

Section 11 – Safeguarding & Promoting the Welfare of Children who may be particularly Vulnerable

Contents

<b>CROSS BOUNDARY ISSUES</b>	<b><a href="#">PAGE 6</a></b>
<u>Scope</u>	
<u>Children subject to a Child Protection Plan moving into another Local Authority Area</u>	
<u>Home Authority</u>	
<i>Lead Social Worker Responsibilities</i>	
<i>Team Manager Responsibilities</i>	<b><a href="#">PAGE 7</a></b>
<i>Child Protection List Custodian/Administrator Responsibilities</i>	
<i>Core Group Members</i>	<b><a href="#">PAGE 8</a></b>
<u>Host Authority</u>	
<i>Duty/Access Team Responsibilities</i>	
<i>Team Manager/Senior Practitioner Responsibilities</i>	
<u>Regional Arrangements for Child Protection Enquiries</u>	<b><a href="#">PAGE 9</a></b>
<u>Attribution of Safeguarding and Specialist Services Responsibility for Enquiries</u>	
<u>Procedure</u>	<b><a href="#">PAGE 10</a></b>
<u>Strategy Meeting</u>	<b><a href="#">PAGE 11</a></b>
<u>Outcome of Enquiries</u>	<b><a href="#">PAGE 12</a></b>
<u>s47 Enquiries</u>	
<b>LOOKED AFTER CHILDREN</b>	
<b>PRIVATE FOSTERING</b>	<b><a href="#">PAGE 13</a></b>
<b>CHILDREN &amp; YOUNG PEOPLE IN HOSPITAL</b>	<b><a href="#">PAGE 16</a></b>

**SAFEGUARDING & PROMOTING THE WELFARE OF CHILDREN & YOUNG PEOPLE IN CUSTODY** [PAGE 17](#)

Introduction

Services in relation to Children in Need

Action where there are concerns that a child is suffering or likely to suffer significant harm [PAGE 18](#)

Action when a child dies in a Juvenile Secure Establishment [PAGE 19](#)

Services in relation to Looked After Children

**WORKING WITH YOUNG PEOPLE WHO SEXUALLY ABUSE** [PAGE 20](#)

Sexually Activities between Young People

Criteria for Referral [PAGE 21](#)

*Criminal Justice Route Criteria*

*Concern Route Criteria*

*Young People moving into/receiving services in County Durham* [PAGE 22](#)

Response by Safeguarding and Specialist Services [PAGE 24](#)

*Strategy Meeting*

*Tasks of the Strategy Meeting*

*Initial Child Protection Conference* [PAGE 25](#)

*Multi-Disciplinary Meetings*

*Tasks of a Multi-Disciplinary Meeting* [PAGE 26](#)

**ABUSE BY CHILDREN & YOUNG PEOPLE**

Young People with Learning Disabilities

Race, Religious, Linguistic & Cultural Considerations

Physical Abuse [PAGE 27](#)

Self-Harm

**BULLYING** [PAGE 28](#)

Introduction

What is Bullying? [PAGE 29](#)

Cyberbullying

**SELF-HARM & SUICIDE: SAFEGUARDING CHILDREN & YOUNG PEOPLE** [PAGE 30](#)

Definitions – Self-Harm & Suicide

Responding to the Child or Young Person [PAGE 31](#)

Child or Young Person Requiring Hospital Treatment for Physical Harm

Multi-Agency Response [PAGE 32](#)

Family Court Proceedings [PAGE 32](#)

**CHILDREN WHOSE BEHAVIOUR INDICATES A LACK OF PARENTAL CONTROL** [PAGE 33](#)

**RACE, ETHNICITY & CULTURE** [PAGE 35](#)

**RACE & RACISM** [PAGE 36](#)

**DOMESTIC ABUSE: CHILDREN & YOUNG PEOPLE**

Definition of Domestic Abuse

Philosophy Underpinning this Guidance [PAGE 37](#)

Procedure for Referrals from Police to Safeguarding and Specialist Services & Health [PAGE 38](#)

Safeguarding and Specialist Services Response [PAGE 39](#)

Assessment of Risk [PAGE 40](#)

Managing Risk [PAGE 42](#)

Child Protection Process

Child Protection Conferences

**E-SAFETY** [PAGE 43](#)

Position Statement

Context

What is e-safety?

Why have an e-safety strategy?

Which technology/devices are involved? [PAGE 44](#)

Which agencies are covered by the policy? [PAGE 45](#)

Accountabilities [PAGE 46](#)

Expectations upon Agencies with a Safeguarding Responsibility

Policies, Procedures & Practices [PAGE 47](#)

Education, Training & Raising Awareness

Infrastructure & Technology Objectives

Inspection & Standards Objectives

Monitoring Impact [PAGE 48](#)

Useful Links

Flowchart [PAGE 49](#)

*e-safety incident flowchart – guidance notes* [PAGE 50](#)

Further Guidance & Tools to assist Agencies in developing an e-safety Procedure [PAGE 51](#)

Appendix 1 – Framework for an e-safety Policy [PAGE 52](#)

Appendix 2 – Framework for an ICT Assessment [PAGE 54](#)

Appendix 3 – Example of an Acceptable Use Policy – Young People [PAGE 57](#)

Appendix 4 – Example of an Acceptable Use Policy – Adults [PAGE 59](#)

**MISSING CHILDREN/YOUNG PEOPLE & PREGNANT WOMEN** [PAGE 61](#)

Recognition & Referral/Notification

Education

Health [PAGE 62](#)

Police

Safeguarding and Specialist Services

Strategy Meeting

[PAGE 63](#)

Follow-up Safeguarding and Specialist Services Action

When the Child/Young Person or Pregnant Women is Found

[PAGE 64](#)

Interviewing the Child/Young Person

[PAGE 65](#)

Decision-Making for All Cases

Children Missing from Other Local Authority Areas

Other Relevant Procedures

[PAGE 66](#)

**CHILDREN LIVING IN TEMPORARY ACCOMMODATION**

**UNACCOMPANIED ASYLUM SEEKING CHILDREN**

[PAGE 67](#)

## **CROSS BOUNDARY ISSUES**

### Scope

- 11.1 Vulnerable children regularly move across Local Authority boundaries; these moves can compromise their safety/ welfare because of the following factors:
- Lack of clarity over responsibilities and role;
  - Difficulty in monitoring the child's welfare and identifying risk;
  - Problems with information slippage.
- 11.2 These problems can be compounded by the nature of the move – planned, unplanned or temporary, permanent and the multiplicity of possible placements, e.g. foster, pre-adoptive, residential care placement, residential school, NHS facility or moving to live with members of their extended family.
- 11.3 This section does not distinguish between temporary or permanent moves or the nature of the accommodation in which the child or family are living. In all situations, when a child known to Safeguarding & Specialist Services moves to another Local Authority area, case responsibility lies with the Home authority Safeguarding & Specialist Services, until and unless a transfer of responsibility is agreed by the Host authority Safeguarding & Specialist Services. For the purpose of this section:
- “Home” refers to the authority holding case responsibility or the where the child normally lives; *and*
  - “Host” refers to the authority in which the child/family has moved to.
- 11.4 Wherever there is a request by the Home or Host Safeguarding & Specialist Services for a meeting to discuss the transfer of the case, this request should be met.

### Children subject to a Child Protection Plan moving into another Local Authority Area

#### Home Authority

#### *Lead Social Worker Responsibilities*

- 11.5 Immediately the Lead social worker becomes aware that a child/ren subject of a Child Protection Plan has moved/are planning to move they are responsible for the following tasks in consultation with their Team Manager/Senior Practitioner:
- Consider any statutory action on the part of the Home Authority in response to the move;

- Notify Host Authority Duty/Access Team by making a verbal referral to be followed by faxed Child Protection Proforma;
- Request contact details for appropriate Safeguarding Team in Host Authority;
- Notify own Child Protection List Custodian/Child Protection List Administrator followed by faxed Child Protection Proforma;
- Update Local Authority database;
- Notify Core Group members of change of circumstances – prime members to collate records for transmission to professional counterparts in Host Authority;
- Telephone contact with Team Manager/Senior Practitioner in Host Authority to discuss plans;
- Forward by recorded delivery copies of Child Protection Plan, Review Child Protection Conference report, Core Assessment;
- Visit child/family placement home to verify details and establish if child registered with GP/enrolled at school and future plans. Need to establish identity (full name, date of birth) of all significant others living in this placement/household;
- Lead social worker to forward contact details to Core Group members.

#### *Team Manager Responsibilities*

11.6 The Team Manager is responsible for ensuring via supervision/consultation that all the above tasks have been completed within agreed/appropriate timescales.

#### *Child Protection List Custodian/Child Protection List Administrator Responsibilities*

11.7 The Child Protection List Custodian will ensure that within the same day of notification from the Lead social worker that their counterpart in the Host Authority is informed of the move and that is followed up by a faxed copy of the Child Protection Proforma. The Child Protection List Custodian will seek monthly updates from the Lead social worker regarding progress and will liaise with the Host Authority if necessary.

### *Core Group Members Responsibilities*

- 11.8 All professional members of the Core Group will ensure that relevant records are prepared to share with counterparts in Host Authority. Records/reports will be sent once relevant personnel in Host Authority are confirmed.

### Host Authority

#### *Duty/Access Team Responsibilities*

- 11.9 Upon receipt of the notification from the Lead social worker in the Home Authority this team should log this as a child protection referral using the code that indicates a child/ren moving in from another Local Authority area. The Team should provide contact details for the appropriate Team Manager; they should prime this manager and forward the referral within one working day.

#### *Team Manager/Senior Practitioner Responsibilities*

- 11.10 The arrival in the Authority of a child/ren on another Local Authority's Child Protection List constitutes a significant child protection event that should be managed within standard child protection procedures.
- 11.11 Team Manager is responsible for convening a Strategy Meeting (if the move is planned with adequate warning) or a Strategy Discussion if the child has already moved into the area. Prior to the meeting the Team Manager must arrange for Safeguarding & Specialist Services/Child Protection List checks to be carried out on all significant others within the placement.
- 11.12 The purpose of this meeting will be to agree the following:
- Is the child at risk of significant harm in this placement within the Host Authority?
  - Does the Home Authority intend to retain case responsibility – if so are any services required to assist in the implementation of the Child Protection Plan?
  - If the Home Authority seeks to transfer case responsibility need to agree interim contact arrangements.
  - Inform other key agencies.
- 11.13 If the Home Authority wishes to retain responsibility the Host Authority must ensure that full details including contact data are recorded on SSID.

11.14 If the Home Authority wants to transfer case responsibility they must provide a report and send a representative to the transfer conference that will be convened by the Host Authority within 15 days of the Strategy Meeting.

#### Regional Arrangements for Child Protection Enquiries

11.15 A Local Authority has a lawful responsibility to conduct s47 enquiries regarding suspected or actual significant harm to a child who lives, or is found in their area.

11.16 In situations where the child is found, staying in or receiving a service from a Host Authority other than his/her Home Authority where he/she usually lives, it is not always clear which Authority is responsible for protecting the child and conducting enquiries.

11.17 The following are examples of these circumstances:

- A child found in one Authority but on another Authority's Child Protection List;
- A child looked after in another Local Authority;
- A child attending a boarding school in another area;
- A family currently receiving services from another Local Authority;
- A child staying temporarily in the area but whose family remain in the Home Authority;
- A family who have moved into the area, but where another Authority retains case responsibility temporarily;
- A child suspected of being abused, e.g. by a paedophile operating in the Host Authority.

#### Attribution of Safeguarding & Specialist Services Responsibility for Enquiries

11.18 Where more than one Authority is involved with a child, Safeguarding & Specialist Services responsibility for child protection enquiries will depend on whether the allegations or concerns arise in relation to the child's circumstances within his/her Home Authority or within their Host Authority.

11.19 The following principles must be applied:

- Immediate and full consultation and co-operation between both Host and Home Authorities, with both involved in the planning and undertaking of enquiries;

- Case responsibility for the child lies with the Home Authority;
- Where a child is not staying in the Home Authority at the time emergency action is required, any emergency action should be taken by the Host Authority unless agreement is reached between authorities for the Home Authority to take alternative action, e.g. if geographically close;
- Where allegations arise in relation to the child's home circumstances, the Home Police and Safeguarding & Specialist Services will lead the enquiry, involving the Host Authority where the child is placed;
- Where allegations arise in relation to the child's circumstances within the Host Authority, e.g. abuse in school or placement, the Host Safeguarding & Specialist Services will lead the enquiry liaising closely with the Home Authority (the Home Police retain responsibility but may negotiate with their colleagues in the Host area);
- Where emergencies and enquiries are dealt with by the Host Authority, responsibility for the child will usually revert to the Home Authority, following negotiations;
- Negotiation about responsibility must not cause delay in urgent situations;

### Procedure

11.20 There must be immediate contact between Home and Host Authorities, initiated by the Authority that receives the referral.

11.21 The Home and Host Authority will agree initially:

- any need for urgent action;
- responsibility for any urgent action and enquiries in accordance with the above principles;
- responsibility and plans for a Strategy Meeting;
- responsibility for liaison with other agencies.

11.22 The following must be told, and sent written confirmation, of the referral: (subject to the guidance on information sharing and are covered in the County Durham Protocol for Working Together in the Delivery Services to Adults and Children)

- The Social Worker for the child/ren or the relevant manager where there is no allocated Social Worker;

- The Team Managers for both Home and Host Authorities;
- (Where relevant) the placement officers of both Authorities;
- Other Local Authorities using the service or placement;
- The appropriate regulatory authority;
- The Local Authority where an alleged perpetrator lives and/or works subject to guidance.
- Other key agencies.

11.23 If agreement cannot be reached within the working day, Safeguarding & Specialist Services where the child is found has the responsibility to undertake the enquiry and take any protective action necessary.

#### Strategy Meetings

11.24 Strategy Meetings must be held within the timescales set generally for Strategy Meetings and be convened, administered and Chaired by the responsible Safeguarding & Specialist Services as defined above.

11.25 Attendance at the meeting must include:

- a managerial representative of the service provider (unless suspected of involvement in the child protection concerns);
- Home Authority responsible for the child/ren;
- Host Authority;
- Named Nurse Safeguarding Children;
- representatives of other agencies and authorities as decided by the responsible Safeguarding & Specialist Services (in consultation with the other authority).

11.26 Information provided to the Strategy Meeting will depend on the source of the concern, but must include basic details of the child/ren and family as well as relevant information about:

- family and (where applicable) placement history of the child;
- basic details about alleged abuser (where applicable) employment history for the staff member, foster carer, volunteer, etc.;
- any Child Protection Plan history for the establishment or service.

11.27 The minutes of the Strategy Meeting must include decisions, actions, responsibility for actions, timescales and process for review and closure.

### Outcome of Enquiries

- 11.28 The outcome must be conveyed in writing by the Social Worker to:
- all Local Authorities with children affected;
  - all Local Authorities using the same service or placement;
  - all agencies involved;
  - the child/ren where appropriate;
  - parents, carers and any others with Parental Responsibility;
  - the employee, foster carer, volunteer or other worker involved in the concerns;
  - the appropriate responsible authority;
  - the DoH or DfE as appropriate.

### s47 Enquiries

- 11.29 In the event that a family moves whilst s47 enquiries are being made, e.g. to a refuge in another Authority, the Home Authority should convene a Strategy Meeting within 72 hours which includes the Host Authority.
- 11.30 The Home Authority retains responsibility until the completion of enquiries unless an alternative is agreed. If a child protection conference is required it should be convened in the Host Authority.
- 11.31 Placement in temporary accommodation, often at a distance from previous support networks or involving frequent moves, can lead to individuals and families falling through the net and becoming disengaged from health, education, social care and welfare support systems. Children who come to the attention of statutory and voluntary agencies may need to have their needs assessed as a result of a transient lifestyle.

## **LOOKED AFTER CHILDREN**

- 11.32 The full range of safeguards which apply to all Looked After Children are set out in the relevant regulations, statutory guidance and National Minimum Standards. This procedure highlights certain issues of particular relevance to safeguarding.
- 11.33 Local Authorities placing children in another Local Authority area are required to notify the host authority prior to placement.
- 11.34 As part of their statutory responsibilities for planning children's care, social workers are required to maintain a regular up to date assessment of child's needs, see Looked After Children in foster care on their own and take appropriate account of the child's wishes and feelings. Evidence of their engagement with the child must be recorded so that the plan for the child's care is kept up to date, with the child being offered the right services to respond to the full range of their needs.

- 11.35 Independent Reviewing Officers (IROs) are responsible for chairing meetings that must be scheduled at prescribed intervals to review the child's care plan. IROs have specific responsibilities to ensure that the plan has taken the child's wishes and feelings into account and that their care plan remains appropriate in view of the child's needs, including their need to be effectively safeguarded.
- 11.36 Foster carers should be provided with full information about the foster child and his/her family, including details of the child's previous experiences of harm and/or neglect so that they can provide an appropriate pattern of care for the child, which takes into account the child's needs and those of the carers' own children.
- 11.37 Carers must be properly aware of the whereabouts of the children they look after, their patterns of absence and contacts. Carers should follow the recognised procedure of their agency whenever a child is missing from their home. This involves notifying the placing authority and, where necessary, the Police of any unauthorised absence by a child.
- 11.38 The Local Authority's duty to undertake s47 enquiries, when there are concerns about significant harm to a child, applies on the same basis to Looked After Children as it does to children who live with their own families. Enquiries should consider the safety of any other child living in the household/placement, including foster carers' own children. The Local Authority in which the child is living has the responsibility to convene a strategy discussion, which should include representatives from the responsible Local Authority that placed the child. At the strategy discussion it should be decided which Local Authority should take responsibility for the next steps, which may include a s47 enquiry. [For further details see Section 5.](#)

## **PRIVATE FOSTERING**

- 11.39 A private fostering arrangement is essentially one that is made privately (i.e. without the involvement of a Local Authority) for the care of a child under the age of 16, under 18 if disabled, by someone other than a parent or close relative for 28 days or more, in the carer's own home.
- 11.40 Privately fostered children are a diverse and potentially vulnerable group. They include:
- Children where arrangements are made due to parental illness or distress or when parents' work or study involves long or anti-social hours;

- Young people who stay with friends because they have fallen out with their parents and who may not be in touch with agencies such as education services;
  - Children staying with families while attending a school away from their home area; *and*
  - Children from overseas whose parents do not reside in this country.
- 11.41 Under the Children Act 1989, private foster carers and those with Parental Responsibility are required to notify the Local Authority of their intention to privately foster; or to have a child privately fostered, or where a child is privately fostered in an emergency. Teachers, health and other professionals, such as Youth Offending Team (YOT) workers, should notify the Local Authority of a private fostering arrangement that comes to their attention where they are not satisfied that the Local Authority has been, or will be, notified of the arrangement.
- 11.42 It is the duty of every local authority to satisfy itself that the welfare of children who are privately fostered within its area is being satisfactorily safeguarded and promoted, and to ensure that such advice as appears to be required is given to private foster carers. In order to do so, local authority officers must visit privately fostered children at regular intervals and the minimum visiting requirements are set out in the Children (Private Arrangements for Fostering) Regulations 2005. The Local Authority officer should visit a child alone unless the officer considers it inappropriate. Local authorities must also arrange for visits to be made to the privately fostered child, the private foster carer, or parent of the child when reasonably requested to do so. Children should be given contact details of the social worker who will be visiting them while they are being privately fostered.
- 11.43 Local authorities must satisfy themselves as to such matters as the suitability of the private foster carer and the private foster carer's household and accommodation. They have the power to impose requirements on the private foster carer or, if there are serious concerns about an arrangement, to prohibit it.
- 11.44 The Children Act 1989 creates a number of offences in connection with private fostering, including for failure to notify an arrangement or to comply with any requirement or prohibition imposed by the authority. Certain people are disqualified from being private foster carers.
- 11.45 Local Authorities are required to promote awareness in their area of notification requirements, and to ensure that such advice as appears to be required is given to those concerned with children who are, or are proposed to be, privately fostered. This includes private foster carers (proposed and actual) and parents.

- 11.46 The Children (Private Arrangements for Fostering) Regulations 2005 require Local Authorities to satisfy themselves of the suitability of a proposed arrangement before it commences (where advance notice is given).
- 11.47 The private fostering regulations require Local Authorities to monitor their compliance with all their duties and functions in relation to private fostering, and place a duty on them to appoint an officer for this purpose.
- 11.48 In addition, Local Authorities are inspected against the National Minimum Standards for private fostering.
- 11.49 The Children Act 2004 and regulations strengthen and enhance the private fostering notification scheme, and provide additional safeguards for privately fostered children. These measures, along with the National Minimum Standards and the role of LSCBs in relation to private fostering, focus Local Authorities' attention on private fostering and require them to take a more proactive approach to identifying arrangements in their area.
- 11.50 Private fostering is a key area of child protection. Privately fostered children may be very vulnerable if private fostering arrangements have not been notified to the local authority. Local Authorities are expected to improve notification rates and compliance with the existing legislative framework for private fostering to safeguard privately fostered children.
- 11.51 All professionals working with children have an important role in relation to safeguarding privately fostered children. If they become aware of a private fostering arrangement, and they are not confident that it has been notified to the Local Authority, they should contact the Local Authority themselves. LSCBs can play a vital role in helping protect children who are privately fostered, exercising leadership and raising awareness in the community of the requirements and issues around private fostering.
- 11.52 Children Act 1989 guidance on private fostering, issued in July 2005, reflects the new measures on private fostering in the Children Act 2004 and in the regulations.

## CHILDREN AND YOUNG PEOPLE IN HOSPITAL

- 11.53 *The National Service Framework for Children, Young People and Maternity Services (NSF), (2004)* sets out standards for children and young people's healthcare. Standard 6, 'Children who are ill' should be used in conjunction with Standard 7 'Children in Hospital', which was published in 2003 to meet the commitment made in the Government's response to *The Report of the Public Enquiry into Children's Heart Surgery at the Bristol Royal Infirmary 1984-1995: Learning from Bristol to develop hospital services for children and young people*. The Healthcare Commission undertook an improvement review of the NHS implementation of the hospital standard in 2006.
- 11.54 Children and young people should be cared for at home wherever possible providing it is safe and sustainable to do so. When admission to hospital is unavoidable the highest standards of privacy and dignity must be maintained and care should be provided in a location and environment that is safe, healthy, child friendly and suitable to the age and stage of development of the child or young person (*NSF Standard 7, 2003*). Care should be provided by staff who have been trained and educated in the care of children and young people. Nursing care should be delivered by a ratio of staff supervised by registered children's nurses to ensure safe standards of care. Children should not be cared for in an adult ward; where treatment and care will continue into adulthood arrangements should be in place to plan and facilitate a smooth transition to adult services at a time when the young person is ready to make this change. Where there is no adolescent unit available hospitals should take the additional needs of adolescents into account and provide appropriate facilities. Wherever possible, children and young people should be consulted about where they would prefer to stay in hospital and their views should be taken into account and respected. Hospital admission data should include the age of children so that hospitals can monitor whether they are being given appropriate care in appropriate wards.
- 11.55 When children are in hospital, this should not in itself jeopardise the health of the child or young person further. The NSF requires hospitals to ensure that their facilities are secure and regularly reviewed. There should be policies relating to breaches of security involving the police and local safeguarding procedures should be followed should there be suspicion of child abuse. The local authority where the hospital is located is responsible for the welfare of children in its hospitals. Primary Care Trusts (PCTs) are responsible for ensuring hospitals commissioned to provide services for their children and young people population have processes in place to protect them including out of area services.

- 11.56 Additionally, section 85 of the Children Act 1989 requires PCTs to notify the ‘Responsible Authority’ – i.e. the local authority for the area where the child is ordinarily resident, or where the child is accommodated if this is unclear – when a child has been, or will be, accommodated by the PCT for three months or more for example, in hospital. This is so that the local authority can assess the child’s needs and decide whether services are required under the Children Act 1989. Arrangements for this notification process should be included by PCTs in local contracts.

## **SAFEGUARDING & PROMOTING THE WELFARE OF CHILDREN/YOUNG PEOPLE IN CUSTODY**

### Introduction

- 11.57 Mr Justice Munby’s judgment, handed down on 29 November 2002, ruled that, “The (Children) Act (1989) applies to children in Prison Service establishments (including Young Offender Institutions, Secure Training Centres (STCs), subject to the necessary requirements of imprisonment. Accordingly, the functions, powers, duties, responsibilities and obligations conferred or imposed on Local Authorities by the Act (and, in particular, by Sections 17 and 47 of the Act) do not cease to arise merely because a child is in a Young Offender Institution or other Secure establishment; however such functions, powers, duties, responsibilities and obligations take effect and operate subject to the necessary requirements of imprisonment”.
- 11.58 Arrangements are being made, funded by the Youth Justice Board (YJB), to put in place Service Level Agreements between Local Authorities, Juvenile Group (Prison Service), custodial establishments and the YJB. This will set out the arrangements and mutual responsibilities of the parties concerned for the assessment of children and provision of services under the Children Act 1989 by Local Authorities to children held in custody. The four main areas of service provided by Local Authorities will be:

### Services in relation to Children in Need

- 11.59 Mr Justice Munby stated in his judgment that “very large numbers of children in custodial establishments are in one sense of the phrase ‘children in need’ – indeed children in desperate need”. However, he went on to say, “It does not follow however that they are in the statutory sense children whose needs will not be properly met without the provision of Local Authority Social Services”.

- 11.60 Where a child or young person has been receiving services under Part III of the Children Act 1989 immediately prior to entering custody, from the Local Authority in whose area he/she was living, then as part of his/her responsibility for sentence and discharge planning, the YOT worker for the area where the child was living should request relevant information from the Local Authority Safeguarding & Specialist Services. This information may include, for example, the results of any assessments under the "Framework for the Assessment of Children in Need and Their Families". He/she will then need to discuss with Safeguarding & Specialist Services in whose area the child will be living, as part of planning for the child's discharge, what services Safeguarding & Specialist Services will provide to the child when he/she is discharged.
- 11.61 Where a child has not been receiving services from Safeguarding & Specialist Services immediately prior to entering custody, the Safeguarding & Specialist Services in whose area the custodial establishment is located will need to make a judgement about whether the child is likely to be a "child in need" on release, and will therefore need services provided by the Safeguarding & Specialist Services in whose area he/she will be living, on discharge. Where this is so, then they should make a referral to the relevant YOT Team or Safeguarding & Specialist Services.
- 11.62 There may be occasions, for example, for a disabled child or young person, or a child with unmet mental health needs, where a child or young person in custody requires an assessment using the "Framework for the Assessment of Children in Need and their Families" and services provided to meet those needs while in custody: this will be the responsibility of the Safeguarding & Specialist Services in whose area the custodial establishment or Secure Training Centre is located.

Action where there are concerns that a child is suffering or likely to suffer significant harm

- 11.63 It is the Safeguarding & Specialist Services in whose area the custodial establishment is located which is responsible for carrying out s47 enquiries in relation to any child in custody who they have reasonable cause to suspect is suffering, or likely to suffer, significant harm.
- 11.64 If a child in custody makes allegations about abuse that happened before they entered the custodial establishment, or it becomes clear that they may be at risk of significant harm on leaving the establishment, the Safeguarding & Specialist Services in whose area the custodial establishment is located will need to initiate s47 enquiries, and negotiate transfer to the Safeguarding & Specialist Services in whose area the child was living or will be living, or where the abuse is alleged to have taken place, where appropriate.

### Action when a child dies in a juvenile secure establishment

- 11.65 When a child in custody dies, or where a child in custody sustains a potentially life-threatening injury, or serious and permanent impairment of health or development, then 8.9 of *Working Together to Safeguard Children* applies, “a serious case review should always be carried out when a child dies in custody, either in police custody, on remand or following sentencing, in a Young Offender Institution (YOI) a Secure Training Centre (STC) or secure children’s home, or where the child was detained under the mental health act 2005.”
- 11.66 The Prisons & Probation Ombudsman (PPO) is responsible for investigating all deaths in Prison Service custody. Any Serious Case Review under Chapter 8 of *Working Together to Safeguard Children* 2010 will need to link to the Ombudsman’s investigation. Guidance will be forthcoming on how any proposed statutory remit of the PPO will work alongside the statutory remit of a Serious Case Review and any YJB Serious Incident Review.

### Services in relation to Looked After Children

- 11.67 Where a looked after child who is the subject of a court order placing Parental Responsibility on a Council enters a custodial establishment or STC, or is placed there on remand, the *responsible authority*, i.e. the one that looks after him/her, has continuing responsibilities towards his/her welfare, as a corporate parent. Where these children are 16+ they would be “eligible” children and entitled to leaving care services.
- 11.68 It is therefore expected that the responsible Safeguarding & Specialist Services will make arrangements for regular contact with any child who is looked after under a care order while they are in custody, whether by visiting themselves or by making arrangements with the Safeguarding & Specialist Services in whose area the custodial establishment or Secure Training Centre is located. The responsible Safeguarding & Specialist Services should arrange to maintain regular contact with the child and reviews of his/her care plan or pathway plan should continue. The responsible Safeguarding & Specialist Services should also ensure that ongoing contact with siblings, where that is part of the care plan, is facilitated. When considering where the young person should live on release from custody, it will be necessary to make appropriate plans in advance of the end of the sentence. It will be important to assess the parental capacity to resume care of the young person or to plan for their move to a placement that is appropriate to meeting the needs identified in the care or pathway plan.

- 11.69 Where a child who has previously been an "accommodated" child under s20 of the Children Act enters custody, he/she does not remain a looked after child. The Safeguarding & Specialist Services where he/she is to live on release must establish arrangements for his/her care on release, including carrying out an assessment of his/her needs and arranging for services, including accommodation if necessary. The Safeguarding & Specialist Services in whose area the custodial establishment or Secure Training Centre is located will need to identify where the young person is to live on release and contact the relevant authority. The young person may need to resume his/her "accommodated" status or, depending on his/her age, he/she may be a "relevant" care leaver as defined in the Children Act 1989 s23 and s24. Where a Safeguarding & Specialist Services will resume responsibility for the care of a child on discharge from custody, it is important that contact with him/her is maintained by that Safeguarding & Specialist Services.
- 11.70 All young people in custodial establishments will have an allocated YOS/YOT worker from the area in which the young person normally resides. All planning and reviews in respect of that young person must be undertaken jointly with the YOS/YOT worker.

## **WORKING WITH YOUNG PEOPLE WHO SEXUALLY ABUSE**

### **[Refer to the County Durham LSCB Assessment, Intervention and Moving On \(AIM\) Procedures.](#)**

- 11.71 Work with adult sex abusers has shown that many of them begin committing their abusive acts during childhood or adolescence and that significant numbers have suffered from abuse themselves. It is therefore an important child protection function to ensure that such behaviour is treated seriously and is always subject to a referral to child protection agencies - children and young people who are abusers are themselves in need of services.

### **Sexual Activities between Young People**

- 11.72 Sexual activities between young people below the age of consent, coming to the attention of an agency, should be referred to the Safeguarding & Specialist Services where there is concern that this is abusive for either young person. (Refer to Sexually Active Children under [Section 5](#))
- 11.73 Incestuous relationships or any suspicion that coercion has taken place will always require a referral.

### Criteria for Referral

11.74 The three routes to an AIM assessment/Information Sharing meeting are:

1. Criminal Justice Route.
2. Concern Route.
3. Young People moving into/receiving services within County Durham.

11.75 The following criteria should be considered for each route prior to a referral being made:

#### *Criminal Justice Route Criteria*

11.76 A child or young person under the age of 18 years who has committed sexual abuse against children, adolescents and adults, within the family, outside the family or against a stranger.

11.77 An AIM referral and assessment will apply to:

- young people who admit the abuse but whose behaviour is deemed so serious at the onset that the Police make an immediate decision to charge.
- young people who admit the offence but have previous offences and are therefore not eligible for the Final Warning and Reprimand Scheme and are immediately charged.
- young people who admit the offence and are likely to receive a Reprimand or Final Warning. The AIM assessment will form part of the Final Warning assessment that is undertaken before the warning is formally delivered.
- young people who have been subject to no further action following an allegation of sexually harmful behaviour may be considered as appropriate for referral via the concern route.

#### *Concern Route Criteria*

11.78 These behaviours tend to go beyond normal exploration and experimentation generating concern that indicates a referral. The list is not exhaustive and any sexual behaviour that is considered inappropriate, after discussion with line manager should be considered for referral.

11.79 Behaviour which would cause concern may include:

- pre-occupation with sexual matters.
- use of sexually explicit language and jokes with a theme of humiliation and targeting of a specific person.

- young person tending to be socially involved with younger children (requires judgement).
- repeated and explicit sexual conversations especially with younger children.
- pre-occupation with pornography especially with violent or sadistic theme.
- pre-occupation with masturbation.
- excessive masturbation either in private or in public.
- non-contact behaviours such as obscene communication.

11.80 **There should be a number of repeated incidents, however minor as opposed to a single incident.** It must also be remembered that concerns must be regarding behaviour that is considered to be sexually harmful to others.

11.81 The young person may present with inappropriate behaviour/s in a variety of settings including:

- School;
- Hospital;
- Home;
- Youth clubs;
- After school club;
- Residential care;
- Foster care;
- External service providers.

11.82 For Operational Managers, further guidance to assist with the decision-making process in respect of appropriate and inappropriate sexual behaviour can be located in [Appendix 2 of the AIM procedures](#).

*Young person moving into/receiving services within County Durham*

11.83 The placement may be within:

- private foster care placements.
- private residential placements.
- Durham Local Authority residential homes.
- extended family or friends.

11.84 Young people with the following need to be referred to the Youth Offending Service:

- If the young person has received a Final Warning or Reprimand for sexual offence/s. The offences can be either current or historical.
- If the young person has been charged and convicted of a sexual offence/s. The offences can be either current or historical.

- If the young person is subject to Police bail (section 47.3 under The Bail Act) following an allegation of sexually harmful behaviour perpetrated against an adult or child.
- If a young person's sexual behaviour has caused concern by other professionals or carers but has not resulted in any criminal proceedings taking place.

11.85 Any practitioner should refer to Safeguarding & Specialist Services any child or young person where there is reason to suspect that s/he has sexually abused.

11.86 In order to determine whether the relationship presents a risk to the young person, the following factors should be considered:

- Whether the young person is competent to understand, and consent to, the sexual activity they are involved in;
- The nature of the relationship between those involved, particularly if there are age or power imbalances as outlined above;
- Where overt aggression, coercion or bribery was involved including misuse of substances as a disinhibitor;
- Whether the young person's own behaviour, for example through misuse of substances, places them in a position where they are unable to make an informed choice about the activity;
- Any attempts to secure secrecy by the sexual partner beyond what would be considered usual in a teenage relationship;
- Whether the sexual partner is known by the agency as having other problematic relationships with similar young people;
- Whether the young person denies, minimises or accepts concerns;
- Whether methods used to secure compliance and/or secrecy by the sexual partner are consistent with behaviours considered to be 'grooming' as per sexual exploitation.

## Response by Safeguarding & Specialist Services

### *Strategy Meeting*

- 11.87 A Strategy Meeting is to take place within one working day and must be co-ordinated with the Information Exchange/AIM meeting as outlined in the AIM procedures. This is to be separate to any Strategy Meeting/Discussion held in respect of the victim of abuse, except where the abusing child or young person and the victim are siblings/members of the same household/family.
- 11.88 It is essential that appropriate agency representatives are invited to the Strategy Meeting. This must include the Named Nurse Safeguarding Children, Named Nurse Looked After Children, the Youth Offending Service, where involved, and a representative from any local specialist project, such as NSPCC Kaleidoscope, Kolvin Unit, who work with children and young people who display sexually harmful behaviour.

### *Tasks of the Strategy Meeting*

- 11.89 The Strategy Meeting is to produce a shared multi-disciplinary plan, which addresses as far as possible, on the available information:
- Child welfare concerns for this child/young person;
  - The safety of potential victims including siblings;
  - Risk management at home, in school and in the wider community;
  - Future living arrangements for the young person;
  - School attendance and related education issues;
  - Support for this child/young person and their family;
  - The needs of this child/young person;
  - Relevant victim issues;
  - Outlining roles, tasks and expectations for different professionals/agencies;
  - Referral into the public protection system;
  - Whether child protection enquiries (s47) are necessary in respect of the child/young person.
- 11.90 In situations where the AIM framework **must be** applied and the Youth Offending Service Worker is to take the lead (unless different local arrangements exist), Safeguarding & Specialist Services are to identify, or confirm, the name of the co-worker.
- 11.91 In other situations, the Strategy Meeting is to decide whether an AIM assessment is to proceed. If not, the reason and any alternative model of assessment is to be decided. In either case who is to undertake the assessment should be decided and recorded.

11.92 A further meeting is to be arranged to consider the completed assessment report, which must be held within 15 working days of the Strategy Meeting. This will be either:

- a child protection conference – where this is necessary (see below); or
- a Multi-Disciplinary Meeting (see below).

11.93 Responsibility for the organisation and recording of the Conference will be in accordance with these procedures. Responsibility for the organisation and recording of the Multi-Disciplinary review meeting is to be agreed at the Strategy Meeting. This should be the Youth Offending Service Worker, where they are taking the lead.

#### *Initial Child Protection Conference*

11.94 It is not an automatic step for a child or young person who has abused, or is alleged to have abused, to be made the subject of a child protection conference. This is only to happen where, following any child protection enquiry (s47):

- the child/young person is identified as being at continuing risk of significant harm, separate to his or her own sexually harmful behaviour;
- a sibling/other child in family is at continuing risk of significant harm.

11.95 Where a child protection conference is held, this must be within 15 working days of the Strategy Meeting. The AIM assessment (or other) must be completed and the report made available for the conference.

11.96 Procedures for child protection conferences outlined in [Section 5](#) must be applied.

#### *Multi-Disciplinary Meetings*

11.97 A Multi-Disciplinary Meeting is to be held within 15 working days of the Strategy Meeting, unless a child protection conference is being held to review the plan.

11.98 The AIM assessment report should be made available for the Chair and those invited to attend the meeting, three working days prior to the date of the meeting.

11.99 The assessors and any other relevant professionals must attend the meeting. In circumstances when the assessors cannot attend, a representative must be sent in their place. Parents/carers and the young person are to be invited to attend the meeting following consultation with other agencies and at the discretion of the Chair.

### *Tasks of a Multi-Disciplinary Meeting*

- 11.100 The first meeting is to consider the completed AIM (or other) Assessment Report and produce a shared multi-disciplinary plan, which addresses:
- any need for further assessment;
  - whether there should be a referral into the public protection system (MAPPA arrangements).
- 11.101 Further Multi-Disciplinary Meetings are to be arranged between those involved, to oversee the ongoing implementation of the plan, review its effectiveness and make changes as necessary. These meetings should be held as often as deemed necessary by those involved, based on the outcome of the AIM (or other) assessment.

### **ABUSE BY CHILDREN/YOUNG PEOPLE**

**This section should be reading conjunction with the AIM Procedures and ‘Working with Young People who Sexually Abuse’.**

- 11.102 When an allegation is made against a child/young person there should be a co-ordinated approach on the part of all agencies working with children, including those concerned with Youth Justice, Child Welfare, Education, Educational Psychology, and Health, including Child & Adolescent Mental Health. Action taken by any agency must be done with appropriate consultation.
- 11.103 The needs of a child/young person who abuses must be looked at separately from the needs of their victims. The victim’s safety must be addressed at all times.

### Young People with Learning Disabilities

- 11.104 If the abuser has learning disabilities, any investigation or assessment should be informed by specialist advice from professionals who are knowledgeable about the particular needs of this group of young people and who can apply the knowledge to this particular young person.

### Race, Religious, Linguistic & Cultural Considerations

- 11.105 As with all aspects of these procedures, there should be sensitivity to racial, cultural, and linguistic differences and needs. ([See this section for Race, Ethnicity & Culture](#)).

### Physical Abuse

11.106 Minor physical assaults by a child on another child (the equivalent to schoolchild disputes) will not normally come within child protection procedures, whether the child be resident in the community, Local Authority accommodation or elsewhere, unless the assault is one of a serious nature, there is a significant age difference, there appears to be an issue of intimidation or the victim can be shown to be subject to systematic bullying.

### Self-Harm

11.107 Behaviour on the part of a child or young person that is self-harmful may take a variety of forms. This would include such behaviour as self-inflicted physical injury, placing oneself in danger as a result of running away, refusal to eat or drug/substance misuse. Such children enter the category of a child in need and should be assessed for the provision of services to meet their need.

11.108 The behaviour may be identified in a variety of contexts - home, nursery, school, residential or foster placements. A range of people such as parents, carers or professionals may also identify it.

11.109 Anyone identifying such behaviour must act responsibly and take appropriate action to ensure that the best possible understanding of the behaviour is achieved. The risks to the child or young person as a result of that behaviour must be taken into account to safeguard the child or young person's welfare in the most appropriate and effective manner. The reasons behind self-harmful behaviour are complex and may be referred by professionals for specialist advice. Throughout the process, however, from the identification of the behaviour onwards, the possibility that the behaviour may result from an abusive experience/situation for the child/young person, either in the past or present, must be a consideration.

11.110 If this is alleged or suspected, then child protection procedures should be applied, as they are the appropriate mechanism for ensuring the protection of the child/young person.

11.111 If, in the case of a woman who is pregnant or who has a child, and the self-harming behaviour places the foetus or child/young person at risk of significant harm, then child protection procedures should be applied in respect of the foetus or child/young person.

11.112 Risk is likely to remain present unless:

- the opportunity to abuse is ended;
- the young person acknowledges the abusive behaviour and accepts responsibility;

- there is an agreement by the alleged abuser and his/her family to work with professionals to address the problems.
- 11.113 If a child/young person is abused by another child/young person and this is assessed to constitute a referral under these procedures the safety of both victim and perpetrator must be ensured immediately.
- 11.114 With regard to the victim of the abuse, the s47 enquiries needs to indicate if there should be a child protection conference to determine if further risk of abuse is still likely for the child or young person (if information available).
- 11.115 If indicated by the s47 enquiries there should be a child protection conference in respect of the alleged abuser to address current knowledge of:
- the alleged abuser;
  - the family circumstances;
  - the offence committed;
  - the level of understanding he/she has of the offence;
  - the need for further work.
- 11.116 Care should be taken when making plans for the safeguarding of the wellbeing of the alleged perpetrator that other young people are not put at risk or left at risk. Protecting other children or young people who are especially vulnerable, e.g. by virtue of their age, gender, disability or because they have previously been victims of any form of abuse, must be a consideration.
- 11.117 In cases where there is a child protection conference in respect of both the victim and the alleged abuser, the same person should (where possible) chair the Initial Child Protection Conference for both.

## **BULLYING**

### Introduction

- 11.118 The Government has made tackling bullying a key priority and the Department for Children, Schools and Families (DfE) has made it clear that all forms of bullying, including those motivated by prejudice, must not be tolerated and should always be dealt with appropriately. No one should suffer the pain and indignity that bullying can cause.
- 11.119 All children have an absolute right to live and to be educated in a safe and secure environment and to be protected from others who may wish to harm, degrade or abuse them. There is no justification whatsoever for bullying behaviour and it should not be tolerated in any form. Differences of race, religion, gender, sexual orientation and ability never give grounds for bullying behaviour.

### What is Bullying?

- 11.120 Bullying is a subjective experience and can take many forms, making it extremely difficult to define. Children, young people and adults can instigate bullying. The nature of bullying is changing and evolving as technology develops. Bullying via the internet (cyberbullying) or through the use of mobile phones now affects many young people and appears to be on the increase.
- Behaviour by an individual or group usually repeated over time, that intentionally hurts another individual or group either physically or emotionally
  - One-off incidents can in some cases also be defined as bullying
  - An imbalance of power leaving the person bullied feeling defenceless
  - Emotionally or physically harmful behaviour
- 11.121 It could involve name-calling, taunting, mocking, making offensive comments, kicking, hitting, pushing, taking belongings, inappropriate text messaging and e-mailing, sending offensive or degrading images by phone or via the internet, gossiping, excluding people from groups and spreading hurtful or untruthful rumours.
- 11.122 Although sometimes occurring between two individuals in isolation, it can also take place in the presence of others.
- 11.123 Further details can be found in the 'Staying Safe Action Plan'.

### Cyberbullying

- 11.124 New technologies like the internet and mobile phones extend the reach of bullying and offer new opportunities for bullies to harm their victims. 'Cyberbullying' is now a feature in the lives of many people and there is concern that levels of cyberbullying are increasing.
- 11.125 Cyberbullying can take place anywhere, and at anytime, including in the victim's own home. An isolated incident of cyberbullying can lead to a child becoming a victim again on multiple occasions, for example a degrading or humiliating photograph taken on a mobile phone can be sent to a number of people.
- 11.126 'Unlike other forms of bullying, cyberbullying can follow children and young people into their private spaces and outside school hours; there is no safe haven for the person being bullied. Cyberbullies can communicate their messages to a wide audience with remarkable speed, and can often remain unseen and unidentifiable.'

- 11.127 Durham Local Safeguarding Children Board takes seriously all bullying of young people and supports Durham County Council's Anti-Bullying Service's policy and guidelines.
- 11.128 Services for young people across Durham are required to have their own anti-bullying policy or adopt the County Council policy.
- 11.129 This includes:
- Be alert to for the signs of bullying.
  - Have appropriate mechanisms for making children and young people who allege they have been bullied immediately safe.
  - Investigate incidents and clearly stipulate what actions will be taken.
  - Record incidents and action taken.
  - Organisations will have to consider how their anti bullying policy links with their child protection procedures.
- 11.130 Working Together to Safeguard Children 2010 identifies abuse and neglect as forms of maltreatment of a child. 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 institution 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.
- 11.131 Serious bullying has been included in the Working Together category of emotional abuse.
- 11.132 Any professional concerned about a child who they consider is being seriously bullied should consult their own polices and if appropriate make a referral to the safeguarding specialist. Initial Response Team 08458505010.

## **SELF-HARM AND SUICIDE: SAFEGUARDING CHILDREN & YOUNG PEOPLE**

- 11.133 Any child or young person who self-harms or expresses thoughts about this or about suicide has to be taken seriously and appropriate help and intervention offered at that point.

### Definitions Self-Harm & Suicide

- 11.134 Definitions from the Mental Health Foundation (2003):
- Self-harm is self-harm without suicidal intent, resulting in non-fatal injury.
  - Attempted suicide is self-harm with intent to take life, resulting in non-fatal injury.
  - Suicide is self-harm, resulting in death.

- 11.135 The difference between suicide and deliberate self-harm is not always so clear. For example, deliberate self-harm is a common precursor to suicide, also children and young people who deliberately self-harm may kill themselves by accident.

#### Responding to the Child or Young Person

- 11.136 In every case, the practitioner who is made aware that a child or young person has self-harmed, or is contemplating this or suicide, should talk with them without delay and:

- ascertain if they have taken any substances, including tablets, or injured themselves (if so, the child or young person should receive urgent medical attention, even if they appear well, as harmful effects can sometimes be delayed).
- try to find out what may be troubling them.
- explore to what extent self-harm is likely or imminent or planned.
- ascertain what help or support the child or young person would wish.

- 11.137 A supportive attitude, respect and understanding of the child or young person, along with a non-judgmental stance is of prime importance. Note also that a child or young person who has a learning disability will find it more difficult to express their thoughts.

#### Child or Young Person requiring Hospital Treatment for Physical Harm

- 11.138 Where a child or young person requires hospital treatment in relation to physical self-harm, practice should be as follows, in line with the NICE 2004 guidance:

- Triage, assessment and treatment for under 16's should take place in a separate area of the Accident & Emergency Department.
- There should be overnight admission to a Paediatric or Adolescent Ward with detailed assessment the following day, with input from the CAMHS service.
- Assessment should be undertaken by healthcare practitioners experienced in this field.
- Assessment should follow the same principles as for adults who self-harm, but should also include a full assessment of the family, their social situation, family history and child protection issues.

- Initial management should include advising carers of the need to remove all medications or other means of self-harm available to the child or young person who has self-harmed.

11.139 Any child or young person who refuses admission should be reviewed by a Senior Paediatrician in Accident & Emergency and, if necessary, their management discussed with the on-call Child & Adolescent Psychiatrist.

#### Multi-Agency Response

11.140 Where a young person, who is a carer for a child or is pregnant, self-harms, or threatens this, a referral must be made to Safeguarding & Specialist Services in respect of the child/unborn baby.

11.141 Wherever there is a serious concern for a child or young person, a Multi-Agency Planning Meeting is to take place, without delay. The purpose of the meeting is to:

- consider the concerns;
- devise a care plan to support the young person in the community;
- consider support services for the family;
- agree plans for an inter-agency assessment and management of risk.

11.142 Where child protection procedures are applied:

- the focus on the needs of the child or young person must be maintained.
- close liaison must be maintained with health professionals and others who have a role in providing help and support for the child or young person.
- measures are to be put in place to minimise the risk of further self-harm which may arise from the distress of any investigation.
- a support worker, who is not part of the investigation, should be identified for the child or young person.

#### Family Court Proceedings

11.143 Where the child or young person is currently the subject of Family Court Proceedings, whether public or private law, the Court must be informed of any self-harm or attempted suicide incident.

## **CHILDREN WHOSE BEHAVIOUR INDICATES A LACK OF PARENTAL CONTROL**

- 11.144 When children are brought to the attention of the police or the wider community because of their behaviour, this may be an indication of vulnerability, poor supervision or neglect in the wider sense. It is important to consider whether these are children in need and to offer them assistance and services that reflect their needs. This should be done on a multi-agency basis. A range of powers should be used to engage families to improve the child's behaviour where engagement cannot be secured on a voluntary basis.
- 11.145 A Child Safety Order (CSO) is a compulsory intervention available below the threshold of the child being at risk of significant harm. A local authority can apply for a CSO where a child has committed an act that would have been an offence if s/he were aged 10 or above, where it is necessary to prevent such an act, or where the child has caused harassment, distress or harm to others (i.e. behaved antisocially). It is designed to help the child improve his or her behaviour, and is likely to be used alongside work with the family and others to address any underlying problems.
- 11.146 A Parenting Order can be made alongside a CSO or when a CSO is breached. This provides an effective means of engaging with and supporting parents, while helping them develop their ability to undertake their parental responsibilities. A Parenting Order consists of two elements:
1. a requirement on the parent to attend counselling or guidance sessions (for example, parenting education or parenting support classes). This is the core of the Parenting Order and lasts for three months; and
  2. a requirement on the parent to comply with such requirements as are determined necessary by the court. This element can last up to 12 months.
- 11.147 Harassment and anti social behaviour by children can have a major impact on adults and other children living in a neighbourhood. Arrangements should ideally exist whereby local community safety teams can seek help or advice about when anti-social behaviour by children should be regarded as evidence of need.
- 11.148 Children may also be members of households in which a vulnerable adult is being neglected or mistreated and may participate in such neglect or mistreatment themselves. Arrangements should ideally exist in which local safeguarding adults' teams can seek help or advise about appropriate interventions for children in such cases. Staff working with children in need in households in which there are vulnerable adults should be alert to the possibilities of mistreatment of the vulnerable adult.

11.149 In case of behaviour problems at school, schools will need to make use of a full range of strategies when working to engage with parents, families and communities, including:

- offering specific support for parents and carers who need help either because their child is being bullied or in managing their child's behaviour. There is a range of support mechanisms available in schools and through partner agencies but parents and carers need to feel this support is accessible to them;
- employing some of the formal strategies for parental engagement including the use of parenting contracts and home-school agreements. Many parents will react positively to such offers of help and particularly value group support;
- some schools find that the use of an education related parenting contract for behaviour is helpful in protecting the interests of the child. This is a voluntary arrangement between the parent and school/local authority; *and*
- Parenting Orders can also be applied for by a school or local authority where a parent has refused or failed to comply with a parenting contract and where the court considers that parenting is a factor in the child's behaviour.

11.150 An education related Parenting Order is a civil court order which consists of the same two elements as standard Parenting Orders, except that they focus specifically on improving the behaviour and attendance of the child.

11.151 Parent Support Advisers (PSAs) can enable the school-home relationship to grow and flourish. There is a comprehensive package of materials available from the Training and Development Agency for Schools on PSAs, which local authorities can draw upon when considering what information to include in their training materials. Guidance on securing parental involvement in managing pupil behaviour is due to be updated in 2010.

## RACE, ETHNICITY & CULTURE

- 11.152 Children from all cultures are subject to abuse and neglect. All children have a right to grow up safe from harm. In order to make sensitive and informed professional judgments about a child's needs, and parents' capacity to respond to their child's needs, it is important that professionals are sensitive to differing family patterns and lifestyles and to child rearing patterns that vary across different racial, ethnic and cultural groups. **At the same time they must be clear that child abuse cannot be condoned for religious or cultural reasons.**
- 11.153 Professionals should also be aware of the broader social factors that serve to discriminate against black and minority ethnic people. Working in a multi-racial and multi-cultural society requires professionals and organisations to be committed to equality in meeting the needs of all children and families, and to understand the effects of racial harassment, racial discrimination and institutional racism, as well as cultural misunderstanding or misinterpretation.
- 11.154 The assessment process should maintain a focus on the needs of the individual child. It should always include consideration of the way religious beliefs and cultural traditions in different racial, ethnic and cultural groups influence their values, attitudes and behaviour, and the way in which family and community life is structured and organised. Cultural and religious factors should not be regarded as acceptable explanations for child abuse or neglect, and are not acceptable grounds for inaction when a child at risk of significant harm. Professionals should be aware of and work with the strengths and support systems available within families, ethnic groups and communities, which can be built upon to help safeguard children and promote their welfare.
- 11.155 Professionals should guard against myths and stereotypes - both positive and negative - of black and minority ethnic families. Anxiety about being accused of racist practice should not prevent the necessary action being taken to safeguard and promote a child's welfare. Careful assessment - based on evidence - of a child's needs, and a family's strengths and difficulties, understood in the context of the wider social environment, will help to avoid any distorting effect of these influences on professional judgments.
- 11.156 All children whatever their religious or cultural background must receive the same care and safeguards with regard to abuse and neglect.

## **RACE & RACISM**

- 11.157 The experience of racism is likely to affect the responses of a child and family to the assessment and enquiry processes and failure to consider the effects of racism will undermine the efforts to protect children from other forms of significant harm. The effects of racism differ between communities and individuals and should not be assumed to be uniform. The specific needs of mixed parentage and refugee children should be given attention, in particular the need for neutral, high quality, gender appropriate translation or interpretation services for children and families whose preferred language is not English.
- 11.158 There may be occasions when the impact of racist incidents is so severe that it constitutes significant harm for the victim. In those instances consideration must be given as to whether it is appropriate to make a referral under the child protection procedures.

## **DOMESTIC ABUSE: SAFEGUARDING CHILDREN & YOUNG PEOPLE**

### Definition of Domestic Abuse

- 11.159 The definition of 'Domestic Abuse' (formerly referred to as 'Domestic Violence') used in this document is:

*“Any incident of threatening behaviour violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members regardless of gender or sexuality”*

- 11.160 Durham Constabulary also includes abuse between adults in the context of a close relationship, i.e. family violence – brother on mother, etc.
- 11.161 These procedures also recognise the emerging incidence of domestic abuse, where the victim and/or perpetrator are under 18 years of age. Durham Constabulary will respond to domestic abuse incidents involving parties who are 16 and 17 years old, who are in what could be classed as an “adult relationship” and who are living independently of their parents. The Police response will be to proceed with these incidents in the same manner as if the parties involved were adults.

### Philosophy underpinning this Guidance

- 11.162 Evidence shows that domestic abuse between adults poses a potential or actual risk of significant harm to children and young people. It also should be recognised that young people under 18 years of age can also be intimate partners and can be victims or perpetrators of domestic abuse. In order to challenge this all agencies constituting the LSCB will promote and safeguard the welfare of children and families where domestic abuse occurs.
- 11.163 It is recognised that compared with men, women are more likely to experience domestic abuse at some point in their lives, more likely to experience repeat victimisation, more likely to be injured and to seek medical help, more likely to be frightened or upset. Nevertheless all agencies should recognise that some domestic abuse does occur when the person experiencing domestic abuse is a man and the perpetrator is a woman. In addition agencies should be aware of the prevalence of domestic abuse within same sex relationships.
- 11.164 Domestic abuse must never be treated as an issue of joint Parental Responsibility. The responsibility for the abuse belongs to the abusive parent and no one else.
- 11.165 Whilst class, race, culture, age, religion, sexuality and disability are not barriers to a person experiencing domestic abuse the impact can be worsened by the presence of discrimination on one of these grounds. For example, for a black woman the experience of domestic abuse is likely to be exacerbated by societal racism. This along with strong cultural norms about women's roles in society and the family could result in her being less able to leave or to feel empowered. For a disabled woman her vulnerability may increase because she may be particularly dependent upon her abuser.
- 11.166 Children are vulnerable due to their lack of power in the family and society, and their dependence upon adult care renders them open to abuse often beyond their childhood.
- 11.167 The 1989 Children Act outlines the criteria for "children in need" (See Section 1 of these procedures). A legislative change brought by the Adoption and Children Act 2002 extends the meaning of 'harm' to include the harm that children suffer by "seeing or hearing the ill treatment of another". This puts new obligations on all practitioners, when considering the needs of a child and the risk of significant harm, to consider the impact of hearing or witnessing domestic abuse on the child's emotional and psychological wellbeing.

- 11.168 Where a practitioner from any agency or service considers that there is a child who is in need or at risk of significant harm, through domestic abuse, a referral should be made to Safeguarding & Specialist Services through the Initial Response Team, telephone number 0845 850 5010.

Procedure for Referrals from the Police to Safeguarding & Specialist Services & Health

- 11.169 Police domestic abuse incidents are placed on an internal Police IT system called SLEUTH. The incidents are then referred to the Initial Response Service via e-mail daily. The Initial Response Team receives copies of all domestic abuse reports and vulnerable child forms generated by the Constabulary. These reports will be processed by the Initial Response Service on the day of receipt or the next working day following a weekend or a bank holiday.
- 11.170 Prior to being e-mailed the Police will carry out checks on Sleuth and other relevant Police IT systems, and using their professional judgement, they will grade each referral by marking on the front of each form one of the following three categories:
1. **Standard** – for information only, Police consider no further action required by Safeguarding & Specialist Services based on information held by them.
  2. **Medium** – in the opinion of the Police further assessment is required to determine if the child is in need. There are no immediate safeguarding concerns. The Police may consult with the local Safeguarding Team, however, the Initial Response Team should carefully determine if the forms marked Medium should progress to Initial Assessment. Referrers should receive acknowledgement from Safeguarding and Specialist Services in writing within one working day of receipt.
  3. **High – Strategy Meeting called due to serious or immediate safeguarding issues.** Where the Police in consultation with the local Safeguarding Team have called a Strategy Meeting due to serious or immediate safeguarding issues. Full details will be documented on the form.
- 11.171 In regard to Police reports graded Standard; whilst the Police may not have information to raise the matter to a medium grading, Initial Response Team will check their records and may make a determination that an Initial Assessment is required where further relevant information is identified.
- 11.172 Initial Response Team will always check SSID records as part of their decision making process.

- 11.173 Initial Response Team will record those reports graded as Standard as No Further Action on SSID where no further relevant information is identified.
- 11.174 Reports graded Standard and Medium by the Police regarding children involved in domestic abuse will follow the same process.
- 11.175 In addition to forwarding forms to Initial Response Team, where children have come to Police attention in regard to Domestic Abuse, a copy of the form will be sent by e-mail by the Police to the Named Nurse Safeguarding Children who will advise Health colleagues accordingly.
- 11.176 Each domestic abuse incident will be graded according to the risk to the partner and any children in the relationship. The Safeguarding Detective Sergeant will forward all high risk cases to the MARAC Co-ordinator. It is the MARAC Co-ordinator who will then consider if the referral is suitable for MARAC.
- 11.177 Initial Response Team will carefully determine if the circumstances require an Initial Assessment unless there are immediate safeguarding concerns in which case they will be referred to the local Safeguarding Team as in 3 above.

#### Safeguarding & Specialist Services Response

- 11.178 Safeguarding & Specialist Services and other agencies are to work in line with the inter-agency guidance 'Framework for Assessment of Children and their Families' (DOH 2000) and the guidance in 'Working Together to Safeguard Children' (DfE 2010) taking account also of the legislative change in the Adoption and Children Act (2002) as referred to above.
- 11.179 On this basis, it is to be determined whether the child and family are in need of support services and/or whether the child is in need of protection.
- 11.180 Throughout, it should always be considered by all involved, whether a child living with domestic abuse has crossed the threshold from being a child in need of services to promote her/his welfare, to a child who is likely to be at risk of significant harm.
- 11.181 Consideration must be given about how to make initial contact without putting the child and the adult victim at further risk of abuse. **Letters should not be sent or messages left.** The referrer should be asked for any information they have about safe methods of contact.
- 11.182 Checks should be made to ascertain whether the perpetrator is already engaged with any statutory or voluntary agencies, such as Probation.

- 11.183 Consideration should be given to liaising with any local specialist Domestic Violence/Abuse project to check whether they already know any family members and to explore the value of joint work or a referral to that project.

#### Assessment of Risk

- 11.184 Assessment of risk to the children, including an unborn child, must be undertaken and continued, from the point of receiving the referral.
- 11.185 Children must be given the opportunity to communicate about their experience of living with domestic abuse. Seeing the child alone and keeping the child in focus is particularly relevant when dealing with domestic abuse.
- 11.186 In assessing the risk posed by the perpetrator, it is important to recognise that research consistently demonstrates that, even in a therapeutic setting, denial and minimisation are frequent hallmarks of men who have been domestically violent. Further, that significant disparities invariably exist between the reports of these men and those of third parties, especially their victims.
- 11.187 In assessing and managing risk to the child, particular attention should be paid to the following factors.
- 11.188 The adults:
- A build up of incidents or concerns.
  - Severe abuse or severe impact.
  - The perpetrator has been violent in previous relationships.
  - Substance misuse, including alcohol, by the perpetrator.
  - Adult mental health issues.
  - A perpetrator who is reportedly obsessively jealous or controlling.
  - Whether the perpetrator has ever grabbed the victim by the throat or attempted choking.
  - Use of weapons.
  - Sexual as well as physical assault.
  - Where the woman is pregnant.
  - Where an animal has been harmed.
  - Where the victim has just left.
  - Where the victim is planning to leave.

11.189 In responding to situations where domestic abuse may be present, considerations include:

- asking direct questions about domestic abuse;
- checking whether domestic abuse has occurred whenever child abuse is suspected, and considering the impact of this at all stages of assessment, enquiries and intervention;
- identifying those who are responsible for domestic abuse, in order that relevant family law or criminal justice responses may be made;
- taking into account that there may be continued or increased risk of domestic abuse towards the abused parent and/or child **after separation**, especially in connection with post-separation child contact arrangements;
- providing women with full information about their legal rights, and about the extent and limits of statutory duties and powers;
- helping victims and children to get protection from abuse, by providing relevant practical and other assistance;
- supporting non-abusing parents in making safe choices for themselves and their children;
- working separately with each parent where domestic abuse prevents non-abusing parents from speaking freely and participating without fear of retribution.

11.190 The child – physical risk:

- The child has been hurt or injured through the domestic abuse, whether or not deliberately.
- The child is restricted in mobility and/or communication due to age or disability.
- The child intervenes in the domestic abuse.
- The child is unborn.

11.191 The child – sexual abuse:

- The woman has been sexually abused, as part of the domestic abuse.

11.192 The child – emotional abuse and/or neglect:

- The child's basic needs are not being met.

### Managing Risk

- 11.193 Children's views and wishes about their safety and welfare should be listened to and taken into account as far as possible.
- 11.194 Consideration should be given to removing the perpetrator from the family home as an initial means of managing the risk. The perpetrator should be given the opportunity to access any available local services that will help to address the use of abuse in the longer term.
- 11.195 Workers should attempt to work with the victim on issues of safety and empowerment for themselves and the children, and on placing the responsibility for the domestic abuse on the perpetrator. This may mean helping the parent and children to escape, although this may not be an option, for a variety of reasons.
- 11.196 Working with the victim on empowerment should never override the paramount requirement to protect the children and ensure their welfare. It may become necessary to go against the wishes of the victim, for example, by invoking child protection procedures or taking legal action. It should be made clear that this action is based on an assessment of the children's needs and that the non-abusing adult is not being blamed for the threat posed by the perpetrator of the abuse.

### Child Protection Process

- 11.197 Based on the information available and assessment, it may be decided that it is not necessary to apply child protection procedures. Alternatively, these may be applied at the point of referral or at a later point in the assessment process.
- 11.198 Where child protection procedures are applied, an inter-agency Strategy Meeting/ Discussion is to take place. If it is decided that child protection enquiries (s47) are necessary, these will be undertaken by Safeguarding & Specialist Services, possibly in conjunction with a Police investigation.
- 11.199 If the enquiries and assessment show that the child is at continuing risk of significant harm, a child protection conference is to be held.

### Child Protection Conferences

- 11.200 When domestic abuse is known, or believed, to be an issue, particular care must be taken in arranging child protection conferences and other meetings. All staff should be aware that the safety of the child(ren) and the woman might be at risk before, during and after a conference.
- 11.201 Consideration should be given to inviting specialist representatives, for example, from any local domestic abuse project, the Probation Service and/or a Safeguarding Unit Police Officer.

- 11.202 Consideration should be always given as to whether it is in the interests of the child and non-abusing parent/carer to allow a parent or carer, who is a perpetrator of abuse, to attend the conference.
- 11.203 If the perpetrator is to attend, there is to be safety planning to ensure that the conference does not provide an opportunity for further intimidation or abuse, or by the provision of information which may lead to further abuse. It may be necessary to be selective about which conference papers and information a perpetrator of abuse is given.
- 11.204 The business of the conference should include issues of safe contact arrangements for the child, bearing in mind that perpetrators of abuse may use contact with children to perpetrate further abuse against the non-abusing parent.
- 11.205 The Child Protection Plan should take fully into account the issue of domestic abuse along with all the other welfare and safety issues which may apply. In particular, Child Protection Plans should be based on inter-agency action to support the child and the non-abusing carer, to keep them safe and to manage the behaviour of the perpetrator. It should not rely primarily on unrealistic expectations that the adult victim of abuse can control the behaviour of the perpetrator.

## **E-SAFETY**

### Position Statement

- 11.206 Children in County Durham will have the knowledge, awareness and support to keep them safe in the digital world. Agencies will work together to raise awareness and support young people, parents, carers and those who work with young people to be safe and manage concerns. The emphasis will always be to use digital technologies safely and responsibly, rather than blocking and banning.

### Context

- 11.207 e-safety is identified in Working Together to Safeguard Children It is a key part of the Staying Safe Action Plan which includes a commitment from the government to give 'full and proper consideration to, and respond to the recommendations of the [Byron Review](#).

### What is e-safety?

- 11.208 e-safety is about safeguarding children, young people and adults so that their activities in the digital world do not cause them any distress or harm. e-safety is part of being a responsible parent, child, or member of staff, of being a positive role model and a responsible 21<sup>st</sup> century citizen. It is vital because many aspects of our lives are directly shaped by technology. The importance of e-safety has increased due to the advances in communication technology and its effect on and in every day life

### Why have an e-safety strategy?

- 11.209 The growth of Information Communication Technologies have opened up enormous opportunities for improving children's ability to enjoy and achieve. Personal computers and mobile phones are now central parts of young people's lives and are focal points for learning and social activities. However, the technology that provides children and young people with so much opportunity also creates a new set of safeguarding challenges. Access to the Internet and digital forms of communication mean that children and young people are at increased risk of sexual exploitation, bullying, exposure to indecent images, grooming, inappropriate advertising and many other influences that may put their safety and welfare in jeopardy.
- 11.210 The need to safely maximise the positive opportunities made possible by new technology is the driving force behind the concept of e-safety. As technology has grown, so has the problem.
- 11.211 The strategy includes:
1. The steps **all agencies with a safeguarding responsibility** must take to safeguard children in the digital world.
  2. Our agreed process for responding to e-safety concerns
  3. The key requirements for the following key areas:
    - Procedures governing the use of technology
    - Education, training and awareness
    - Standards for reviewing arrangements

### Which technology/devices are involved?

- 11.212 e-safety principles must be applied to the use of Information Communication Technologies in the broadest sense. That is the use of:
- Computers – desktops, laptops, palm tops
  - Mobile phones
  - Digital cameras
  - Video/computer games
  - Email, social media and other forms of digital communication

- Use of the internet (browsing, downloading, uploading)
- 11.213 It is impossible to produce an exhaustive list of situations to which e-safety guidance may apply but it covers the use of these devices at work, in schools, public libraries, children's homes, foster homes, and **any arena** where the technologies are used.
- 11.214 **Whilst technology is central to this work, it is important to clarify that the work is part of a safeguarding rather than a technical agenda.**

Which agencies are covered by the policy?

- 11.215 **Safeguarding is the responsibility of everyone** and as such applies to all services being provided in County Durham. It is directed particularly at those agencies with duties to safeguard and promote the welfare of children under section 11 of the Children Act or section 175 of the Education Act. It also stands as guidance to all agencies in all sectors in Durham.
- 11.216 However, each agency will need to interpret this guidance relative to:
- The services they provide
  - The degree to which they have direct contact with children
  - The extent to which they work with children and young people using digital technology.
- 11.217 **All agencies** need to have appropriate arrangements:
- Governing appropriate staff use of digital technology. Staff may be defined to include consultants, temporary and agency staff and those working from home.
  - Governing how service users and visitors use digital technology when using their site or facilities For example: a person visiting a hospital or a leisure facility with a mobile phone or digital camera or service users with access to the Internet.
  - Governing how staff and visitors use their personal digital technology, such as laptops, mobile phones at their place of work, and on work business.
  - Agencies that work directly with children and families and especially those that provide access to digital technology for children and families, such as schools, youth clubs, libraries, hospitals and other settings, need to ensure they have arrangements in place governing how children and families use technology provided by or through them.
  - All agencies / schools should undertake a risk assessment concerning access to and the use of digital technology to ensure they have appropriate arrangements in place.
- 11.218 A framework for a risk assessment is contained in the appendix.

### Accountabilities

- 11.219 This policy cannot cover and does not attempt to cover all arrangements for agencies working in Durham. It is to be seen as guidance to help inform what local agencies need to do to ensure they are equipped to safeguard and promote the welfare of children in a digital age.
- 11.220 The expectation is that each school and agency will have or will develop procedures to address e-safety in their setting. These must be consistent with this policy and the LSCB Child Protection Procedures.
- 11.221 However, each individual agency and school retains its own responsibility and accountability for fulfilling their duties to safeguard and promote the welfare of children. As such they must develop the procedures required to meet this duty and in doing so they will need to consider the impact on children, parents/carers and staff.

### Expectations upon Agencies with a Safeguarding Responsibility

- 11.222 Each agency will be expected to have a named person, and identified deputy who will lead on e-safety. This person could be the lead person or designated officer for safeguarding children. This person will need links to the designated person within their organisation responsible for IT.
- 11.223 They should:
- Have a responsibility for safeguarding within the agency
  - Have an awareness of e-safety and the challenges posed by technology
  - Be familiar with safeguarding guidance including the use of multi-agency procedures
  - Be able to receive e-safety concerns and ensure agreed procedures are followed
  - Have a commitment to multi-agency working
- 11.224 **The named person's specific responsibilities include:**
- Being a contact point for all safeguarding e-safety information for their agency ( not concerns re inappropriate e-mail use in general)
  - Be in position to raise awareness of e-safety issues in their school or establishment.
  - Be in a position to influence decisions and policy on e-safety within their agency, in conjunction with their information governance or technical lead.
  - Be able to log incidents of safeguarding concern on e-safety issues.
  - Be able to review and monitor e-safety procedures.

- 11.225 This role is not aimed at those with a technical role but at those a safeguarding responsibility.

#### Policies, procedures and practices

- 11.226 **All agencies** in County Durham should have in place procedures governing the acceptable and safe use of digital technologies (AUP) relevant to the services they provide. This includes the appointment of named / lead people for e-safety. **The acceptable use policy should be reviewed annually.**
- 11.227 All other procedures related to the safe use of digital technology must be reviewed and updated at least every three years or following any incident or development which questions the effectiveness of procedures.
- 11.228 Durham LSCB will ensure there is a clear and agreed process across all agencies for identifying and reporting e-safety concerns.

#### Education, training and raising awareness

- 11.229 **All agencies** must make arrangements for the provision of training on e-safety at an appropriate level. This should be regularly updated relative to the services they provide. Durham LSCB will monitor this as part of its remit to ensure local agencies are fulfilling their duties to safeguard and promote the welfare of children.
- 11.230 **All agencies** must ensure that children, young people, parents, careers have access to information that will promote the safe and responsible use of the Internet and other digital technologies.
- 11.231 Durham LSCB will monitor that all agencies (subject to the services they provide) raise awareness of e-safety and that children, young people, parents and careers are made aware of the opportunities and the threats of the Internet and digital technologies.

#### Infrastructure and technology objectives

- 11.232 **All agencies** must ensure they have robust guidance and standards to support them in providing safe Internet provision. They must have safe technological infrastructures, including an appropriate Internet Service Provider and systems for filtering, monitoring and recording Internet and Intranet activity.

#### Inspection and standards objectives

- 11.233 **All agencies** must have data recording systems and processes to identify e-safety procedures in place including how they are reviewed and developed. Agencies must also keep records of e-safety concerns that can be used to support the review and development of procedures.

- 11.234 Durham LSCB will develop e-safety monitoring tools, which member agencies can use and which include: procedures; Internet safety reporting mechanisms; infrastructure arrangements and training. This will enable Durham LSCB to have oversight of the development of e-safety procedures within agencies in Durham LSCB.
- 11.235 Durham LSCB will identify, through the data monitoring set, the extent to which e-safety is embedded as part of the safeguarding responsibilities of member agencies and how e-safety concerns have been managed.

#### Monitoring impact

- 11.236 Durham LSCB will use the following indicators to measure the impact of the strategy and action plan:
- 11.237 These are all of equal importance.
- The number of agencies with an e-safety lead and deputy.
  - The number of agencies with risk assessments in place.
  - The number of agencies with an awareness raising/public information plan and evidence how they promote e-safety.
  - The number of agencies with Acceptable Use Policies less than one year old.
  - The number of agencies reviewing their other procedures on a three year cycle.
  - The number of agencies with procedures for responding to concerns
  - The number of agencies with a filtering and monitoring plan in place
  - The number of agencies with an e-safety information and training plan
  - The number individuals in an agency undergoing e-safety training
- 11.238 Durham LSCB may at any time request reports from agencies regarding the performance of their e-safety systems.

#### Useful links

Thinkuknow – online safety for young people and parents.

Insafe – a Europe wide e-safety service.

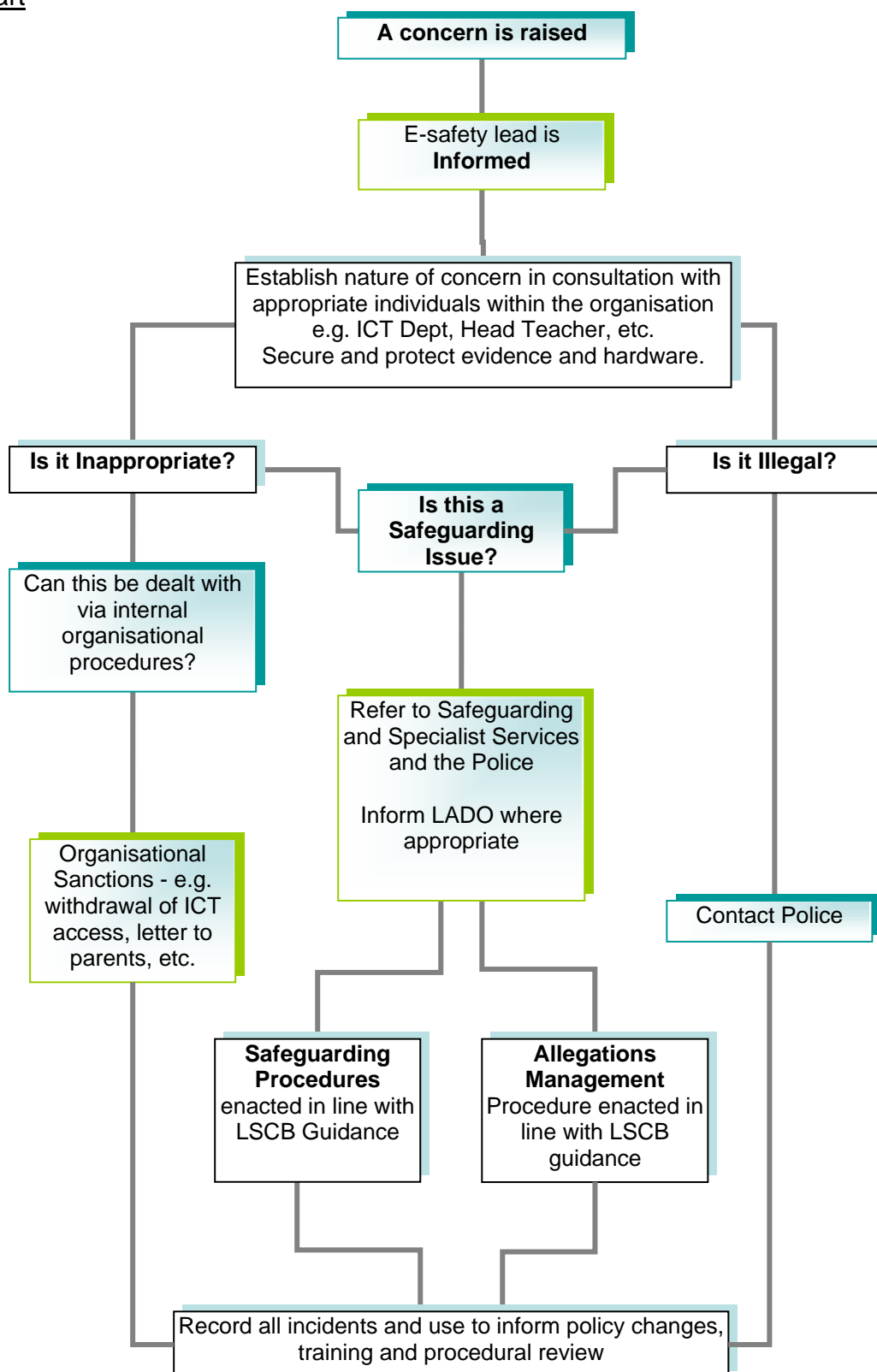
Internet Watch Foundation – a hotline for reporting illegal online content.

Kidscape – a UK charity committed to keeping children safe.

Childnet – a non-profit organisation working to help make the Internet a great and safe place for children.

#### Cyberbullying

Flowchart



*E-Safety Incident Flowchart – Guidance notes*

- 11.239 Each school / agency should have their own procedures for responding to e-safety concerns. This will include identifying whom needs to be informed, how decisions will be made and action to be taken. The process for referring concerns to outside agencies will be a central part of the policy.
1. A concern in the first instance should be raised with the designated e-safety person.
  2. The e-safety lead will decide whether it is appropriate to involve another person or department in determining whether it is a safeguarding issue and whether it is either inappropriate or illegal for example the IT department, line manager, head teacher or designated safeguarding lead (if they are not the e-safety lead). Advice may be sought from the LADO at this time.
  3. Inappropriate material is anything that runs contrary to the school or organisation's 'Acceptable Use Policy' but is not illegal, this may include inappropriate images on a digital camera or mobile phone, using someone else's log-ins, the use of digital technology to bully or hurt others, accessing banned sites, etc.
  4. Where an action is deemed inappropriate but is not illegal it may be dealt with by internal organisational procedures except where there are Safeguarding concerns (see 7).
  5. Should the incident be deemed to be an illegal act (e.g. deliberately contravening the Data Protection Act, Fraud or an intentional data breach) and it has safeguarding implications then the e-safety lead will contact the police.
  6. The Police are the agency responsible for responding to illegal activity. If the agencies digital equipment has been used it must be isolated and protected to preserve any evidence.
  7. Safeguarding concerns the deliberate abuse and neglect of children. This includes children abused for sexual and exploitative reasons no matter when and where the images/abuse originated. Locally only safeguarding social workers and police officers are empowered to investigate such concerns. There are also national organisations such as the Child Exploitation and On-line Protection Agency (CEOP), but the local police should inform CEOP if necessary.
  8. Where a concern may involve safeguarding the school or agency **must not** investigate further and a referral must be made immediately to Safeguarding and Specialist Services and the Police.

9. The Safeguarding Procedures are already in place and must be adhered to (see Section 5) Safeguarding and Specialist Services and the Police are the lead agencies and as such they must be informed about all child protection concerns. Other agencies **must not** undertake child protection enquiries.
10. The Local Authority Designated Officer (LADO) is responsible for advising and supporting agencies when there has been an allegation against a member of staff concerning his or her suitability to work with children. Clearly, if a member of staff has engaged in illegal or inappropriate activity this may raise questions about this person's suitability. There is a formal Allegations Management process within the Safeguarding Procedures for responding to these situations which must be adhered to (see Appendix 5).
11. It is important that each agency maintains a record of all e-safety incidents and concerns. This will enable the identification of patterns and themes that will help inform policy development. The information may be collated across the County to help us understand how well we respond to and manage e-safety concerns. It will help us develop stronger policies, infrastructure and education (PIE) to deal with e-safety in the future.

Further Guidance and Tools to assist Agencies in developing an e-safety Procedure

*Appendix 1: Framework for an e-safety Policy*

*Appendix 2: Framework for an ICT Risk Assessment*

*Appendix 3: Example of an Acceptable Use Policy –Young People*

*Appendix 4: Example of an Acceptable Use Policy –Adults*

Appendix 1 – Framework for an e-safety Policy

Name of Agency	
Name of Agency e-safety Contact	
Endorsed by:	<ul style="list-style-type: none"> <li>• Chief Executive /Head Teacher / Chief Officer</li> <li>• Governors / Governing body / Steering Group</li> <li>• PTA / Service users</li> <li>• LSCB</li> </ul>
Date of AUP	
Review date	
Agency Philosophy and Culture	Safe Environment, respect for all, non tolerance of bullying
Applies to:	<ul style="list-style-type: none"> <li>• Staff /Adults</li> <li>• Learners / service users</li> <li>• Visitors</li> </ul>
Monitoring and reporting	<ul style="list-style-type: none"> <li>• State what is monitored; email, computer records, Internet activity etc.</li> <li>• State what devices the AUP applies to, PCs, laptops, mobile phones, digital cameras etc...</li> <li>• Only approved devices to be connected to agency systems</li> <li>• Monitoring records are reviewed regularly and acted upon</li> <li>• Head /Chief Officer is included in reporting procedure</li> <li>• Have procedures in place to ensure systems manager knows what is connected and nature of all activity</li> <li>• Monitoring to extend to off site devices belonging to the school</li> </ul>
Reporting Accidental Access	<ul style="list-style-type: none"> <li>• Use an e safety book to log incidents and include reporting and action taken</li> <li>• Review filtering and access levels of users to minimise risk of recurrence of incident</li> </ul>
Reporting Deliberate Abuse or Misuse	<ul style="list-style-type: none"> <li>• Ensure adults and service users know what action to take</li> <li>• Isolate device and have a clear procedure for protecting evidence</li> <li>• Notify key contacts in school, home and local authority where appropriate</li> <li>• Include guidance on illegal, inappropriate, indecent and bullying activities</li> </ul>
Sanctions for misuse	<p>Include policies for service users and staff / adults</p> <p><b>Students / service users</b></p> <ul style="list-style-type: none"> <li>• Reprimand and guidance</li> <li>• Record incident</li> <li>• Sanction</li> <li>• Notify parent/carer and/or local authority</li> </ul>

	<p><b>Adults</b></p> <ul style="list-style-type: none"> <li>• Discipline and guidance</li> <li>• Record incident</li> <li>• Notify governing body</li> <li>• Notify local authority</li> </ul>
Unlawful or Illegal Use	<p>Any material or action which includes:</p> <ul style="list-style-type: none"> <li>• Child Abuse</li> <li>• Racial Hatred</li> <li>• Incitement to violence</li> </ul>
What is inappropriate? (as determined by your AUP)	<p>This may vary for each of the key stages and type of school</p> <ul style="list-style-type: none"> <li>• Any text, image or file that may cause offence, distress</li> <li>• Wilful attempts to bypass security and access protocols</li> <li>• Spamming</li> <li>• Hacking</li> <li>• Impersonation</li> </ul>
Anti Virus and Anti Spam	<ul style="list-style-type: none"> <li>• Essential that all devices have appropriate protection</li> <li>• Violations are reviewed, reported and acted upon</li> </ul>
Email	<ul style="list-style-type: none"> <li>• Language should be polite</li> <li>• No spam to be sent or forwarded</li> <li>• Understand the potential dangers of attachments and hyperlinks to websites</li> </ul>
Internet Usage	<p><b>Downloading</b></p> <ul style="list-style-type: none"> <li>• Access only to appropriate sites</li> <li>• Attempts to bypass will result in sanctions</li> <li>• Systems to report accidental access to inappropriate sites</li> </ul> <p><b>Uploading</b></p> <ul style="list-style-type: none"> <li>• No image, video or text without individual permissions</li> <li>• Parental permission required prior to displaying images and information on pupils on public facing websites</li> </ul>
Copyright and Plagiarism	No direct or indirect copying, reproducing or repurposing of material without acknowledgment and permission
Video Conferencing	Use secure authenticated systems that are appropriately monitored.
Passwords	<ul style="list-style-type: none"> <li>• Unique ID for all users where achievable</li> <li>• Always use password</li> <li>• Do not enable 'remember me' on devices</li> <li>• Log off device when leaving device unattended</li> </ul>
Filtering	<ul style="list-style-type: none"> <li>• Appropriate filtering for age group and adults</li> <li>• Monitor web activity and respond to violations</li> <li>• Update filtering rules regularly</li> </ul>

Appendix 2: Framework for an ICT Risk Assessment

All organisations are required to complete a risk assessment when using ICT with young people. The document below provides an outline of the areas to be addressed and some suggestions of how risks may be reduced. It is not intended to be an exhaustive or complete list, and should fit in with the organisations health and safety policy.

<b>Hazard</b>	<b>Risk</b>	<b>Appropriate Control Measures</b>	<b>Notes</b>
Inappropriate Content	<ul style="list-style-type: none"> <li>• Exposure to age inappropriate or offensive material</li> <li>• Exposure to inaccurate or misleading information</li> <li>• Exposure to socially unacceptable material that might incite violence hate or intolerance</li> </ul>	<ul style="list-style-type: none"> <li>• Internet access supervised by staff with some e-safety training</li> <li>• Filtered internet provider</li> <li>• Organisation has guidelines on what is acceptable / unacceptable</li> <li>• User completes AUP</li> <li>• Appropriate sanctions for misuse</li> <li>• Logging system available</li> </ul>	<p>Training may be required</p> <p>e.g. Durham net</p> <p>Basic system provided by Durhamnet</p>
Inappropriate Content	Exposure to illegal material	<ul style="list-style-type: none"> <li>• Internet access supervised by staff with some e-safety training</li> <li>• Filtered internet provider</li> <li>• Organisation has guidelines on what is acceptable / unacceptable</li> <li>• User completes AUP</li> <li>• Appropriate sanctions for misuse</li> <li>• Logging system available</li> <li>• Systems in place for reporting incident to police</li> </ul>	

Hazard	Risk	Appropriate Control Measures	Notes
Divulging personal information	Inappropriate Contact or Cyberbullying	<ul style="list-style-type: none"> <li>• Young person has some e-safety training</li> <li>• Advice provided (Posters / Information sheets) on not divulging personal information</li> <li>• Internet access supervised by staff with some e-safety training</li> <li>• User completes AUP</li> <li>• Information provided for parents / carers</li> </ul>	This is an ongoing process
Inappropriate Contact	Grooming using communication technologies leading to assault of a sexual or other nature.	<ul style="list-style-type: none"> <li>• Young person has some e-safety training</li> <li>• Internet access supervised by staff with some e-safety training</li> <li>• Filtered internet provider</li> <li>• Some logging system available</li> <li>• Advice provided (Posters / Information sheets) on not divulging personal information</li> <li>• Information provided for parents / carers</li> </ul>	This is an ongoing process
Inappropriate Use	Cyberbullying	<ul style="list-style-type: none"> <li>• Organisation has guidelines on what is acceptable / unacceptable</li> <li>• User completes AUP</li> <li>• Appropriate sanctions for misuse</li> <li>• Logging system available</li> <li>• Organisation has anti-bullying policy</li> </ul>	

<b>Hazard</b>	<b>Risk</b>	<b>Appropriate Control Measures</b>	<b>Notes</b>
Inappropriate Use	Downloading of copyrighted material for example music and films	<ul style="list-style-type: none"> <li>• Internet access supervised by staff with some e-safety training</li> <li>• Organisation has guidelines on what is acceptable / unacceptable</li> <li>• User completes AUP</li> <li>• Appropriate sanctions for misuse</li> <li>• Logging system available</li> </ul>	
Electrical Safety	Stray leads, trailing flexes, frayed leads, damaged plugs, overloading/power surging, coiled extension cables, accidental damage, or fuses	<ul style="list-style-type: none"> <li>• Annual PAT testing</li> <li>• Visual Check</li> <li>• Cables re-routed</li> <li>• Cables replaced</li> </ul>	May need visual checks prior to use
Heat / Humidity	Build up of heat not good for computers or users	Ventilation	
Lighting	Screen or work surface glare and cleanliness, level of background light	<ul style="list-style-type: none"> <li>• Screens cleaned</li> <li>• Suitable blackout</li> </ul>	
Space / User Comfort	Neck injury to users from incorrectly adjusted monitors	Suitable furniture	
Hazardous Substances	Risk of contact of toner with skin	Only trained adults to replace toner	
Trip Hazards	risk of tripping over cables or equipment	Cables or equipment moved	

### Appendix 3: Example of an Acceptable Use Policy –Young People

#### Young Persons AUP

Young people are entitled to access to technology to help ensure that they can achieve their potential in their learning.

Young People are not entitled to abuse technology by deliberately attempting to interfere with the performance of the school or agency systems or devices belonging to other people.

Young People are not entitled to use devices and Internet services to have a negative impact on other people. This includes cyber bullying [Hyper Link to bullying site](#) of any members of their school community, or wider community or have inappropriate access to other people's files and documents on the school or agency systems and the Internet.

#### Young People will abide by the following code of conduct:

(The following list is not intended to be exhaustive, but as an indication of the type of agreement needed. Individual bullet points may be added, modified or deleted depending on the nature of the setting and the ages of the young people.)

#### *For my own personal safety*

- I will ask permission from a member of staff/adult before using the Internet.
- I am aware of “stranger danger” when I am communicating on line.
- I will never arrange to meet someone or give any personal information over the Internet (name, address, telephone number, name and address of school, bank or credit card details).
- I will only E-mail people I know, or who have been approved.
- I will report any unpleasant material (including on the internet) or messages sent to me. I understand this report would be confidential and would help protect other Young people and myself.
- I will not attempt to bypass the system security to access material which is not permitted by the organisation.
- I understand that the school/agency may check my computer files and activity and may monitor the Internet sites I visit.

*To keep the system safe*

- I will only access the system with my own login and password, which I will keep secret.
- I will not allow other people to use my logon or password.
- I will not access other people's files.
- I understand that the ICT systems are primarily for educational use and I will not use the systems for personal or recreational use unless I have permission to do so.
- I will not bring to school/agency any devices, to connect to the network or internet, from outside school unless I have been given permission.
- I will only use my own devices (including mobile phones PDAs, cameras, games consoles) when permitted and only for activities acceptable to the school or agency.
- I will not install software without permission.
- I will not try to download or upload large files without permission which may make the system slow for other users.
- I will not use the system for on-line gaming, on-line gambling, internet shopping, file sharing or video broadcasting without permission.

*Responsibility to others*

- The messages I send will be polite and responsible.
- I understand that it is not acceptable to post or distribute images or video of other people without their permission.
- Where work is copyrighted (Including music, videos and images) I will not either download or share with others.
- I understand that the organisation may take action against me if I am involved in incidents of inappropriate behaviour wherever their location. If the activities are illegal this may be reported to the police.

The AUP will need to cover other forms of technology such as mobile phones and digital cameras.

#### Appendix 4: Example of an Acceptable Use Policy –Adults

All members of staff and other adults must understand and sign this AUP. The basic principle of this AUP is that the agency devices and connectivity may be used only to support the achievement of the agency objectives.

Colleagues must ensure that they fully understand that the consequences of inappropriate activity can be severe, leading to dismissal and criminal proceedings

- I understand that it is a criminal offence to use a agency ICT system for a purpose not permitted by its owner.
- I appreciate that ICT includes a wide range of systems, including mobile phones, PDAs, digital cameras, email, social networking and that ICT use may also include personal ICT devices when used for agency business.
- I understand that agency information systems may not be used for private purposes without specific permission from my manager.
- I will ensure that personal data is stored securely and is used appropriately, whether in the building, taken off site or accessed remotely.
- No device will be introduced to IT systems without ensuring it is free from malware, inappropriate/illegal content.
- It is not permitted to use another person's log in details. On occasions when log ins are shared the details of this will be recorded in an e safety log or similar document.
- No member of staff will take photographs of young people using their personal camera, or mobile phone.
- Images of students must be stored in designated area of IT network within a time frame identified in the Digital Images Policy. It is not permitted to remove images off site (on camera, phone or storage device).
- Any inadvertent viewing of inappropriate material or messages will be reported to the network manager and recorded on the e-safety log. I understand this report would be confidential and would help protect other Young people and myself;
- Posting anonymous messages and forwarding chain letters is forbidden;
- I understand that the network manager on behalf of the agency may check my computer files and activity and may monitor the Internet sites I visit.

- I will immediately report any illegal, inappropriate or harmful material or incident I become aware of to the appropriate person.
- I will not engage in any on-line activity which may compromise my professional responsibilities.
- I will only communicate with young people and their carers using approved systems.
- I will not try to upload, download or access any materials which are illegal (Child abuse images, criminally racist material, adult pornography covered by the obscene publications act) or inappropriate or may cause harm or distress to others. I will not try to use programs or software that might allow me to bypass the filtering / security systems in place to prevent access to such materials.
- Where work is copyrighted (Including music, videos and images) I will not either download or share with others.

Signed.....

Date.....

## **MISSING CHILDREN & YOUNG PEOPLE & PREGNANT WOMEN**

11.240 Where a child/young person is missing from a Local Authority placement, the Safeguarding & Specialist Services/Police guidance 'Responding to Children and Young People who are Missing from Placement' is to be followed instead.

### Recognition & Referral/Notification

11.241 Practitioners should refer to Safeguarding & Specialist Services in any of the following circumstances:

- A child/young person, known to a statutory agency, who goes missing in suspicious circumstances (with or without their families) about whom there are developing concerns for their safety.
- A child/young person or unborn baby who is the subject of referral defined as child protection or subject to child protection (s47) enquiries.
- A child/young person on the Child Protection List who goes missing or is removed from his/her address outside the terms of the Child Protection Plan.
- A pregnant woman who goes missing when there are concerns about the welfare of the expected baby.

### Education

11.242 As a result of daily registration, schools are particularly well placed to notice when a child/young person has gone missing. Head Teachers should inform the Education Welfare Officer (EWO) about any child/young person who has not attended school for ten days without provision of reasonable explanation. The EWO should make reasonable enquiries, such as home visit, liaison with Safeguarding & Specialist Services or Housing and notify the school if it appears that the child/young person has moved out of the area. The EWO should contact the School Nurse for information and should inform her if it appears the child/young person has moved out of the area.

11.243 Head Teachers should inform the EWO and Safeguarding & Specialist Services immediately if a child/young person who fits one of the categories listed above appears to be missing. Guidance was issued in 2004: "identifying and maintaining contact with children missing, or at risk of going missing from education".

### Health

- 11.244 Where a Health professional has concerns regarding a child/young person/unborn baby's welfare and the child/young person/family/pregnant woman is missing, reasonable enquiries should be made with the GP/Health Visitor/School Nurse to ascertain their whereabouts. Discussions should take place with a Manager and/or Health Child Protection Adviser. If the child/young person remains untraced, consideration should be given to making a referral to Safeguarding & Specialist Services for Initial Assessment of need and, if necessary, child protection enquiries.

### Police

- 11.245 Every case of a missing child/young person/pregnant woman must be considered for referral to Safeguarding & Specialist Services for Initial Assessment of need and, if necessary, child protection enquiries. On all occasions, the Police Sleuth/PNC systems should be checked for previous involvement.

### Safeguarding & Specialist Services

- 11.246 Where notified of a child in any of the circumstances listed above, Safeguarding & Specialist Services must inform the relevant Police and Police Safeguarding Unit without delay.
- 11.247 The Custodian of the Child Protection List must be informed if the child/young person or unborn baby is subject to a Child Protection Plan.
- 11.248 If the child/young person is the subject of court proceedings or a court order, Corporate & Legal Services must be informed.
- 11.249 Safeguarding & Specialist Services must contact all local agencies/professionals, including Education and Health, who are involved with the child/young person to inform them of the situation and to seek any information that may assist in the search.
- 11.250 The Designated Nurse Safeguarding Children should be informed about the missing child/young person or pregnant woman. S/he will inform the Named Nurses Safeguarding Children for the PCT(s) and NHS Trust(s) in the area. The Named Nurses Safeguarding Children will inform key professionals within their Trusts.
- 11.251 Education Child Protection Officers (or equivalent) should be informed and are to ensure liaison with relevant Education colleagues.

- 11.252 Existing records in all agencies must be checked to obtain any information which may help to trace the missing child, for example details of friends and relatives. This information is to be passed to the Police Officer undertaking the missing person enquiry.

### Strategy Meeting

- 11.253 If, following the above, the missing child/young person or pregnant woman has not been traced, a Strategy Meeting should be convened within two working days of Safeguarding & Specialist Services being notified that the child/young person/family or pregnant woman is missing.
- 11.254 The Strategy Meeting must include representatives from Safeguarding & Specialist Services, Police, Health, Education (if a school-age child) and any other agency that has current or recent involvement with the child/young person/family or pregnant woman.
- 11.255 Members of the meeting must:
- consider whether to circulate other Local Authorities and agencies in the area(s) in which the child/young person/family/pregnant woman may have gone.
  - consider whether there should be national notification of authorities and agencies including Social Security, the Benefits Agency, Child Benefit Agency, NHS National Intelligence Unit and National Missing Persons Helpline.
  - decide whether assistance should be sought from the Department for Work and Pensions (in which case this should be by a senior member of Safeguarding & Specialist Services ).
  - consider the need for legal intervention if there is any suspicion that the child or young person may be removed from UK jurisdiction.

### Follow-Up Safeguarding & Specialist Services Action

- 11.256 If the Strategy Meeting agreed that the details of the child/young person/family or pregnant woman are to be circulated to other Local Authorities/agencies, the Lead social worker should draft a letter giving details of:
- the children in the family;
  - their legal status;
  - parties with Parental Responsibility;
  - other family members or significant adults;

- whether the child's name is on the Child Protection List and if so, the category;
  - the circumstances causing concern;
  - action required if the child/pregnant woman is found;
  - details of contact arrangements for the Lead social worker/Social Worker, also out of office hours contact arrangements;
  - where possible physical descriptions and photographs of the child/young person, pregnant woman and any others involved.
- 11.257 The letter should be sent to the Custodian of the Child Protection List for distribution to the other Child Protection List Custodians in the specified areas, who in turn should circulate within Safeguarding & Specialist Services and to local agencies.
- 11.258 The Custodian should inform the Head of Safeguarding & Specialist Services.
- 11.259 Where a missing child is subject to a Child Protection Plan and is not found within 20 working days (of initial notification to Safeguarding & Specialist Services) the Review Child Protection Conference must be brought forward to consider whether any other action should be taken.

#### When the Child/Young Person or Pregnant Woman is Found

- 11.260 When the child/young person or pregnant woman is found, Safeguarding & Specialist Services in the Home Authority should hold a Strategy Meeting/Discussion within the working day to consider:
- any immediate safety issues;
  - whether to instigate a child protection (s47) enquiry and/or any Police investigation;
  - who will interview the child/young person;
  - who needs to be informed, locally and nationally, that the child/young person or pregnant woman has been found.
- 11.261 If the child/young person or pregnant woman has been found outside of the Home Authority area and is not likely to return, representatives from the Host Authority must be involved in the Strategy Meeting/Discussion and the transfer of the case must be discussed.

### Interviewing the Child/Young Person

- 11.262 When a missing child/young person is found, an interview should take place. This should happen regardless of whether s/he is believed to have experienced, or be at risk of significant harm.
- 11.263 A Social Worker and/or a Police Officer should undertake this interview. If the child/young person indicates a wish to be interviewed by an alternative professional, all reasonable efforts must be made to accommodate their wishes.
- 11.264 The interview should provide a safe opportunity for the child/young person to discuss any concerns regarding their care, including if they chose to run away from an abusive situation. Whoever undertakes the interview should endeavour to ensure that it takes place without parents or carers present or in close proximity. If the parents/carers do not agree to the child/young person being interviewed in private, the Social Worker should discuss the circumstances of the case with his/her Manager and, if thought necessary, legal advice sought.

### Decision-Making for All Cases

- 11.265 Following any child protection (s47) enquiry, there must be inter-agency liaison to agree the next steps. This must include consideration of whether it is necessary to hold an Initial Child Protection Conference or, in the case of a child subject to a Child Protection Plan, to bring forward the Review Child Protection Conference.

### Children Missing from Other Local Authority Areas

- 11.266 The LSCB must ensure that there is a system for keeping and referring to the notifications of children and/or pregnant women who are missing and that duty/intake staff are kept informed.

### More than One Incident of a Child/Young Person Missing from Home

- 11.267 Safeguarding & Specialist Services must ensure that there is a system for centrally collating relevant information relating to all incidents of a child/young person going missing from home, in order to develop a multi-agency co-ordinated response.

### Other Relevant Procedures

- 11.268 Depending on the circumstances, practitioners should refer to the following procedures:

Honour Based Violence & Forced Marriage: Safeguarding Children and Young People ([See Section 6 of these procedures](#)).

Safeguarding Children and Young People from Abroad ([see Section 6 of these procedures](#)).

Safeguarding Children and Young People from Sexual Exploitation ([see Section 6 of these procedures](#)).

Cross Boundary Issues: Safeguarding Children and Young People ([refer to procedures within this section](#)).

### **CHILDREN LIVING IN TEMPORARY ACCOMMODATION**

- 11.269 Placement in temporary accommodation, often at a distance from previous support networks or involving frequent moves, can lead to individuals and families falling through the net and becoming disengaged from health, education, social care and welfare support systems. Children who come to the attention of statutory and voluntary agencies may need to have their needs assessed as a result of a transient lifestyle.
- 11.270 Some families who have experienced homelessness and are placed in temporary accommodation by Local Authorities under the main homeless duty can have very transient lifestyles.
- 11.271 It is important that effective systems are in place to ensure that the children from homeless families receive services from health and education as well as any other specific types of services because these families move regularly and may be at risk of becoming disengaged from services.
- 11.272 Statutory guidance on making arrangements under Section 11 of the Children Act 2004 to safeguard and promote the welfare of children sets out the Local Authority responsibilities for homeless families.

## UNACCOMPANIED ASYLUM SEEKING CHILDREN (UASC)

- 11.273 A UASC is an asylum-seeking child under the age of 18 who is not living with their parent, relative or guardian in the UK.
- 11.274 Safeguarding & Specialist Services should carry out an Initial Assessment and, where appropriate, a care assessment of needs for every child referred to them by Immigration Services, regardless of their immigration status.
- 11.275 Based on this assessment, under the *Framework for the Assessment of Children in Need and their Families* (2000), Safeguarding & Specialist Services have a duty to provide appropriate support and services to all UASC, as these children should be provided with the same quality of individual assessment and related services as any other child presenting as being 'in need'.
- 11.276 In the majority of cases, this assessment leads to them being accommodated. Once UASC become accommodated children under s20 of the Children Act 1989, they are required to be the subject of a care plan (pathway plan at 16+). The plan must be based on this comprehensive assessment of their needs, taking account of the following dimensions:
- Health (including mental health, such as whether post-traumatic support and counselling is needed);
  - Education;
  - Emotional and behavioural development;
  - Identity;
  - Family and social relationships;
  - Social presentation;
  - Self-care skills, including the child's understanding of the implications of their immigration status and the skills required to manage transitions.
- 11.277 The responsible Safeguarding & Specialist Services should provide services for the UASC on the basis of the above assessment, irrespective of their immigration status.