



# CHILD PROTECTION & SAFEGUARDING POLICY

Codswallop CIC and each group in the Codswallop CIC 'Family', work with children and young people in education and community based participation projects.

The Codswallop CIC core team have enhanced Disclosure and Barring Service (DBS) and have undergone Child Protection Training; they are responsible for the children and young people left in the care of Codswallop CIC and overseeing sessions run by individuals who do not have the above certificates. Risk assessments are made for all activities and events and a number of staff are trained in First Aid.

Codswallop CIC is committed to the wellbeing and safety of all the children and young people we work with.

This policy outlines our code of practice and applies to all staff and artists who work for Codswallop CIC whether on a permanent, temporary or freelance contract or working as volunteers.

## Implementation

This Policy will be given to all persons in a position of leadership and care for the children at Codswallop CIC, including volunteers. The policy is reviewed every 18 months. The Named Person for Codswallop CIC Child Protection issues is **Jacob Phillips**.

**Jacob Phillips, Child Protection Named Person : 07902190002** [info@codswallop.org.uk](mailto:info@codswallop.org.uk)

In implementing this policy the first place to come to with any issues regarding Child Protection is a person in a position of leadership within the group or the named person directly.

## Statement of Intent

The implementation of the Children's Act (1989 & 2004) has emphasised the responsibility of all organisations that make provision for children and young people to ensure that their protection and the promotion of their welfare is of paramount importance.

Codswallop CIC is committed to meeting these responsibilities. This commitment must be shared and developed at all levels to ensure the suitability of all staff, (paid or voluntary), for involvement in the work; the promotion of good practice, particularly to provide children and young people with appropriate safety and protection whilst in our care; and the ability of staff to make an informed and confident response to specific child protection issues. Codswallop CIC works with children and young people and is aware that it needs to operate a Child Protection Policy that protects both young people and leaders as well as fulfils its legal responsibility as an employer and service provider.



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
[www.codswallop.org.uk](http://www.codswallop.org.uk)  
07902190002

Codswallop CIC  
Guiseley Theatre  
The Green  
Guiseley  
LS20 9BT



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This document seeks to raise awareness of child protection and provides guidelines to influence the development of good practice in relation to child protection in the wider context, and procedures that must be followed, particularly when responding to suspicion or disclosure of abuse.

Codswallop CIC will put in place adequate systems and procedures and adhere to strict codes of confidentiality when dealing with any issues of suspected abuse.

## Legal background & Duty of Care

Codswallop CIC leaders may be placed in the position of loco parentis (i.e. taking the responsibility of a parent). This happens when leaders accept responsibility for a child handed over by a parent or if parents were invited to believe that Codswallop CIC leaders would look after their children.

Even if leaders do not take on the responsibility of looking after children, Codswallop CIC owe a duty of care under the *Occupier's Liability Act 1957*. This duty is to take such care as is in all the circumstances reasonable to ensure that children and or young people will be reasonably safe in using the premises for the purpose for which they are permitted to be there.

The standard of care expected in relation to children is higher than in relation to adults because leaders must expect children to be less careful than adults. Whether or not leaders take responsibility for children, they should be guided at all times by the essential principle in the Children Act 1989 & 2004 that the welfare of the child is paramount.

## Age range

*The Children Act* defines a child as a person under the age of 18 years.

Outlined procedures for responding to a suspicion or disclosure of abuse, are essentially applied when this affects a young person aged under 18 years.

## Avoiding situations where staff may be in a vulnerable position

Codswallop CIC leaders may be involved in a variety of interactions and contact with young people and in undertaking their work, must recognise their responsibility to protect the interests and promote the wellbeing of young people in their care. They will not put them at risk or in a position of feeling uncomfortable or ill at ease.

The leader or worker must be aware of the need to protect their own interests, and not put themselves in a position of suspicion, misunderstanding, or unfounded accusation by acting in a way that may be well intentioned, but inadvisable. For example, leaders should make every effort to avoid being in a situation where they are working alone with a young person, either in an isolated area, talking alone with a young person in a closed room without others being aware of this, or being alone with a young person in a car or mini-bus.

## Concern about a colleague



info@codswallop.org.uk  
www.codswallop.org.uk  
07902190002

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Guiseley Theatre  
The Green  
Guiseley  
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Awareness of leaders and their own attitudes and behaviour in relation to child protection is important. The actions of workers that take them outside the agreed boundaries of appropriate interaction and contact with young people must be challenged. It may be that the actions will be such that they can be discussed and resolved within Codswallop CIC.

There may be occasions however, when inappropriate behaviour continues or when the concerns are of a more serious nature. In these circumstances there must be a consultation with the Named Person (Christopher Eddison) so that the necessary action can be determined.

A situation where an allegation is made against a worker or they may appear to present a risk to the safety or welfare of young people, or present an unacceptable example to them, would be subject to investigation by Codswallop CIC and may be referred to the Children and Young People Social Care Department and or the Police for further investigation.

- The Named Person should be informed immediately. In the case of an allegation involving this person, alternative arrangements should be sought to ensure that the matter is dealt with by an independent person in a senior position within the organization and believed to be independent of the allegations being made.
- The Named Person should contact the Local Authority Designated Officer (LADO - based within Children and Young People's Social Care, Child Protection Unit 0113 247 8653) for advice on how to proceed with the immediate situation. Outside of working hours the Emergency Duty Team can give advice and/or in the event of an emergency situation arising, the Police.
- Codswallop CIC is committed to the appropriate management and supervision of staff and/or volunteers working with children and or young people to ensure that appropriate lines of accountability are in place with respect to work with children and young people.

A situation where a worker may appear to present a risk to the safety or welfare of young people, or present an unacceptable example to them may be subject to investigation by Codswallop CIC.

## Necessary Physical Contact/Appropriate Touch

It is inevitable that in undertaking our work there will be occasions when physical contact with young people might be unavoidable or seen to be a 'natural' course of action e.g. developing acting or drama skills, or comforting someone who is distressed.

Contact is often a necessary part of the process when the positioning of the body is vital to skills development e.g. during drama workshops or rehearsals. It can also be employed to encourage, protect or comfort.

However workers must be aware that even the most innocent physical contact with a child or young person could be misinterpreted and, therefore, should take every effort to explain what they are going to do and gain consent before any physical contact is introduced.

Physical contact between adults and children/young people should only be used when:

- It is necessary to develop learning skills or techniques



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
[www.codswallop.org.uk](http://www.codswallop.org.uk)  
07902190002

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- Treating an injury
- Preventing an injury
- Any manual support should be provided openly
- Physical contact should never involve touching the genital areas, buttocks or breasts
- Staff must not hug or accept hugs from children but seek alternative methods of consolation and subjects for the child's attention e.g. soft toy
- Staff must not allow children to sit on their knee
- Staff must be easily identifiable to children and young people e.g. wearing a Company T-shirt or badge, with clear introduction.

It must be recognised that even innocent actions can be misconstrued and some young people may find being 'touched', no matter how well intentioned, extremely upsetting for a variety of reasons. Under no circumstances should a leader instigate physical contact such as hugs and kisses.

## Dealing with unacceptable behaviour

Codswallop CIC has a 'Code of Conduct' in which all persons involved with the group are expected to abide by, leaders included.

The degree and frequency of types of unacceptable behaviour varies, although leaders should operate within a framework enabling them to make on the spot decisions and deal with any incidents in a consistent manner.

- It is important to deal with such situations calmly and quietly and to avoid putting yourself or others in danger.
- Action should be taken as soon as individuals make a nuisance of themselves. This should be a verbal request or warning.
- Unruly behaviour, which is repeated after a warning, should lead to stronger action by the leaders.
- Details of any special incidents should always be recorded using Codswallop CIC Incident Report Form (as attached) or recorded and given to the Named Person.

The following give guidance as to good practice when dealing with unacceptable behaviour:

- Use common-sense and adopt a consistent approach.
- If anyone is attacked – leaders or public – ring 999 or 211 for the Police immediately.
- In no circumstances should you physically strike or handle a young person, member of the public or staff – the only exception to this is to defend yourself if attacked.
- Troublemakers will be requested to leave if they cause a disturbance to other people – leaders, other participants or public.



info@codswallop.org.uk  
www.codswallop.org.uk  
07902190002

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Guiseley Theatre  
The Green  
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Before attempting to restrain a child or young person physically, try to ensure that you do so in the presence of another member of staff and be aware that you are only allowed to use reasonable force in order:

- to remove a trespasser
- to prevent accident or injury
- in self defence

If relying on the fact that the child or young person may suffer accident or injury if not restrained, you should have reasonable grounds for believing there to be a real risk. Bear in mind also that if you have taken responsibility for the child or young person you must exercise such care as a reasonable parent would.

Within sessions, Participants are made aware of the 'In Session Behaviour Policy' where a 3 point warning system is in place. This outlines the steps taken by staff members, so participants are full aware. See 'In Session Behaviour Policy'.

## Organised activities for children and or young people

### Planning the activity

The following considerations should be made:

- Suitable number of adults to supervise the event, ratio of adults to young people.
- General health and safety considerations must be borne in mind.
- Obligations under the Disability Discrimination Act must also be borne in mind. In providing services you must not discriminate against any person on grounds of disability and must take reasonable steps to enable disabled children to use the service.
- Ensure you are aware of the First Aid arrangements.
- Determine a maximum attendance figure, based on staff, space and the type of activity.
- Ensure you are complying strictly with the requirements of the building's fire risk assessment and any recommendations or requirements of the fire authority and the premises' insurers.

### Publicity material

Publicity should specify the age of the children/young people which the event caters for and should clearly state starting and finishing times.



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
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## Photography/visual records

Photographs of people and children may be considered as personal data, as defined by the Data Protection Act (1998), if an individual can be identified from the photograph or image.

Photographs may not be used by Codswallop CIC without the specific consent of the young person and or their parent or carer.

This also includes displays created by leaders, Codswallop CIC publicity or marketing material or material created by any external organisation.

Publicity and invitations relating to a Codswallop CIC provision must carry notification that photographs which might identify individuals may only be taken for personal or family use.

Where feasible, permission must be sought from parents and or carers for any photographs or images to be taken of children and or young people at any Codswallop CIC event or provision.

## During the event

If children and or young people are left by their parent/carers a booking or registration form should contain details of children attending the event - a written record of name, address, telephone number, name of parent collecting, any known medical conditions and how such medical conditions are to be dealt with, particularly in an emergency.

The Children's Act requires (among other things) that personal data can only be kept so long as it is necessary to keep it for the purposes for which it has been obtained. It is recommended that event registers and booking forms are kept for up to two months as they may be required in case of a dispute.

During the event all leaders should be identifiable (e.g. by wearing staff name badges or T-Shirts).

If a child or young person is to be collected and wishes to leave an event early, every effort should be made to persuade them to stay until the return of the parent/carer.

## DISCLOSURE OF ABUSE AND CHILD PROTECTION

### Categories of abuse

In the Children's Act, abuse is defined as a child or young person suffering, or likely to suffer, 'significant harm' where 'harm' means ill treatment or the impairment of health and development. Inherent in situations of abuse are the misuse of power and the exploitation of innocence and vulnerability.

"Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely by a stranger."



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www.codswallop.org.uk  
07902190002

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**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 ill health in a child.

**Emotional abuse...** is the persistent emotional ill-treatment 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 feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the 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 causing children frequently to 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.

**Sexual abuse...** involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child 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 (oral sex). They may include noncontact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

**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 caretakers, or 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."

## What to do if a child discloses or is at risk



info@codswallop.org.uk  
www.codswallop.org.uk  
07902190002

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Guiseley  
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## Roles

Codswallop CIC will deal with issues of child protection through one key member of the leaders – the Named Person. This Person will have received appropriate child protection training and enhanced Criminal Records Bureau clearance.

The Named Person will deal on a day to day basis with any issues of a child protection nature, and provide a source of advice and support for other leaders. Leaders will deputise where necessary in their absence to reach an agreed course of action.

It is not the leader's role to diagnose or investigate abuse. It is to alert that something may be wrong, to be approachable and available to listen and talk, to offer support and to take steps to ensure that appropriate action is taken in the best interests of the safety and welfare of the young person.

It may not be immediately apparent to a leader that what they are encountering is a child protection situation. Leaders may need to clarify their understanding of their observations and feelings or information given by discussing their concerns initially with the Named Person.

Experiencing a child protection situation can cause some leaders a degree of emotional upset. The leader should at any time feel able to other leaders for support, and if appropriate, for the details of other contacts who could offer assistance.

A disclosure of abuse may be made to a worker in a wide range of situations but as far as possible, staff should aim to offer the opportunity for discussion in an environment that the young person will be comfortable within, where there is privacy and lack of interruptions.

These guidelines apply in responding to any disclosure of abuse:

- Stay calm, and do not show shock, anger or embarrassment.
- Reassure the young person. Tell them that they are right to talk to you and that you will try to help them.
- Give a clear indication to the young person that what is said cannot remain secret and private and that if you are going to help them, you will have to tell others about the situation. Inform the young person who this will be and why they have to be told. Indicate the support you will give to the young person when you have told others.
- Believe the young person and tell them that you believe them. Young people rarely lie about abuse but they may have tried to tell others who have not listened or not believed them.
- Re-assure them that it is not their fault that abuse has occurred.
- Encourage the young person to talk, but allow them to proceed at their own pace and do not ask 'leading questions', or challenge their statements, or press for information/details beyond which they are prepared to give.
- Be prepared to listen patiently and remember what is said as notes should not be taken during conversation. Be aware of the young person's emotional state and be sensitive in questions asked to avoid causing additional distress.



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
[www.codswallop.org.uk](http://www.codswallop.org.uk)  
07902190002

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- Do not comment on the alleged offender or their morality as it may be someone the young person cares about or loves.
- Do not tell the young person that what has happened to them is 'naughty', 'dirty' or 'bad'.
- Check with the young person occasionally during the conversation that you have understood correctly what they have said to you.
- Praise the young person for telling you.
- Confirm to the young person what action you will now be taking.
- Re-assure them of your continued support and stay with the young person for as long as possible after the disclosure if they still need your presence.

Following the disclosure the leader must, in consideration of all information and factors, make a decision as to what action should be taken, and when.

Leaders must inform the Named Person if there is distinct suspicion of abuse or if a disclosure of abuse has been made. The action to be taken will then be determined. If the situation is such that an urgent response is required, for example a disclosure of abuse late in an evening which gives the Leader concern for the immediate safety of the young person, contact with the Named Person

The responsibility for making referrals to Children and Young People Social Care lies with the Named Person. A referral to Children and Young People Social Care should normally only be made by the Named Person.

## Process for making a referral to Children and Young People Social Care Department

In the event of a child protection concern a referral may be made to the Children and Young People Social Care Department of Leeds City Council.

This should be made with the approval of the Child Protection Officer or in their absence in accordance with the Child Protection Procedures.

In the case of a referral being required contact the Contact Centre Tel: 0113 398 4702 (or for practitioners 0113 376 0336)

If outside of normal working hours contact Children and Young People Social Care Emergency Out of Hours Tel: 0113 240 9536

Identify you are making a Child Protection Referral.

Make it clear why you are calling and it is important that this initial referral is supported by as much information about the child/family/incident as possible. The information contained on the Incident Report Form will form the basis for this and should include:

- The immediate cause for concern including what indications there are to support suspected abuse or the nature of a disclosure and the extent to which the young person would appear to be at risk of significant harm.



info@codswallop.org.uk  
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- The child's full name, date of birth and address. Additional information in relation to the child's or young person's circumstances may also be helpful:
- Any recent changes of address.
- Details of other members of the household, i.e. parents, carers, siblings.
- Names of the family's GP or any medical details of relevance.
- Child/young person's school.
- Which members of the household are/have been known. This may be useful for cross-reference in case of remarriage or where family names and titles may vary
- Any background information or previous concerns that the service may have had.

NB If making an "acute" referral it will be helpful to identify where the child/young person is at the time the referral is being made.

It is not expected that the referrer would make their own enquiries but only to pass on information they know to be accurate.

When a referral is made to the Call Centre it will be phoned through to the Children and Young People Social Care Duty Desk and followed up with a fax.

At this point the Children and Young People Social Care Duty Team Manager will assess the urgency of the response, sometimes it can be immediately apparent that urgent action is called for, but often there is a need for further assessment and information gathering. As such you should be contacted by a Social Worker to confirm what action is to be taken and to request additional information if appropriate.

Parents/carers will need to be informed that a Referral has been made. Agree with Children and Young People Social Care how this will be handled and by whom. It is important to avoid the risk of an abuser being alerted prematurely before the child can be protected or when police evidence could be destroyed.

Following a telephone referral a written confirmation should be sent to the Duty Team Manager or to the identified Social Worker.

All correspondence and information relating to a child protection incident must be treated in strict confidence and stored in a secure cabinet.

In the event of an allegation of abuse being made against an employee of JP Productions you should immediately inform the Named Person.

## Procedures

From this point onwards the Named Person will deal with any communications etc. with Children and Young People Social Care or any other agency, leaving the leader free to concentrate on the young person, and also to protect the anonymity of the leader.

The Named Person will establish contacts within the relevant Children and Young People Social Care offices whom they can consult for advice and information.



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
[www.codswallop.org.uk](http://www.codswallop.org.uk)  
 07902190002

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All concerns will be logged and further information added accordingly. This log will be kept strictly confidential in a locked cabinet. The key holder being the Named Person.

Every effort shall be made to validate all concerns and where appropriate the young person(s) and parents/guardians should be consulted.



[info@codswallop.org.uk](mailto:info@codswallop.org.uk)  
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