



# Safeguarding Policy & Guidance

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## **Introduction**

Nuneaton and Bedworth Borough Council is committed to the protection and safeguarding of children, young people and adults at risk.

This Policy documents the arrangements for safeguarding activity and outlines the Authority's responsibilities and procedures for its employees and elected Members.

Safeguarding is everyone's responsibility, and the Borough Council will ensure that its employees, elected Members and everyone associated with the provision of its services will take all reasonable steps to protect and safeguard children, young people and adults at risk from harm, discrimination or degrading treatment and ensure that their rights, wishes and feelings will be respected.

This Policy is written in reflection of the following legislation & documentation:

- Working Together to Safeguard Children 2023
- Children and Social Work Act 2017
- The Care Act 2014
- Children Act 1989 & 2004
- Domestic Abuse Act 2021
- Modern Slavery Act 2015

## **Child Protection**

Safeguarding and promoting the welfare of children is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best outcomes (Source: Working Together 2023 and the Children and Social Work Act 2017)
- A "child" is defined as any young person under the age of 18 years (including unborn children).

## **Adult Safeguarding**

This involves people and organisations working together to stop abuse and neglect occurring and intervening effectively in situations where there is risk of abuse or neglect, or where abuse is seen to be taking place. The Care Act 2014 sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. An "adult at risk" is any adult, aged 18 years or over, who:

- Has a need for care and support (whether or not the local authority is meeting any of those needs) and:
  - Is experiencing, or at risk of, abuse or neglect; and
  - As a result of those care and support needs, is unable to protect themselves from either the risk, or the experience, of abuse or neglect.

"Care and support" are the mixture of practical, financial and emotional support for

adults who need extra help to manage their lives and be independent, including older people, people with a disability or long-term illness, people with mental health problems and carers. Care and support include an assessment of people's needs, provision of services and the allocation of funds to enable a person to purchase their own care and support. It could include care home, home care, personal assistants, day services, or the provision of aids and adaptations (Care Act 2014).

When supporting an adult at risk it is essential that their wishes are understood and acknowledged. This is critical to ensuring that the approach that an Officer or an organisation takes is the right one. This is called "making safeguarding personal". Making safeguarding personal is about talking people through the options they have and what they want to do about their situation. Before deciding what needs to be done, the views of the adult at risk need to be explored and understood.

## **Responsible Officers and Partnership Arrangements**

### **Strategic Director – Corporate Resources**

The Strategic Director for Corporate Resources has ultimate responsibility for safeguarding activities within the Council and is the designated Safeguarding Champion for the Council.

### **Assistant Director – Democracy and Governance**

The Assistance Director for Democracy and Governance has the responsibility for the safeguarding function within the Council. They oversee the operational safeguarding activities. The Assistant Director, in the absence of the Equality and Safeguarding Officer, will act as the deputy for liaison with Warwickshire Front Door and will deal with referrals to and requests for information from the Warwickshire Front Door and other statutory agencies.

### **Elected Member Safeguarding Champion**

The champion is nominated at full Council every year and is normally the Portfolio Holder for Resources and Customer Service. The Champion acts as the member lead on safeguarding issues both internal and external to the Council and is responsible for ensuring that the Council has the relevant policies in place to ensure compliance with the relevant legislation.

### **Equality and Safeguarding Officer**

The Equality and Safeguarding Officer carries out the operational activities for safeguarding within the Council. The post is the allocated Single Point of Contact (SPOC) for liaison with Warwickshire Front Door and will deal with referrals to and requests for information from the Front Door & other relevant agencies. The Equality and Safeguarding Officer is the Council's representative at the Warwickshire Safeguarding Partnership meetings and lead Officer on related partnership working & responding to information requests for Safeguarding Practice Reviews. The post holder also deals with any allegations relating to safeguarding in accordance with the procedures of the Warwickshire Safeguarding Partnerships and the Council's procedures. The post holder would act as a liaison between the Local Authority Designated Officer regarding allegations made against Council employees.

### **Support Officers for Specific Point of Contact**

Support Officers across the Council have been nominated to support the SPOC in supplying information to the Warwickshire Front Door. Once a request for information is made by the SPOC, they will supply the requested information from the data they hold on to a child/adult/family.

### Strategic Directors & Assistant Directors

Strategic Directors & Assistant Directors are required to consider the impact of their policies, procedures and services on children and adults with care and support needs. They must ensure compliance with this policy.

### Other Council Employees

Council employees are responsible to report any safeguarding concerns they have to the Equality and Safeguarding Officer, People Services Manager, Human Resources or the Safeguarding Champion.

### Warwickshire Safeguarding Boards

The countywide arrangements for safeguarding adults and children are overseen by the respective Warwickshire Safeguarding Adult and Children Boards.

### Warwickshire Front Door (Front Door)

In Warwickshire, a new integrated "Front Door" has replaced the Multi Agency Safeguarding Hub (MASH) as the first point of contact for safeguarding concerns for children and young people. This brings together Early Help and Children's Social Care to ensure that children and young people receive the right support at the right time. The "Front Door" incorporates the MASH function and is a partnership between the County Council, Warwickshire Police, Health and other key partners.

The Front Door does deal with Adult Safeguarding concerns however the main mechanisms for referrals for Adult Safeguarding concerns would be made to Adult Social Care or Mental Health Services.

## Legislation Overview

### Children Act (1989 & 2004)

The Children Act of 1989 was introduced to give a comprehensive legal framework for Protecting Children and securing their lives and futures. The Children Act 2004 is an extension of the 1989 Act and enhances & strengthens legislation.

The Borough Council has a duty under Section 11 of the Children Act 2004 to ensure that it considers the need to safeguard and promote the welfare of children when carrying out its functions and that it will act as part of the Warwickshire Safeguarding arrangements.

### Working Together to Safeguard Children 2023

Working Together to Safeguard Children (usually referred to as Working Together) is statutory guidance produced by the government which outlines how practitioners working with children, young people and families should work together in order to ensure that children and young people remain safe from harm. This document has been reviewed & updated regularly sets out the requirements of the Council to fulfil its role in safeguarding children, the latest version being in 2023.

### The Children and Social Work Act 2017

This legislation introduced new, flexible arrangements for safeguarding children. The County Council, Chief Officer for Police and Clinical Commissioning Groups have an equal and shared duty to work together in partnership with other relevant agencies to safeguard and promote the welfare of all children in a local area.

### Care Act 2014

The Care Act 2014 is a reform of care and support in Britain. It sets out local authorities' duties in relation to assessing people's needs and their eligibility for publicly funded care and support. The Act created a consistent route to establishing an entitlement to public care and support for all adults with needs for care and support and produced the first ever entitlement to support for carers, on a similar basis.

### Domestic Abuse Act 2021

This legislation improves and enhances protection for victims of domestic abuse. It introduces a number of requirements on public bodies including the Council. These requirements have been included within Council Policy, mainly relating to Housing and Homelessness however it is recognised that the whole Authority has a role to play in respect of the Domestic Abuse Act.

### Modern Slavery Act 2015

The Modern Slavery Act 2015 is a piece of legislation designed to combat modern slavery and human trafficking. Section 54 of Act requires certain organisations to develop a Modern Slavery and Human Trafficking Statement each year.

The Statement must set out what steps the organisation has taken during the previous financial year to mitigate modern slavery in any part of its business or supply chain. It is a requirement for any organisation which supply goods or services and have a total turnover of not less than £36m to create and publish a statement.

## Definitions of Abuse

Within child protection and adult safeguarding, there are various forms of abuse. The definitions of these are set out below:

### Child Protection

**Physical Abuse:** Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.

**Emotional Abuse:** Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

It may involve conveying to the child they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on the child. These may include interactions that are beyond the child's developmental capability, as well as over protection and limitation of exploration and learning, or preventing the child participating in normal social interaction.

It may involve seeing or hearing the ill-treatment of another, bullying (including cyber bullying) causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Neglect:** Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food and clothing,
- provide shelter including exclusion from home or abandonment,
- protect a child from physical and emotional harm or danger,
- ensure adequate supervision including the use of inadequate care-takers,
- provide appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to a child's basic emotional needs.



**Sexual Abuse:** Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.

The activities may involve physical contact, including assault by penetration (e.g., rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may include non-contact activities such as involving children in looking at, or in the production of pornographic material, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

### **Safeguarding Adults**

**Physical abuse:** Physical abuse is the use of physical force or mistreatment of one person by another which may, or may not, result in actual physical injury. This may include assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

**Domestic abuse:** Domestic abuse is when someone you are in a close relationship with behaves in a way that causes psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

**Sexual abuse:** Sexual abuse is any behaviour perceived to be of a sexual nature which is unwanted or takes place without consent or understanding. Sexual violence and abuse can take many forms and may include non-contact sexual activities, examples are as rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, grooming and stalking.

**Psychological abuse:** Psychological (or emotional abuse) is harmful behaviour that can cause mental distress. It can include both verbal and non-verbal abuse which can scare, humiliate and isolate a person.

This may include threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

**Financial or material abuse:** Financial abuse is another name for trying to steal, stealing or defraud someone of their money, goods and/or property.

This may include theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions, or benefits.

**Modern slavery:** encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive, and force individuals into a life of abuse, servitude and inhumane treatment.

**Discriminatory abuse:** Discriminatory abuse is when someone picks on someone or treats them unfairly because something about them is different. This can include forms of harassment, slurs or similar treatment, because of race, gender and gender identity, age, disability, sexual orientation or religion.

**Organisational abuse:** Organisational (or institutional abuse) is the mistreatment or neglect of an adult at risk by a regime or individuals. It takes place within settings and services that adults at risk live in or use, including any organisation, within or outside of the Health and Social Care sector.

This can include neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

**Neglect and acts of omission:** Neglect occurs when a person deliberately withholds, or fails to provide, appropriate and adequate care and support needed by another adult. It may be through a lack of knowledge or awareness, or through a decision not to act when they know the adult in their care needs help. It may impair the health or well-being of an adult.

This can include including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.

**Self-neglect:** Self-neglect is any failure of an adult to take care of himself or herself that causes or is reasonably likely to cause within a short period of time, serious physical, mental or emotional harm or substantial damage to or loss of assets.

This can cover a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

### Other definitions in relation to Safeguarding.

#### **Child Sexual Exploitation (CSE) & Missing Persons**

Child sexual exploitation is a form of child abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity in exchange for something the victim needs or wants, and / or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Sexual exploitation often involves a grooming stage. Grooming describes the variety of methods that are used to manipulate and control victims, including:

- the giving of gifts or presents.
- the giving of rewards, such as like mobile phone top-ups or games
- credits

- false promises of love and / or affection
- the supply of alcohol and / or drugs

It is common for the grooming of children and young people to take place online. Children and young people can make themselves vulnerable through their online activities, which abusers are quick to exploit. Victims may have been persuaded or coerced into posting indecent images or performing sexual acts on a webcam. Online grooming can also progress to meeting face-to-face.

As a result of the grooming process, children and young people will rarely recognise the coercive and abusive nature of the relationship in which they are involved, and they will often prioritise their attachment or loyalty to the offender over their own safety.

The perpetrators of sexual exploitation are skilled at driving a wedge between a child and their family and they will also isolate them from their usual friends and support networks. Sexually exploited children also suffer physical, psychological, behavioural and attitudinal changes, all of which present severe challenges to their parents and carers.

It is important to remember that:

- Boys and girls are equally vulnerable to becoming victims of child sexual exploitation.
- Coercers and perpetrators are usually adults, of either gender, in a position of power, but can be other children and young people.
- Young people may exchange or sell sex as a result of constrained circumstances, such as poverty, isolation and historic abuse.
- Parents / carers may be involved in the sexual exploitation of their children or fail to prevent / protect their children from abuse.
- Groups of children and young people and multiple perpetrators may be involved.
- No child under 13 years of age nor a child with a learning disability will be assessed as low risk if their behaviours indicate involvement in CSE.
- Children and young people with additional needs, up to and including those aged 24 years, will require special consideration.
- Disclosure of information may take time and evident risks may only emerge during an on-going assessment, support, and intervention with the young person and / or their family.

If you suspect a child is a victim of CSE, reporting should be via the main safeguarding reporting mechanism.

## **County Lines**

County Lines is the name given to drug dealing where organised criminal groups use phone lines to move and supply drugs, usually from cities into smaller towns and rural areas.

The criminal groups exploit vulnerable people, including children and those with

mental health or addiction issues, by recruiting them to distribute the drugs, often referred to as "drug running".

There are several signs to look out for that may indicate that someone is involved in County Lines activity:

- Repeatedly going missing from school or home and being found in other areas.
- Having money, new clothes or electronic devices and they cannot explain how they paid for them.
- Getting high numbers of texts or phone calls, being secretive about to whom they are speaking.
- Decline in school or work performance.
- Significant changes in emotional or physical wellbeing

Organised criminal groups often use high levels of violence and intimidation to protect the County Line and control those involved. One of these forms of control exploits vulnerable people by using their home as a base for dealing drugs, a process known as "cuckooing". Dealers often convince the vulnerable person to let their home be used for drug dealing by giving them free drugs or offering to pay for food or utilities.

Often the criminal groups target people who are lonely, isolated, or have addiction issues. It is common for them to use a property for a short amount of time, moving address frequently to reduce the chance of being caught.

There are several signs to look out for that may indicate that someone is a victim of cuckooing:

- Frequent visitors at unsociable hours
- Changes in household daily routines
- Unusual smells coming from a property.
- Suspicious or unfamiliar vehicles outside an address

If you have any suspicions or information that could help in identifying any form of County Lines activity they should be reported to the Police on 101.

## **Harmful Practices**

Harmful practices include Female Genital Mutilation (FGM), Honour Based Violence (HBV) and Forced Marriage.

### *Female Genital Mutilation:*

FGM involves the partial or total removal of the external female genitalia or other damage to the genital organs for supposed cultural, religious or non-medical reasons. FGM, also known as female circumcision (cutting or sunna), can affect females from birth to pregnancy. It inflicts severe physical and psychological damage, which can last a lifetime. While there is intelligence to suggest that FGM is being physically performed in the UK, most victims are usually taken abroad, commonly on flights in the holiday periods of Easter, summer and Christmas. If it

suspected that a child has been a victim of FGM, or there are concerns that a child is at risk of FGM, contact Warwickshire Police on 101. In an emergency call 999.

#### *Honour Based Violence:*

HBV is a crime or incident that has or may have been committed to protect or defend the honour of the family and / or community. If this is suspected, no contact should be made with the family. HBV has the potential to be both a domestic abuse and child abuse concern. There are specific behaviours, attitudes and actions that may constitute dishonour and they are wide ranging. Individuals, families and communities may take drastic steps to preserve, protect or avenge their honour, which can lead to substantial human rights abuses. If it is suspected that a child or adult has been a victim of HBV, it should be reported. to Warwickshire Police on 101. In an emergency call 999.

#### *Forced Marriage:*

Unlike an arranged marriage, where the prospective spouses may choose whether or not they wish to accept the partnership, a forced marriage is an arrangement in which one or both spouses do not consent to the marriage, or when consent is extracted through duress. From June 2014, forcing someone to marry against their will is crime and anyone found guilty can face up to seven years in prison. If it is suspected that a child or adult has been a victim of forced marriage, it should be reported to Warwickshire Police on 101. In an emergency call 999.

### **Modern Slavery and Human Trafficking**

Modern slavery or human trafficking is the movement of a person(s) from one place to another (this could be country to country, town to town, or even as simple as one room in a building to another) into conditions of exploitation, using deception, coercion, abuse of power or the abuse of the person's vulnerability. It can include slavery, servitude and forced or compulsory labour. Even if a victim consents and is willing to be moved, trafficking could still be taking place. It involves either the threat of harm or actual harm to the person themselves or their family.

### **National Referral Mechanism (NRM)**

There is a national framework, known as the National Referral Mechanism, to assist in the formal identification of modern slavery victims and to help co-ordinate their referral to appropriate services. Certain public bodies, such as local authorities, have a statutory duty to refer potential victims to the NRM.

In England and Wales, a "First Responder" organisation is a body that is authorised to refer a potential victim of modern slavery into the National Referral Mechanism. As a Local Authority, the Borough Council is a First Responder organisation. First Responder organisations have the following responsibilities:

- To identify potential victims of modern slavery and recognise the indicators of modern slavery.

- To gather information in order to understand what has happened to potential victims.
- To refer victims into the NRM (in England and Wales, this includes notifying the Home Office if an adult victim does not consent to being referred)
- To provide a point of contact for the Single Competent Authority (SCA) to assist with decisions and to request a reconsideration, where a First Responder believes it is appropriate to do so.

If it is suspected that a child or adult is a victim of Modern Slavery, it should be reported to Warwickshire Police on 101. In an emergency call 999.

## **Domestic Abuse**

The Domestic Abuse Act 2021 states that the behaviour of a person towards another person is domestic abuse if they are personally connected to each other and the behaviour is abusive. Behaviour is defined as abusive if it consists of physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse or psychological, emotional or other abuse.

Local authorities and the Police have duties to protect and support individuals who experience domestic abuse. They provide these duties both as individual organisations and collaboratively. They include ensuring that safe accommodation is available for households.

Controlling behaviour is defined as:

“A range of acts designed to make a person subordinate and / or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour”.

Coercive behaviour is defined as:

“An act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim”.

Threatening behaviour includes threats of violence, threats of suicide or threats to take the children from the abused person.

Domestic abuse affects people of all ages, social backgrounds, gender, religion, sexual preference or ethnicity, and in a range of relationships: married, separated, divorced, living together, dating, heterosexual, gay or lesbian, and includes child on parent abuse and elder abuse. Domestic abuse that causes serious physical injury is mainly committed by men against women. Male victims of domestic abuse may find it harder to seek help. Domestic abuse affects children who witness the abuse and may require safeguarding action to be taken.

If you have any concern that a person may be at risk from domestic abuse, either directly or indirectly (in the case of children and young people), the Police should be contacted immediately.

## **Prevent**

In Warwickshire, authorities and communities are working together to deliver the Government's Prevent Strategy. Prevent is one of four objectives that make up the Government's Strategy for Countering Terrorism – CONTEST.

The Prevent Strategy has three key objectives:

- 1) Respond to the ideological challenge of terrorism and the threat faced from those who promote it.
- 2) Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support.
- 3) Work with sectors and institutions where there are risks of radicalisation that need to be addressed.

The Strategy challenges all forms of terrorism, including the influence of far right and far left extremists. It defines extremism as “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs”.

Prevent operates in a pre-criminal space, providing support and re-direction to vulnerable individuals at risk of being groomed into terrorist activities before any crimes are committed. Radicalisation could be comparable to other forms of harm and abuse. It is, therefore, considered to be a safeguarding issue and is considered alongside the wider safeguarding agenda.

Anyone with concerns in relation to Prevent should be reported in line with

## **Equality**

All people, regardless of their protected characteristics, should be given the same level of support and protection. Regard should always be given to a person's religion or belief however this should not override acts of abuse or a breach of law e.g. underage marriage, Female Genital Mutilation (FGM).

It should be noted that people with disabilities, migrant adults and children, unaccompanied asylum-seeking children (UASC), victims of trafficking, domestic abuse and bullying may have additional care needs, and this should be remembered when considering the behavioural indicators.

Additional guidance is available on the Safeguarding Warwickshire website.

## **NBBC Reporting Procedure**

Any safeguarding suspicions should be reported as soon as possible. Any delay should result in further abuse & making a situation worse.

Upon identifying a safeguarding concern, a referral should be made to the Designated Safeguarding Lead within 1 working day.

The referral form is on DASH under NBBC processes.

Once this referral is received, the Designated Safeguarding Lead (in discussion with the referrer) will decide whether there is sufficient evidence to make a referral.

Once the decision has been made to make a referral, the Designated Safeguarding Lead will then make the referral to the appropriate agency.

In the absence of the Designated Safeguarding Lead, if there is a high level of concern, a referral should be made without delay. The Designated Safeguarding Lead should be notified of any referral made.

Any child referral made to the Warwickshire Triage Hub/Front Door should be made using the MAC form attached as Appendix 1.

Any allegations of historical abuse should be responded to in the same way as current concerns.

## **Contact Information**

Warwickshire Triage Hub/Front Door:

01926 414144 (Monday to Thursday 8.30am to 5.30pm, Friday 8.30am to 5.00pm)

01926 886922 (out of hours)

Triage Hub email: [triagehub@warwickshire.gov.uk](mailto:triagehub@warwickshire.gov.uk)

Adult Social Care: 01926 410410

Adult Referral emails: [adultreferrals@warwickshire.gov.uk](mailto:adultreferrals@warwickshire.gov.uk)

Coventry and Warwickshire Mental Health Services: 08081 966798

MH Referrals (RYG) C&W PARTNERSHIP TRUST email  
[mhreferrals@covwarkpt.nhs.uk](mailto:mhreferrals@covwarkpt.nhs.uk)

The email addresses above should only be used by professionals and not disclosed to the public.

## **Consent for referrals**

### **Children**

While it ideal for consent to be obtained to make a referral in respect of a child, it is not mandatory to do so.

Both the Children Acts (1989 & 2004) and the General Data Protection Regulations enable professionals to make referrals when they have concerns about the welfare of a child.



## Adults

Officers should always try and obtain consent from an Adult to make a referral on their behalf (e.g., to Adult Social Care, Mental Health).

While it would be preferable to have this consent in writing, verbal consent is acceptable also.

If an adult doesn't consent to the Council making a referral this should be respected. However, there are certain circumstances where this will not apply, and a referral can be made:

- other people are, or may be, at risk, including children.
- sharing the information could prevent a crime.
- the alleged abuser has care and support needs and may also be at risk.
- a serious crime has been committed.
- employees are implicated.
- the person has the mental capacity to make that decision, but they may be under duress or being coerced.
- the risk is unreasonably high and meets the criteria for a multi-agency risk assessment conference referral.
- a court order or other legal authority has requested the information.
- the person lacks the mental capacity to make the decision – *this must be properly explored and recorded in line with the Mental Capacity Act*

## **Guidance for Employees, Members and Volunteers**

The following guidelines will help safeguard children, young people and adults; our Employees, Members, volunteers and contractors; the Borough Council and other concerned organisations (This group will be referred to as Council Employees throughout the rest of the document). The guidelines aim to promote positive practice and are some examples of care which should be used by everyone while working with children, young people and adults at risk.

### **Professional Curiosity**

Professional curiosity is the capacity and skill for proactive questioning and challenge (rather than making assumptions or professional optimism not based on an assessment of history and current circumstances).

Council Employees should never be frightened to ask the obvious question and share concerns with colleagues or their supervisor/line manager. A fresh take on the situation can sometimes really help practitioners and organisations maintain good practice standards and develop a critical mindset.

The Council encourages Employees to challenge any situation which they are not happy with the response or outcome.

Safeguarding Warwickshire has an Escalation Procedure to follow should Employees wish to challenge decisions made by Children Services or Adult Social Care.

### **Safe Working Practices for Council Employees**

Should the situation arise where an employee comes into contact with a child or an adult who may have care and support needs, the following should be adhered to:

- When working with children and adults, avoid situations where you and an individual are alone and unobserved.
- Do not take children or adults alone on a car journey, however short.
- Children or young people should never be left unattended. For example, it is the parent / carer's responsibility to supervise any children in their care when they are visiting the Council offices, or when any Council Employee is carrying out a home visit.
- Children and adults have the right to privacy, respect, and dignity. Respect the individual and provide a safe and positive environment.

Staff, Members, and volunteers should never:

- Engage in rough physical games, including horseplay.
- Engage in sexually provocative games.
- Allow or engage in inappropriate touching of any form.
- Allow children or adults to use inappropriate language unchallenged or use it yourself.
- Make sexually suggestive comments about or to a child or adult with needs for care and support, even in fun.
- Let any allegation a child or adult makes be ignored or go unrecorded.
- Do things of a personal nature for children or adults that they can do for themselves, e.g., assist with changing, handle money.

- Take a child or adult to the toilet, unless this is an emergency and a second, same-sex member of staff is present.
- Use a mobile phone, camera or other recording device in any changing or other single sex location, such as toilets, when the area is occupied.

### How to Respond to Disclosures

Listening to a disclosure can be difficult, and although it is not expected that employees will actively seek or probe people for disclosures, if someone does disclose information about abuse you should:

- Listen carefully.
- Take the person seriously.
- Write down, as soon as you can, what has been said (using their words) and any extra information about their actions whilst giving the information (for example, if someone said “they hurt my arm” but pointed to their leg you would need to record both elements)
- Follow the safeguarding procedures outlined within this Policy.
- Tell the person what you are going to do next.
- Do not promise to keep anything a secret. Remember, it is a statutory duty to report safeguarding concerns.
- Do not ask leading questions. If you do not feel comfortable, confident or the situation is having a negative impact on your emotional wellbeing, seek support from your Line Manager or the Designated Safeguarding Lead.

In some circumstances, a passive disclosure may be received i.e., a conversation may disclose information of abuse. The same process above should be followed should this be the case and the person disclosing should be informed that the conversation is being treated as a safeguarding concern.

### Looking After Yourself

Receiving a disclosure can have a significant impact on your emotional wellbeing. If you are affected by anything you have read or heard about safeguarding, you can:

- Discuss the matter with your Line Manager
- Access counselling through the Authority (via Human Resources).
- Talk through the issue with your Line Manager or the Designated Safeguarding Lead
- Access medical support outside of NBBC e.g., GP.

### Suicide Threats

Any threats of suicide made to the Council should be treated extremely seriously.

Further guidance on suicide threats can be sought from the Council's specific guidance on dealing with suicide threats.

### Escalation Procedure

If an employee has an issue about how a safeguarding concern has been dealt following a Front Door or Adult Social Care referral, they should raise this with the Council's Designated Safeguarding Lead who will then follow the Warwickshire Safeguarding Partnership Escalation Process.

## **Safer Recruitment & Employment**

### **Recruitment and Selection**

All the Borough Council's staff will be appointed in line with the Authority's Recruitment and Selection Policy and other associated procedures to ensure that all of the necessary checks are carried out on individuals expected to work with children and adults who may have care and support needs.

Pre-selection checks will include the following:

- Completion of an application form, including a self-disclosure about criminal records
- Where appropriate, consent to obtain information from the Disclosure and Barring Service in order to assess an applicant's suitability to work within the role they have applied for working with children and adults at risk in accordance with legislation.
- Receipt of two relevant references
- Proof of qualifications
- Confirmation of identity

### **Disclosure and Barring Service (DBS)**

In line with the Borough Council's Recruitment and Selection Policy and DBS Policy and Guidelines, DBS checks will be carried out on all employees involved in 'Regulated Activity' relating to children and adults at risk. The Council has a separate Policy covering DBS checks. These Policies, in addition to the list of posts which require a DBS check, is administered by Human Resources.

### **Supervision and Annual Development Review**

All employees working, or having regular contact, with children and adults with possible care and support needs, should have the opportunity to discuss any safeguarding concerns they have (whether as part of their role or outside of work) as part of their one-to-one meetings.

Safeguarding issues, either achievements or challenges, should also be raised/discussed during an Employees Annual Development Review.

### **Induction and Training**

All employees who start employment with the Council will be required to undertake an induction programme which includes mandatory safeguarding elements.

In addition to this, all Employees who may come into contact with children or adults with care and support needs will be required to undertake the Council's Safeguarding Training every three years. This training will cover the principles of this Policy including the definitions of abuse, how to better identify signs of abuse in addition to reporting mechanisms.

Further specific training identified will be provided as appropriate.

## **External Clubs / Organisations Using Borough Council Facilities**

All clubs and organisations working with children, young people and adults with care & support needs that use Borough Council facilities will be expected to have appropriate arrangements in place to safeguard their users/members. These arrangements may include, for example and where relevant, formal compliance with the safeguarding requirements of the governing body for the sport or activity concerned.

If a club or organisation does not have its own policy, (or evidence of formal compliance with the safeguarding requirements of an appropriate governing body), a copy of this Policy will be distributed with the Terms and Conditions of Hire. The club/organisation will then be required to commit to adhere to the provisions of this Policy.

## **Use of Contractors**

The Council and its Employees, Elected Members and volunteers will exercise reasonable care to ensure that contractors undertaking work on behalf of the Authority are appropriately supervised and monitored.

As part of the procurement process, any contractor or sub-contractor engaged by the Borough Council in areas where workers are likely to come into contact with children or adults at risk, should have their own equivalent Safeguarding Policy. Failing this, it must demonstrate that they will comply with the terms of this Policy.

If a contractor's work brings them within the definition of 'regulated activity', it will be a requirement that anyone working within this definition will be required to have an enhanced DBS check.

## **Allegations Against a Member of Staff**

### **Allegations Against People Who Work with Children / Young People**

Referrals to the Local Authority Designated Office (LADO) should be made where there are concerns that someone who works with children may have:

- Behaved in a way that has harmed, or may have harmed, a child.
- Possibly committed a criminal offence against, or related to, a child.
- Behaved towards a child or children in a way that indicates that they may pose a risk of harm to children.

These behaviours should be considered within the context of the four categories of child abuse (physical, sexual, emotional and neglect). These include concerns relating to inappropriate relationships between members of staff and children or young people, for example:

- Having a sexual relationship with a child under 18 years of age if in a position of trust in respect of that child, even if it is consensual.
- 'Grooming', i.e., meeting a child under 16 years of age with intent to commit a relevant offence.
- Other grooming behaviour giving rise to concerns of a broader child protection nature (e.g., inappropriate text / email messages or images, gifts, socialising, etc.)
- Possession of indecent photographs / pseudo-photographs of children

If concerns arise about a person's behaviour towards their own children, the standard referral process should be followed.

Referrals of this nature will be made on the Position of Trust Multi-Agency Contact Form (POT MAC) and emailed to the LADO at their direct email address, which is [lado@warwickshire.gov.uk](mailto:lado@warwickshire.gov.uk). It is the responsibility of the Equality and Safeguarding to inform the Local Authority Designated Office (LADO) within one working day.

Any allegations of historical abuse should be responded to in the same way as current concerns.

If, following an investigation, the allegations are founded and the employee dismissed, the information will be shared with the Disclosure and Barring Service. Further advice on this can be found in the Disciplinary Policy and Dismissal procedures.

### **Allegations Against People Who Work with Adults at Risk**

All concerns should be reported to the Strategic Director of the service in which the Officer is employed. The Strategic Director will then liaise with Human Resources.

A referral will then be made to Adult Social Care and/or the Police depending on the circumstances.

Relevant Human Resources Policy will be followed while an investigation is being carried out. Any Council investigation may be dependent on any investigation being carried out by an external body i.e. Police.

### **General Data Protection Regulations (GDPR)**

The General Data Protection Regulations (GDPR) supersedes the Data Protection Act 1998. Practitioners must have due regard to the relevant data protection principles that allow them to share personal information.

The GDPR and Data Protection Act 2018 place greater significance on the need for organisations to be transparent and accountable in relation to their use of data. All organisations handling personal data must ensure that they have in place comprehensive and proportionate arrangements for collecting, storing, and sharing information. This also includes arrangements on informing service users about the information that they will collect and how this may be shared.

The GDPR and Data Protection Act 2018 does not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe.

To effectively share information:

- All employees should be confident of the processing conditions that allow them to store and share the information that they need to carry out their safeguarding role. Information that is relevant to safeguarding will often be data which is considered to be “special category personal data”, meaning that it is sensitive and personal.
- Where practitioners need to share special category personal data, they should be aware that the Data Protection Act 2018 includes 'safeguarding of children and individuals at risk' as one of conditions that allows practitioners to share information with others without consent.
- Information can be shared legally without consent, if a practitioner is unable to, or cannot be reasonably expected to gain consent from the individual, or if to gain consent could place a child at risk.
- Relevant personal information can also be shared lawfully if it is to keep a child or individual at risk safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental or emotional wellbeing.

The Borough Council will use personal data for a limited number of purposes and always within the rules set out in the GDPR and Data Protection Act 2018. The Authority will process data to protect individuals from potential harm or injury.

### **Photography/image recording/CCTV**

Many people now carry sophisticated mechanisms of capturing high quality pictures and videos, mainly via a smartphone. This, together with the popularity of tablet/portable computers, creates opportunities to record and share images in a variety of places and situations, and as a consequence presents opportunities for potential misuse.

The Council's priority at all times will be to safeguard the welfare of children and the Council will aim to minimise opportunities for the inappropriate capture of images and/or video.

Photography is therefore banned on Council premises in the following areas:

- All changing areas
- Toilets
- First aid rooms
- Shower/Washing areas

Any person who is found to be capturing pictures and/or videos in these areas should be asked to stop immediately.

As a rule, Council employees should actively discourage photography and video recording on Council premises. Council employees should be mindful of photography/image recording and challenge people when they feel the photography/image recording is inappropriate and report this to their Line Manager immediately.

At any Authority-led event in a public area, it would be deemed unreasonable to request consent from everyone present. These images can only be used in promotional material relating to the event and must not be passed to third parties.

The Borough Council is not responsible for collating consent for external organisations or individuals (e.g., journalists) who are not employed by the Authority when they are taking photographs at Council run events.

For each occasion photos are being taken of children, Council employees should set out explicitly on each occasion to parents/guardians how the photos are going to be used. Consent should be obtained for each media platform e.g., Facebook, twitter, newspaper etc. Photos should not be kept longer than required and should be destroyed as soon as they are not required.

Images taken by Council employees should be stored on a secure Council system and under no circumstances should images of children or adults at risk be stored on an employee's personal or work mobile / other handheld device.



## **Appendix A: MAC form**

### **Multi-agency Contact - MAC**

This form should always be completed (to the best of your knowledge) when making a contact to the Warwickshire Children and Families Front Door. Please contact the Front Door first to discuss this matter.

If you have previously rung, please provide the reference number.

It is important to note that this MAC will be assessed to see if it meets the threshold for becoming a referral for further action.

For an immediate concern about a child in danger dial 999.

In Warwickshire we are working restoratively with families, so it is important to tell us what is working well in the family, the strengths and the barriers to change.

*[In line with the Pathway to Change Model which can be accessed here.](#)*

#### **1. About the Child**

First Name		Last Name	
Address		Postcode	
Telephone		Gender	
Date of Birth/ Expected Delivery Date		What does the child say / how does the child see themselves?	
Ethnicity		Religion	
Disability		National health number	
Interpreter required? If yes, which language			

#### **2. Details of parent/carer's/key family members including siblings**

First Name	Last Name	DOB/EDD/Age	Ethnicity	Address	Tel	Email address	Relationship to Child

Interpreter required? If yes, which language?							

### 3. About You

Your Name			
Name of organization		Job Title	
Email address		Telephone number	
Relationship to child / your agency's role or service provided		Contact address	

### 4. Informing the parent(s) and carer(s).

As a professional working with the child or family, it is your responsibility to speak to the parents or carers about your concerns; unless by doing so will place the child at risk of significant harm or cause undue delay.

Have you informed parents or carer's about making this contact to the Front Door?

Parent/carers signature

If not informed can you say why?

### 5. Reason for contact

What is happening now?

Who is affected and how?

Do you know what has happened in the past?

What has triggered this matter now?																									
<p>Are there clear child protection concerns? If so, please state what they are? Tick all which apply.</p> <p>Physical harm <input type="checkbox"/>  Emotional harm <input type="checkbox"/>  Neglect <input type="checkbox"/>  Sexual abuse <input type="checkbox"/>  Exploitation <input type="checkbox"/></p>																									
What keeps the issue going?																									
What is working well in this family?																									
What changes need to happen?																									
How will we know change has been achieved?																									
If nothing changes in your view how serious is this matter?	<table border="0"> <tr> <td>1</td> <td>2</td> <td>3</td> <td>4</td> <td>5</td> <td>6</td> </tr> <tr> <td>7</td> <td>8</td> <td>9</td> <td>10</td> <td></td> <td></td> </tr> <tr> <td colspan="6">No harm</td> </tr> <tr> <td colspan="6">High harm</td> </tr> </table>	1	2	3	4	5	6	7	8	9	10			No harm						High harm					
1	2	3	4	5	6																				
7	8	9	10																						
No harm																									
High harm																									

#### 6. Details of professionals involved with child or family (GP, school, health, voluntary organisation etc.)

Name	Organisation	Relationship to Child	Email Address and telephone number
Has an Early Help pathway plan been considered?			Yes <input type="checkbox"/> <b>No</b> <input type="checkbox"/> If yes, please attach the plan to this contact.

<a href="https://www.warwickshire.gov.uk/children-families/early-help-warwickshire/1">https://www.warwickshire.gov.uk/children-families/early-help-warwickshire/1</a>	
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<b>7. Contact has been sent to the Children and Families Front Door at</b> <b><u><a href="mailto:TriageHub@Warwickshire.gov.uk">TriageHub@Warwickshire.gov.uk</a></u></b>	
Date of contact:	
Date Front Door responded to the person submitting the Contact:	