

# CULBOKIE COMMUNITY TRUST

[www.culbokiect.org](http://www.culbokiect.org)

e-mail: [info@culbokiect.org](mailto:info@culbokiect.org)



## CHILD PROTECTION POLICY

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### 1. Introduction

Culbokie Community Trust (CCT) will ensure that

- the welfare of the child is paramount
- all children, whatever their age, culture, disability, gender, language, racial origin religious beliefs and/or sexual identity have the right to protection from abuse
- all suspicions and allegations of abuse and poor practice will be taken seriously and responded to swiftly and appropriately
- all volunteers and staff have a responsibility to report concerns to the Chairperson of CCT (or secretary if the chairperson is the suspected abuser or is connected in any way e.g. relative, neighbour)
- procedures comply with Protection of Vulnerable Groups (Scotland) Act 2007, Children and Young People (Scotland) Act 2014 and National Guidance for Child Protection in Scotland 2014.

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### 2. Policy statement/aims

Culbokie Community Trust has a duty of care to safeguard all children involved in Culbokie Community Trust activities from harm. All children have a right to protection and the needs of disabled children and others who may be particularly vulnerable must be taken into account. Culbokie Community Trust will ensure the safety and protection of all children involved in its activities through adherence to this Child Protection Policy adopted by Culbokie Community Trust.

A child is defined as a person under the age of 18 (Children and Young People (Scotland) Act 2014).

## Policy aims

The aim of Culbokie Community Trust Child Protection Policy is to promote good practice:

- providing children with appropriate safety and protection whilst in the care of Culbokie Community Trust
  - allowing all staff /volunteers to make informed and confident responses to specific child protection issues.
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## 3. Promoting good practice

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation (both for the abused and the abuser). It is important to understand these feelings and not allow them to interfere with any judgement about the appropriate action to take.

Abuse can occur within many situations including the home, school and the working environment. Some individuals will actively seek employment or voluntary work with young people in order to harm them. An activity leader will have regular contact with children and be an important link in identifying cases where they need protection. All suspicious cases of poor practice should be reported following the guidelines in this document.

Being involved in activities can play a crucial role in improving a child's self-esteem. In such instances the activity leader should, where appropriate, try to ensure the child receives the required support to achieve success.

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## 4. Good practice guidelines

All CCT volunteers and staff should be encouraged to demonstrate exemplary behaviour in order to promote the welfare of children, and reduce the likelihood of allegations being made. The following are common sense examples of how to create a positive culture and climate.

### Good practice means:

- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets).
- Treating all children equally, and with respect and dignity.
- Always putting the welfare of each child first, before achieving goals.
- Building balanced relationships based on mutual trust which empowers children to share in the decision-making process.
- Making activities enjoyable and promoting cooperation and respect between participants.
- Ensuring that if any form of manual/physical support is required, it should be provided openly.
- Being an excellent role model - this includes not smoking or drinking alcohol in the company of children.
- Giving enthusiastic and constructive feedback rather than negative criticism.
- Recognising the developmental needs and capacity of children including those with disabilities - avoiding pushing them against their will.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.

### Practices never to be sanctioned

The following should **never** be sanctioned. You should never:

- engage in rough, physical or sexually provocative games, including horseplay
- allow or engage in any form of inappropriate touching
- allow children to use inappropriate language unchallenged
- make sexually suggestive comments to a child, even in fun
- reduce a child to tears as a form of control
- fail to act upon and record any allegations made by a child
- do things of a personal nature for children that they can do for themselves

**N.B.** It may sometimes be necessary for volunteers or staff to do things of a personal nature for children, particularly if they are young or are disabled. These tasks should only be carried out with the full understanding and consent of parents or guardians/carers and the persons involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out particular activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

#### **Incidents that must be reported/recorded**

If any of the following occur you should report this immediately to the Board chairperson (or secretary) and record the incident. You should also ensure the parents or guardians/carers of the child are informed:

- if you accidentally hurt a participant
  - if he/she seems distressed in any manner
  - if a person appears to be sexually aroused by your actions
  - if a person misunderstands or misinterprets something you have done.
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## **5. Use of photographic and filming equipment**

When taking photographs, videos or films of children, a photographer, other than the parent, guardian or carer of the child, should ensure that permission has been obtained prior to the event to ensure compliance with the Data Protection Act. Parents/carers are not required to comply with the Data Protection Act when taking photographs for their own private use of their own children at an organised event. However, parents/carers are not permitted to take photographs or to make a video recording for anything other than their own personal use. Where permission has been refused then no photographs/videos which include that child may be taken at that event.

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## **6. Recruitment and training of staff and volunteers**

Culbokie Community Trust recognises that anyone may have the potential to abuse children in some way and that all reasonable steps are taken to ensure unsuitable people are prevented from working with children.

### **Young People of 16 and 17 years old**

CCT has agreed that young people age 16 and 17 can take part in CCT activities unaccompanied, but must have consent from a parent/guardian.

CCT volunteers responsible for groups including 16 and 17 year olds will not normally need Child Protection Disclosure unless involved in tutoring, coaching or training young people. No special provision is necessary for 16 and 17 year olds over and above the standard duty of care to everybody taking part in the activity. However, parental permission is needed for all 16 and 17 year olds, whether accompanied or not. Parents/guardians should be aware of how the young person will get home.

### **Children under the Age of 16**

CCT does not normally take responsibility for unaccompanied children under 16. Any children taking part in CCT activities must have consent from parent or guardian or attend with the child as appropriate. Where consent is given and the parent or guardian will not attend with the child, and prior to the activity, account should be taken of Health and Safety and the skills and abilities required for safe participation in the activity.

## **Induction and conduct:**

All volunteers and staff responsible for children's activities will be required to familiarise themselves with the Good Practice Guidelines and must sign up to the Child Protection Policy. The details of proposed activities with children should be clarified and any training needs identified.

All staff and volunteers must be able to:

- Analyse their own practice against established good practice, and ensure their practice is not likely to result in allegations being made.
- Recognise their responsibilities and report any concerns about suspected poor practice or possible abuse.
- Respond to concerns expressed by a child.
- Work safely and effectively with children.

Culbokie Community Trust requires:

- Volunteers and staff to receive and abide by advisory information outlining good practice and informing them about what to do if they have concerns about the behaviour of an adult towards a child.

And where appropriate:

- Volunteers and staff to attend a recognised good practice and child protection awareness training workshop, to ensure their practice is exemplary and to facilitate the development of a positive culture towards good practice and child protection.

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## **7. Responding to allegations or suspicions**

It is not the responsibility of anyone working in Culbokie Community Trust, in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the Chairperson of the Board and appropriate authorities.

Culbokie Community Trust will assure that all volunteers and staff will fully support and protect anyone, who in good faith reports his or her concern that a colleague is, or may be, abusing a child.

Where there is a complaint against a volunteer or member of staff there may be three types of investigation:

- a criminal investigation conducted by the police
- an investigation of concerns about a child conducted by social services or a child protection investigation conducted jointly by police and social services
- a disciplinary or misconduct investigation, conducted by CCT independently.

The results of the police and child protection investigation may well influence and inform a disciplinary investigation, but all available information will be used to reach a decision.

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## **8. Reporting concerns about poor practice**

If, following consideration, the allegation is clearly about poor practice, the CCT Chairperson will deal with it as a misconduct issue.

If the allegation is about poor practice by the CCT Chairperson, or if the matter has been handled inadequately and concerns remain, it should be reported to the Board of Directors who will decide how to deal with the allegation and whether or not to initiate disciplinary proceedings.

## Reporting concerns about suspected abuse

Any suspicion that a child has been abused by a volunteer or member of staff should be reported to CCT Chairperson, who will take such steps as considered necessary to ensure the safety of the child in question and any other child who may be at risk.

The CCT Chairperson will refer the allegation to the social services department who may involve the police, and who may wish to speak directly to staff or volunteers who have information to contribute. The parents or guardians/carers of the child will be contacted as soon as possible following advice from the social services department.

The CCT Chairperson should also notify the Secretary of the Board of Directors. If the CCT Chairperson is the subject of the suspicion/allegation, the report must be directly to the Secretary of the Board of Directors who will, in turn, refer the allegation to Social Services.

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## 9. Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a **need to know** basis only. This includes the following people:

- the Chairperson
- the parents or guardians/carers of the person who is suspected of having been abused
- the person making the allegation
- social services/police
- the Board of Directors

Seek social services advice on who should approach the alleged abuser (or parents or guardians/carers if the alleged abuser is a child). CCT should not undertake any enquiries or share any information.

Information should be stored in a secure place with limited access to designated people, in line with data protection laws (e.g. that information is accurate, regularly updated, relevant and secure).

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## 10. Enquiries and further action

### Internal enquiries and possible suspension

The CCT Chairperson will make an immediate decision about whether any individual accused of abuse should be temporarily suspended pending further police and social services inquiries.

Irrespective of the findings of the social services or police inquiries, Culbokie Community Trust will appoint a Disciplinary Committee to assess all individual cases to decide whether a member of staff, or any person working on behalf of/representing the organisation should be reinstated and if so how this can be sensitively handled.

This may be a difficult decision; particularly where there is insufficient evidence to uphold any action by the police. In such cases the appointed Culbokie Community Trust Disciplinary Committee must reach a decision based upon the available information which could suggest that on a balance of probability, it is more likely than not that the allegation is true. The welfare of the child should remain of paramount importance throughout.

### Support to deal with the aftermath of abuse

Consideration should be given to the kind of support that volunteers and staff may need. Use of helplines, support groups and open meetings will maintain an open culture and help the healing process.

Scottish Counselling Directory is available from Scottish Counselling Services, 1<sup>st</sup> Floor, 62 Academy Street, Inverness, IV1 1LP. Tel: 0800 028 8533 / 07789 043156, Internet: <http://www.counselling-directory.org.uk/counsellors/scottish-counselling-services>

Consideration should be given to what kind of support may be appropriate for the alleged perpetrator.

## **Allegations of previous abuse**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or by a member of staff who is still currently working with children).

Where such an allegation is made, the company should follow the procedures as detailed above and report the matter to the social services or the police. This is because other children may be at risk from this person. Anyone who has a previous criminal conviction for offences related to abuse is automatically excluded from working with children. This is reinforced by the details of the National Guidance for Child protection in Scotland 2014.

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## **11. Bullying**

Every child has the right to experience activities in a safe environment free from abuse and bullying.

Voluntary organisations play an important role in creating a positive ethos that challenges bullying by empowering children to understand the impact of bullying, how best to deal with it and agree standards of behaviour.

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## **12. Providing information to police or social services**

Information about suspected abuse must be accurate and a detailed record should always be made at the time of the disclosure/concern. It should include the following:

- The child's name, age and date of birth of the child.
  - The child's home address and telephone number.
  - Whether or not the person making the report is expressing their own concerns or those of someone else.
  - The nature of the allegation. Include dates, times, any special factors and other relevant information.
  - Make a clear distinction between what is fact, opinion or hearsay.
  - A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes.
  - Details of witnesses to the incidents.
  - The child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
  - Have the parents or guardians/carers been contacted?
  - If so what has been said?
  - Has anyone else been consulted? If so record details.
  - If the child was not the person who reported the incident, has the child been spoken to? If so what was said?
  - Has anyone been alleged to be the abuser? Record details.
  - Where possible referral to the police or social services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.
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## **13. Records Retention**

The following records with direct relevance to Safeguarding Children will be securely retained for at least 25 years at the Registered Office:

- training records
- job applications
- the results of the CRB checks
- safeguarding risk assessments
- records of complaints and suspicions of breaches of the Child Protection Policy

**Adopted by the Board of Directors of Culbokie Community Trust Limited**

on ....25<sup>th</sup> September 2017

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