



MyOTAS Safeguarding and Child Protection Policy

The purpose of this policy is to outline the duty and responsibility of all staff, volunteers and trustees working for MyOTAS in relation to safeguarding children procedures.

The policy works alongside a clear procedure that will be implemented where safeguarding issues arise.

We recognise that:

- The welfare of the child/young person is paramount
- All children have the right to equal protection from all types of harm or abuse
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

We will seek to safeguard children and young people by:

- Valuing them, listening to and respecting them
- Recruiting staff and volunteers safely, ensuring all necessary checks are made
- Sharing information about child protection and good practice with children, parents, staff and volunteers
- Sharing information about concerns with agencies who need to know, and involving parents and children appropriately
- Providing effective management for staff and volunteers through supervision, support and training
- Cultural sensitivity - MyOTAS seeks to work in ways which are culturally sensitive and that respect the diverse nature of people.

Supervision

Supervision by appropriately trained staff should provide opportunities for staff and volunteers to:

- Discuss any issues concerning children's development or well-being
- Identify solutions to address issues as they arise
- Receive training to improve their personal effectiveness



The Role of Staff, Volunteers and Trustees

All staff, volunteers and trustees that work on behalf of MyOTAS have a duty to promote the welfare and safety of children. Staff, volunteers and trustees may receive disclosures of child abuse and observe children who are at risk. This policy will enable staff/volunteers to make informed and confident responses and decisions to any child protection issues that may arise.

What is Child Abuse?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or failing 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. They may be abused by an adult or adults, or another child or children. For more information refer to [Working Together to Safeguard Children \(2015 and 2018\)](#)

The 'Working Together to Safeguard Children' government guidance defines four categories of abuse as follows:

1. Physical abuse – This may involve hitting, shaking, throwing, scalding, burning or otherwise causing physical harm to a child.
2. Emotional abuse – This is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.
3. Sexual abuse – This type of abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware what is happening.
4. Neglect - This is the persistent failure to meet the child's basic physical or psychological needs, likely to result in the serious impairment of the child's health and development. It can include failing to provide adequate food, clothing and shelter, adequate supervision or failing to provide medical help when needed. Self-harm must also be taken seriously and may include self-mutilation, eating disorders, suicide threats and other gestures by a child. The possibility this may be caused by any form of abuse or neglect should not be overlooked.

Individuals must always be seen as children in need and offered help via available services.

A child may be experiencing abuse if he or she is:

- frequently dirty, hungry or inadequately dressed
- left in unsafe situations or without medical attention
- constantly "put down", insulted, sworn at or humiliated
- seems afraid of parents/carers
- severely bruised or injured
- displays sexual behaviour which doesn't seem appropriate for their age



- growing up in a home where there is domestic violence
- living with parents or carers involved in serious drug or alcohol abuse.

This list is not exhaustive and you may see other things in the child's behaviour or circumstances that worry you and may indicate child abuse.

Procedure in the Event of a Disclosure

It is important that children are protected from abuse. All complaints, allegations or suspicions must be taken seriously. This procedure must be followed whenever an allegation is made that a child has been abused or when there is a suspicion that a child has been abused.

If the complainant is the child, questions should be kept to the minimum necessary to understand what is being alleged.

Listening to the Child

DO

- Listen carefully
- Make accurate notes using the child's own words, sign and date it and hand immediately to MyOTAS' safeguarding officer
- Tell the child that they have done the right thing by telling you

DON'T

- Ask leading questions
- Use your own words to describe events
- Investigate
- Promise confidentiality.

It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is the task for the professional child protection agencies, following a referral from MyOTAS' designated child protection officer. Any suspicion, allegation or incident of alleged abuse must be immediately reported to MyOTAS' designated child protection officer. No professional has the right or responsibility to withhold information or to respect a child/young person's wish for confidentiality.



Safeguarding Children and Young People with Disabilities

Any concerns about the welfare of a child or young person with disabilities should be acted upon in the same way as any other child/young person although there is a need for a greater awareness of the possible indicators of abuse and/or neglect. When considering whether a child/young person with disabilities has been abused and/or neglected, ensure that the disability does not mask or deter an appropriate investigation of child protection concerns. Where a child or young person has disabilities, such as communication impairment or learning disabilities, special attention should be paid to communication needs, and to ascertain the child/young person's perception of events and their wishes and feelings.

MyOTAS' staff/volunteers must be alert to how a child/young person with disabilities may convey anxiety or duress through methods other than verbal communication.

Role of Designated Child Protection/Safeguarding Officer

The role of the designated child protection officer is to deal with all instances involving child protection that arises within MyOTAS. They will respond to all child protection concerns and enquiries.

The designated child protection officer for MyOTAS is Jenne Seibolt and in his absence the deputy designated child protection officer is Karen Cogger. The designated child protection officer responsibilities are:

- To refer suspected cases/allegations to Social Care/Police, ensuring that full explanation of any needs of the child/young person specific to their disability are supplied (include communication issues, how the disability affects the child/young person on a day to day basis etc)
- To be a source of expertise and advice
- Induction and ongoing training for all staff at least every three years
- To ensure MyOTAS' child protection procedure is updated and understood by all employees and volunteers
- To know how ESCB (Essex Safeguarding Children's Board) and case conferences work, and attend and contribute as required
- Keep clear child protection records
- Attend relevant or refresher training at least every three years
- Keep a record of decisions to share information with parents/social care



Record Keeping

Good record keeping for all child protection issues is essential. Decisions made not to refer must also be recorded. Records should include:

- Detailed child information (name (aka), address, dob, those with parental responsibility, primary carers, emergency contacts)
- Up to date chronology including all concerns, discussions, decisions, actions taken (signed, dated and timed)
- Key contacts in other agencies
- Disclosures: Make brief notes in child's own words at the time and write them up as soon as possible
- Do not destroy original notes (hand-written) recorded during meeting with the child/carer.
- Records should be objective and evidence based and be a statement of facts and observable things
- Non-verbal behaviours
- Keep separate from other information on the family, in a locked cabinet.

If a case is closed too quickly and the designated child protection officer does not agree with the outcome made by Social Care, MyOTAS can fully question their decision and ask to be talked through how the decision was made. If the designated child protection officer now agrees the case doesn't meet the guidelines but feel that the family may still need help, they can monitor and review the process. On the other hand, if the designated child protection officer doesn't agree with the decision made by Social Care, the case can be re-referred to Social Care. Consideration should also be made to re-refer to other agencies such as the Children & Families Hub (previously called the Family Operations Hub).

Confidentiality

All matters relating to child protection are confidential. The designated person will disclose personal information about a child to other members of staff on a need-to-know basis. All staff and volunteers have a professional responsibility to share relevant information about the protection of children with other agencies.

Staff cannot promise a child to keep secrets which might compromise the child's safety or well-being to that of another.



Consent

MyOTAS should inform children, young people and families on how information will be shared and seek their consent.

If there is significant change in the way the information is to be used, or a change in the relationship between the agency and the individual, consent should be sought again. It must be remembered that individuals have a right to withdraw or limit consent at any time. Informed consent means that the person giving consent needs to understand why information would be shared, who will see their information, what it will be used for and the implications of sharing that information.

The principle of seeking consent principle should always be one of openness with both parents and children. Adults (but also young people over the age of 16) are presumed to have capacity to give or withhold their consent to sharing of confidential information, unless there is evidence to the contrary under the Mental Capacity Act. A child, who is able to understand and make their own decisions, is able to give or refuse consent to share information. Every case should be assessed to gauge a child's understanding of consent explaining the information to the child in a way which is suitable for the child's age and likely understanding and through using their preferred method of communication. Where a child cannot consent, one person with parental responsibility should be asked to consent on behalf of the child. In these circumstances it remains important that practitioners seek the child's views as far as possible. When seeking parental consent, practitioners should ensure proper consideration is given to whose consent to seek. For example, where parents are separated consent should be sought from the parent with whom the child resides. Where a child is able to give informed consent, the practitioner must consider their consent or refusal even where a parent disagrees. In such circumstances the practitioner must encourage the child to discuss the issue with their parents and agree how this will be managed.

Practitioners must not withhold any service on the condition that parents are informed.

When Consent Should not be Sought

Wherever possible practitioners should seek consent to share information at their first contact whenever they are concerned about a child with additional needs, a child in need or a child in need of protection. There may however be some circumstances where they should not seek consent initially but even so should obtain consent when it is appropriate to do so. For example, if doing so would:

- place a person (the individual, family member, yourself or a third party) at increased risk of significant harm if a child, or serious harm if an adult
- prejudice the prevention, detection or prosecution of a serious crime
- lead to an unjustified delay in making enquiries about allegations of significant harm to a child, or serious harm to an adult
- lead to the risk of loss of evidential material



Information Sharing

When deciding how much detail you should share with Social Care and/or Police, there are seven golden rules for information sharing:

1. Remember that the Data Protection Act is not a barrier to sharing information
2. Be open and honest with the person (unless it is unsafe or inappropriate)
3. Seek advice if you are in any doubt, without disclosing the identity of the individual involved where possible
4. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information
5. Consider safety and well-being
6. Necessary, proportionate, relevant, accurate, timely and secure
7. Keep a record of your decision and the reasons for it – whether it is to share information or not

Safeguarding Children and Young People Online

MyOTAS promotes the safe use of technology and social media for staff and volunteers as well as children and young people who use technology during MyOTAS services.

Children and young people are supervised by MyOTAS staff/volunteers when they are using technology (such as iPads/IT Suite computers) to ensure they are used in an appropriate and safe manner. Computers/iPads require log in codes to be accessed and iPads have restricted use so only MyOTAS staff can buy/download apps.

MyOTAS' web server security blocks inappropriate sites, and sites that have been deemed unsuitable by MyOTAS and have also been individually blocked. Any sites or apps which can be accessed but are considered inappropriate must be reported to a senior member of staff. For a full copy of MyOTAS' Social Media and IT policy please contact info@myotas.org.

MyOTAS' Code of Conduct policy outlines that only the activity leader may carry or use a video or still camera device during sessions and events with children, young persons and vulnerable adults. Any photos/video of children will not be placed on any of MyOTAS' social media accounts or website without the written permission of the child's parent/carer.

Parents and carers are requested not to use cameras or other devices during the sessions without permission from other families and should not post photos/videos of other people's children on-line.



Uncollected Children and Young People

Parents remain with children and young people at MyOTAS events for most sessions but there are a few exceptions. Staff must ensure that children are collected by an authorised parent, carer or designated adult. No child is to be taken to the home of a member of staff, or away from the area in which the activity is taking place unless absolutely necessary. Every attempt must be made to contact an authorised parent, carer or designated adult.

Allegations of Child Abuse Made Against Staff or Volunteers of MYOTAS

Any allegation of abuse made against staff or volunteers must be dealt with fairly, quickly and consistently to provide effective protection for the child and at the same time supports the person who is subject to the allegation. The initial consideration/discussion is to consider the nature, content and context of the allegation and agree a course of action. Where an allegation is made against a member of staff or a volunteer, then they must be informed of the allegation as soon as possible. They should also be:

- Advised at the outset to seek relevant advice e.g. from CAB or a solicitor.
- Treated fairly and honestly and helped to understand the concerns expressed, processes involved and the possible outcomes.
- They must be kept clearly informed of the progress of the case and clearly informed of the outcome of any investigation and the implications for disciplinary or related processes.
- Provided with appropriate support during the case.
- Be kept informed about workplace developments if suspended.

Consideration of Suspension

The possible risk of harm posed by an accused person needs to be effectively evaluated and managed. In some cases this will require MyOTAS to consider suspending the person.

- A decision to suspend or to temporarily re-deploy staff is made without prejudice.
- Suspension should not be automatic, but should be considered in any case where:
 - o Not to suspend may continue or increase the risk of significant harm for any child or
 - o Not to suspend may hamper investigations or
 - o The allegation warrants investigation by the police or
 - o The allegation is so serious that it might be grounds for dismissal.



Where suspension is not appropriate, consideration should be given to putting safeguards in place to protect child/ren and the adult involved. If a suspended person is to return to work, appropriate help/support must be considered e.g. phased return and/or provision of a mentor and how to manage the person's contact with any child/ren that made the allegation.

All investigations into allegations should be completed and the outcome recorded, regardless of whether the person involved resigns his/her post, responsibilities or position of trust even if the person refuses to co-operate with the process.

'Compromise agreements' are where a person agrees to resign without any disciplinary action. Future references must not be used in these cases.

Disciplinary Procedures

Any disciplinary process must be separated from child protection enquiries.

Child protection enquiries take priority over any disciplinary investigations.

Investigations can be carried out concurrently.

It may be that the allegation was prompted by inappropriate behaviour, not considered sufficiently harmful under the child protection procedures, but which may still need to be considered under the disciplinary procedures.

Safer Recruitment

MyOTAS operates procedures that take account of the need to safeguard and promote the welfare of children and young people, including arrangements for checks on new staff, volunteers and trustees. In line with legislation including the Children Act 2004, in order to help safeguard and promote the welfare of all children, MyOTAS is committed to a thorough and consistent safer recruitment policy, comprising of the following recruitment and vetting checks:

- References;
- Previous Employment History;
- Identity Checks;
- Enhanced DBS Disclosure;
- Overseas Checks

Induction

All new members of staff undergo an induction that includes familiarisation with MyOTAS' child protection policy and identification of their child protection training needs.



All staff and volunteers working on behalf of MyOTAS will be given a copy of this policy within their staff or volunteers pack and also be alerted to the procedure for reporting concerns over child abuse. They will be made aware of and work within the guidelines of the SET (Southend, Essex and Thurrock) Child Protection Procedures as outlined by the Essex Safeguarding Children Board. A copy of the SET safeguarding and child protection procedures 2022 is available to all staff and volunteers on the Essex Safeguarding Children Board website www.escb.co.uk.

MyOTAS child protection procedure uses the 'Children & Families Hub Partner Access Map' from Essex Safeguarding Children Board.

This policy will be reviewed annually or when there is a change in circumstances, in work practices or the introduction of new legislation.

This Policy has been approved and authorised by:

Name: Danny Ireland

Position: Chair of Trustees

Date: 5/8/2022

Signature:

Review Date: August 2023