

Child Protection Referrals Policy

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Regulations and Standards:

The Children's Homes (England) Regulations 2015.

- Regulation 12 - The protection of children standard.
- Regulation 34 - Policies for the protection of children.

Relevant Policies:

This policy must be read in conjunction with the Local Safeguarding Children Partnership (LSCP) in the area where the home is located and the following policies:

'Recognising and Treating Abuse Guidance Policy'.

'Allegations Against Staff Policy'

Contents:

1. Introduction, Summary and Definitions
2. Reporting Concerns, Suspicions or Allegations of Abuse or Harm
3. Receiving Concerns or Allegations of Abuse or Harm
4. Action by the Manager
5. Allegations made against Children or Young People

1. Introduction, Summary and Definitions:

The HND Children's Care Ltd homes manager is generally responsible for coordinating Child Protection Referrals and Allegations. Safeguarding and promoting the welfare of children and in particular, protecting them from abuse and harm is a shared responsibility and depends on effective joint working between all staff, with all relevant agencies and professionals. All Local Authorities have a duty to promote and safeguard the welfare of



children in their area and to investigate and take necessary action to protect children from abuse and harm.

All staff have a responsibility to report any suspicions they have, that a child has or may be mistreated or harmed; and to take all allegations seriously and report them to their manager or an independent person - such as the child's social worker, Police, Regulatory Authority (Ofsted) or the NSPCC for example.

The procedures in this policy are mandatory and any failure to comply with them will be addressed through appropriate procedures.

Definitions:

There are 4 types of abuse that are commonly used:

- Physical Abuse
- Emotional Abuse
- Neglect
- Sexual Abuse

However, the wider term that is used in this policy is Significant Harm, which encompasses the four common forms of abuse and has a wider meaning.

For detailed guidance on the meaning and identification of Significant Harm, see ['Recognising and Treating Abuse Guidance Policy'](#).

2. Reporting Concerns, Suspicions or Allegations of Abuse or Harm:

The general principle is that all suspicions, disclosures, or allegations must be reported.

The following actions should be taken when there is any concern, disclosure*, suspicion or allegation about the welfare of a child, which is causing, or likely to cause Significant Harm. This includes 'historical abuse' that may have occurred at some time in the past and may not have been reported or investigated.

It includes harm perpetrated by any person, including:

- another child (including serious or persistent bullying)
- see Section 5: Allegations made Against Children or Young People'.
- a member of staff, or manager, see additional procedures in 'Allegations Against Staff Procedure'.
- a visitor or person in the community
- a teacher, social worker or other professional
- a parent or other family member

*Disclosures made as part of a therapeutic intervention or counselling session should also be reported, unless there is clear, written evidence in the child's records that the matter has been formally dealt with previously.

Staff should firstly make their report to the manager, unless the manager is implicated. In



which case staff must notify one of the following:

- Designated Safeguard Lead or the Responsible Individual, or another manager who is not implicated.
- The Local Authority Children's Social Care Services in whose area the home is located.
- Police
- NSPCC
- The Regulatory Authority (Ofsted)
- The Placing Authority
- The social worker

In an emergency, where there is an immediate risk to the child, staff must take necessary action. This may involve asking for Police assistance or seeking emergency medical assistance e.g., taking the child to hospital or contacting the emergency services via 999. If the child is taken to hospital or the Police are called, staff must inform them that there is a suspicion of abuse or harm. Thereafter staff must notify the manager (or another agency) as described above.

Once notified, the manager will be responsible for following the Local Safeguarding Children Partnership procedures and contacting the Local Authority Children's Social Care Services. (See Section 4: 'Action by the Registered Manager')

The manager must inform the Designated Safeguard Lead and / or Responsible Individual or company Director. The manager or senior manager must inform the Regulatory Authority (Ofsted) of the instigation and outcome of any subsequent Child Protection Enquiry (See *'Delegated Authorities Notifiable Events Policy'*).

At this stage, any action taken must not alert the person(s) who may have caused or be implicated in causing the abuse or harm.

3. Receiving Concerns or Allegations of Abuse of Harm:

The following is good practice that must be followed.

Staff members seeing, hearing or being told anything that causes them to become concerned that a child or young person may be at risk of, is being or has been abused must report it immediately - as described above in Section 2, 'Reporting Concerns, Suspicions or Allegations of Abuse or Harm'.

Non-action is not an option in the protection of children and all staff have a duty to act.

Children will sometimes disclose abuse to an adult who they have come to feel they can trust. If a child discloses abuse it is important that staff respond appropriately by remaining calm and receptive; listening without interrupting; only asking questions of clarification; acknowledging the child's courage in telling.

It is not staff member's responsibility to investigate or in any way make judgements about what is reported to them. Investigations, if necessary, must be undertaken by properly



trained, independent professionals.

If a disclosure or allegation of abuse or harm has been made, staff should discuss with the child or other person who has made the complaint what steps they would like to be taken to protect them and their wishes should be shared and, if not in conflict with procedures, followed.

Where the allegation is of an historical nature, e.g., relating to abuse or harm that may have been perpetrated in another placement or by family members, allegations must be taken seriously and must be reported in the same way as any other allegation.

Staff must not give absolute guarantees of confidentiality to those who report possible abuse or harm, but they should guarantee that they will take steps to ensure that appropriate action is taken, and the child protected.

If an allegation or any suspicion is about the behaviour, past or present of another member of staff, including managers, which may in any way put children at risk, staff must follow the reporting procedures in accordance with Section 2: 'Reporting Concerns, Suspicions or Allegations.'

See '[Allegations against staff policy](#)'

Staff must make a written record as soon as possible of their concerns, what they have been told, any questions they asked, and the replies given, and the actions taken and by whom. They must then give the report to the manager.

The record should be placed on the child's file except where a colleague is implicated or there is any risk to the child as a result, in which case notes / records should be given to the manager dealing with the matter.

Staff should not discuss the matter with others, including other staff, parents etc. unless asked to do so by those responsible for dealing with any subsequent investigation or enquiry.

4. Action by the Registered Manager:

After receiving a report of a concern, suspicion or allegation of abuse or harm, the manager must firstly take any steps needed to protect any child from risk of immediate harm.

The manager should ensure the following people are notified:

- The Designated Safeguard Lead and / or Responsible Individual.
- Children's Social Care in the area where the home is located.
- If the suspicion / allegation relates to a member of staff / professional, the manager should ensure the LADO / DO
 - in the area where the home is located
 - is also notified.
- The Placing Authority / child's Social Worker



At this stage, the manager should implement the internal safeguarding actions and document any meetings and any other forms of correspondence as well as any completed forms including accident / injury, incident, restraint, and notifiable events. These should be used throughout the process and include any decisions made by any relevant parties and the reasons why such as if the decision were made to suspend the staff member. The conclusion to each case should be recorded, and again the reasons behind any decisions made and any lessons to be learnt and any actions necessary.

The procedures that will be followed will depend on the decisions made by Children's Social Care, the Placing Authority, LADO / DO and potentially the Police. It is also possible that the Regulatory Authority will be involved in decision making.

The home's manager (or delegated senior manager) will co-operate with the decisions / actions taken by them.

Having received the referral (report / allegation), it is likely that Strategy Discussion / Meeting will be convened, to decide whether to initiate a Child Protection Enquiry and, if so, to agree the following (where necessary) with the manager:

- Who should inform the child's parent(s)?
- Arrangements for any medical examination of the child.
- Any immediate arrangements for protection of the child(ren), including whether the Child should be moved to another Home.
- Whether it is necessary to inform staff within the home and if so, who will do it.
- Whether any implicated staff should be suspended or moved.
- Who should inform / update the person making the initial allegation of the steps / actions taken?

The manager should ensure that the child is supported during any enquiries / investigation, this may require an independent advocate or independent person to be involved. The manager should also ensure that all staff co-operate fully.

5. Allegations made against Children:

Abuse and harm can be perpetrated upon one child by another in many ways, including persistent or serious bullying, sexual exploitation, aggressive, exploitative, or other threatening behaviour which places a child at risk.

Where there is any suspicion or allegation of abuse or harm perpetrated by one child or young person upon another, the procedures in Section 2: 'Reporting Concern, Suspicions or Allegations' should be followed.

Protecting the rights of both victim and alleged perpetrator is important. It may be necessary, dependent on an assessment of all the facts; to separate the alleged perpetrator and victim but it may not be possible to explain why this is necessary to the perpetrator.

Throughout the process thereafter it will be necessary to ensure that children with



allegations made against them are properly supported, by an Independent Person if appropriate or required, as well as their social worker and parent(s), again, if necessary and required.

Once the investigation is complete, consideration will then need to be given to the needs and interests of both the alleged victim and perpetrator, and whether counselling and / or other support should be given.

Risk assessments must be completed and / or updated to identify control measures to manage potential risk – if risk cannot be suitably managed, additional decision making in collaboration with children's social workers and local authorities may need to be made.

End.