and protected adults. Disclosure Scotland holds a Children's List and an Adult's List of individuals barred from regulated work with children and/or protected adults.

In order to ascertain whether someone is doing regulated work, the following factors apply:

1. It must be either paid or unpaid work and not simply a friendly arrangement
2. It has to be with children and young people under the age of eighteen years
3. The work must include one of the following:
 - Caring for children
 - Teaching, instructing, training or supervising children
 - Being in sole charge of children
 - Having unsupervised access to children
 - Being a host parent
4. The work has to be part of their normal duties

For further assistance in deciding whether a post is "regulated" refer to the Disclosure Scotland Regulated Work Assessment Tool at: www.disclosure-scotland.org.uk/pvg

Organisations should require all members of staff or volunteers in regulated work with children to become a PVG Scheme member. This is because, while there is no legal requirement for individuals to become PVG Scheme members in order to work with children, it is a legal requirement for organisations to ensure that they do not employ any individual who is on the Children's List and therefore barred from working with children.

To become a PVG Scheme member, the individual must complete and application form for a Scheme Record. A fee is applicable.

Once an individual is in a position of regulated work, they should be required to complete a self declaration form and apply for a Scheme Record Update every 2/3 years. This allows for ongoing assessment of suitability.

For existing staff/volunteers who were not previously checked or were previously enhanced disclosure checked for a childcare position under the Protection of Children (Scotland) Act 2003, there should be a process set out whereby they are required to become PVG Scheme members if they are carrying out regulated work with children.

If new vetting information becomes available, either through retrospective checks of existing staff/volunteers or through an ongoing suitability process, it is important to consider this information alongside a newly completed self-declaration form to assess any risks.

If Disclosure Scotland informs an organisation that an individual is barred, that member of staff/volunteer must be removed from regulated work with children immediately.

If Disclosure Scotland advise an organisation that an individual is being considered for listing, that individual should be suspended from duties as a precautionary measure until the outcome of the case is decided.



Photography & Social Media



Publications and websites are a great way to promote the achievements of children, however, there is evidence that some people have used activities as an opportunity to take inappropriate photographs or film footage of children. In addition, some children may be subject to statutory child protection measures or may have been members of a household where domestic abuse was prevalent and to reveal their whereabouts may place them at risk.

The following measures are recommended as good practice and will contribute to a child's safe participation in your organisation:

- Consent should always be obtained from the parent and child
- Anyone wishing to photograph or film children must obtain permission from the Child Protection Officer for the organisation.
- No unsupervised access or one-to-one sessions are to be permitted unless this is absolutely necessary and has been approved in advance by the child, parent and Child Protection Officer
- Discuss with children / parents the likelihood of media / press presence at large events where children or young people from your group will be in attendance and gain consent in advance.
- The organisation reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated
- People are made aware where they can report concerns about the use of photographs and films i.e. the Child Protection Officer for the organisation and/or the police
- Those who have obtained permission to photograph or film should be formally identifiable e.g. badge or sticker user
- Designate a child protection officer for the trip someone to co-ordinate the arrangements to safeguard the safety and welfare of children during the trip and to act as the main contact for dealing with any concerns about the safety and welfare of children whilst away from home
- Advice should be given to children, young people, parents and volunteers / helpers about the posting of event photographs on social media sites without the informed consent of the young people concerned.



Publications and websites

- Always obtain consent from the child and parent before displaying pictures or information in any forum.
- Never include personal information that could identify a child or place a child at risk e.g. full name, home address, e-mail address, telephone number, dates, place and times activities take place. Instead give the contact details of a group leader who can deal with requests for information about the organisation
- Never depict children in a provocative, demeaning or tasteless manner.

Transporting children and trips away

- Request written parental consent and ensure vehicles are correctly insured.
- Inform another member of the organisation that you are transporting a child giving details of the route and the anticipated length of journey.
- Take all reasonable safety measures e.g. child in the back seat, seatbelts worn, booster seat where necessary. For further information visit: www.thinkroadsafety.gov.uk/
- Ensure, where possible, a male and female accompany mixed groups of children
- Always plan and prepare a detailed programme of activities and ensure copies are available for other members and parents
- Ensure the accommodation and sleeping arrangements are suitable
- Always have a list of emergency contacts and medical information available
- Ensure that there has been a thorough assessment of the risks and that appropriate adult-child ratios for supervision are in place

Useful Contacts:

If you are worried or know of a child who could be at risk of abuse, you can talk to staff at one of the following numbers:

Social Services – Reception Services

Kilbirnie	01505 684551
Irvine	01294 324800
Saltcoats	01294 605261
Arran	01770 600742
Strathclyde Police - Family Protection Unit	01563 505092
Scottish Children's Reporter Administration	0300 200 1860

Your local Health Visitor can be found through your local surgery or health centre.

ParentLine Scotland	0808 800 2222
ChildLine Scotland	0800 1111
CHILDREN 1st	0141 418 5670
www.children1st.org.uk	
Child Protection in Sport Service	0141 418 5674
www.childprotectioninsport.org.uk	
Central Registered Body in Scotland	01786 479 593
www.crbs.org.uk	
Disclosure Scotland	0870 609 6006.
www.disclosurescotland.org.uk	

Finally, we recommend "10 Steps to Safeguarding Children in Sport".

<http://www.children1st.org.uk/services/166/safeguarding-in-sport-resources>



www.childprotectionnorthayrshire.info