

NORTH HERTFORDSHIRE DISTRICT COUNCIL

SAFEGUARDING CHILDREN POLICY

2013

Safeguarding Children Vision Statement

North Hertfordshire Council believes that all children are born unique and have natural capabilities and competencies to adapt to the world into which they develop.

North Hertfordshire District Council supports children's rights as defined in the United Nations Convention on the Rights of the Child 1989.

These rights must be realised for children to develop their full potential, free from hunger and want, neglect and abuse. Adults and other children can harm a child's wellbeing by abusing them and it is not always obvious when a child is being abused, there may be specific signs or your instinct may tell you something is wrong.

Child abuse or exploitation of children and young people, is never acceptable in any circumstance, and every child has the right to be safe. Safeguarding, the protection of children and their individual rights, is rightly everyone's business.

Working in partnership with the community, partners and safeguarding authorities, North Hertfordshire District Council aims to make sure that children using its services are listened to and protected from abuse. We actively encourage our staff to report all incidents or concerns they may have in relation to the wellbeing of a child, no matter how minor that concern may seem, or indeed if it is found to be unfounded, and support the principle that it is best to report than look away or ignore.

Councillor Lynda Needham
Leader

David Scholes
Chief Executive

1 North Hertfordshire District Council's duty to safeguard

1.1 Valuing and protecting children

1.1.1 The purpose of this policy is to inform the Council's staff, volunteers, contractors and Councillors as well as the public, of the Council's commitment to safeguarding and promoting the welfare of children, in a legal and ethical context. The Children Act 2004 has imposed a duty on all organisations that have contact with children to ensure they make sufficient arrangements to protect them.

1.1.2 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 can grow up and develop in circumstances consistent with the provision of safe and effective care.

Welfare is undertaking that role so as to enable those children to have optimum life chances and to enter adulthood.

1.1.3 This policy sets out the framework for the Safeguarding Action Plan, resulting from the Section 11 audit, and Safeguarding Children Procedures for North Hertfordshire District Council. Links to both of these documents can be found in Section 6: Further Information.

1.2 The law protecting children

1.2.1 The Children Act 1989

- a. The Act makes provision for local authority services for children in need and those at risk of significant harm.
- b. The Council has accepted a responsibility to inform the local authority (Hertfordshire County Council) where it has concerns that a child is in need or at risk of significant harm, as defined by the Act. Section 4.1 of this policy sets out those definitions.
- c. Section 29 of the Act states that where it appears to the Children's Services local authority (Hertfordshire County Council) that any organisation could, by taking any specified action, help in the exercise of any of their functions under this section, they may request the help of that organisation specifying the action in question. An organisation whose help is so requested shall comply with the request if it is compatible with their own statutory or other duties and obligations and does not unduly prejudice the discharge of any of their functions.
- d. These organisations are:
 - any local authority;
 - any local education authority;
 - any local housing authority;
 - any health authority, special health authority, Primary Care Trust, National Health Service Trust or NHS Foundation Trust; and
 - any person authorised by the Secretary of State for the purpose of this section.

- e. Section 47 of the Act places a duty on the Council to assist with enquiries the local authority is making relating to a child at risk of significant harm under the following provisions.

Where Hertfordshire County Council is conducting enquiries under this section, it shall be the duty of any person from organisations included at (d) above to assist them with those enquiries (in particular by providing relevant information and advice) if called upon by the authority to do so. However, no person will be obliged to assist the responsible authority where doing so would be unreasonable in all the circumstances of the case.

1.2.2 The Children Act 2004

- a. The Act works alongside the 1989 Act and is aimed at improving the life chances of all children. The purpose of the Act is to encourage integrated planning, commissioning and delivery of children's services as well as improve multidisciplinary working, remove duplication, increase accountability and improve the co-ordination of individual and joint inspections in local authorities. The Act is the primary piece of legislation that North Hertfordshire District Council must meet in safeguarding children, as set out in 1.2 of this policy.
- b. In order to safeguard and promote the welfare of children, North Hertfordshire District Council shall act in accordance with legislation and guidance, specifically The Children Act 2004.

1.3 Our priorities

1.3.1 The Children Act 2004

The Children Act 2004 places responsibilities upon the Council, as a relevant partner to the Children's Services Authority (Hertfordshire County Council) to safeguard and promote the welfare of children. The sections of the Act which apply directly to the Council are summarised below.

1.3.2 Section 10. Co-operation to improve wellbeing

- a. Each Children's Services authority in England must make arrangements to promote co-operation between relevant partners and other appropriate bodies with a view to improving the wellbeing of children. The arrangements address:
- physical and mental health and emotional wellbeing;
 - protection from harm and neglect;
 - education, training and recreation;
 - the contribution made by them to society; and
 - social and economic wellbeing.
- b. Each person and body to whom this section applies must in discharging their duty under this section have regard to any guidance given to them by the Secretary of State, and ensuring they take account of any subsequent revisions to both legislation and guidance as issued.

1.3.3 Section 11. Arrangements to safeguard and promote welfare

- a. This section places a responsibility on the Council to make arrangements to ensure that:
 - their functions are discharged having regard to the need to safeguard and promote the welfare of children; and
 - any services provided by another person pursuant to arrangements made by the person or body in the discharge of their functions are provided having due regard to that need; this would, for instance, extend to any contractor working on our behalf.
- b. Each person and body to whom this section applies must, in discharging their duty under this section, have regard to any guidance given to them by the Secretary of State.

1.3.4 Section. 13 Establishment of Local Safeguarding Children Boards

Each Children's Services authority in England must establish a local safeguarding children board for their area. In Hertfordshire, the Hertfordshire Safeguarding Children Board (HSCB) fulfils this function. District Councils are required to act as a board partner and co-operate with the board in its establishment and operation. For North Hertfordshire District Council this means that it must meet the requirements set out in the Hertfordshire Safeguarding Children Board Inter Agency Procedures and be audited against our compliance with Section 11 of the Children Act 2004.

1.3.5 Meet legal requirements

To meet the requirements of Section 11 of the Children Act 2004, North Hertfordshire District Council should have regard to statutory guidance 'Working Together to Safeguard Children' (HM Government 2013). The Council recognises its duty to co-operate with the Hertfordshire Safeguarding Children Board and will ensure that it meets the requirements set out in the Hertfordshire Safeguarding Children Board Inter Agency procedures.

1.3.6 Working Together to Safeguard Children 2013

This guidance sets out priorities which all organisations who provide services for children, parents or families should demonstrate to fulfil their commitment to safeguard and promote the welfare of children. North Hertfordshire District Council, through its duty to co-operate with Hertfordshire Safeguarding Children Board, has agreed to be audited regularly on these outcomes.

The Council must therefore ensure it has;

- a. Clear priorities for safeguarding and promoting the welfare of children explicitly stated in appropriate strategic policy documents.
- b. Clear commitment by senior management to the importance of safeguarding and promoting children's welfare.
- c. A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children.
- d. Recruitment and human resources management procedures that take account of the need to protect children and young people including arrangements for appropriate checks on new staff and volunteers.

- e. Procedures for reporting and dealing with allegations of abuse against members of staff, contractors, Councillors and volunteers.
- f. Arrangements to ensure all staff undertake and refresh appropriate training to equip them to carry out their responsibilities effectively.
- g. Policies in place for safeguarding and promoting the welfare of children including a child protection policy, and procedures that are in accordance with guidance from Hertfordshire Safeguarding Children Board and locally agreed inter-agency procedures.
- h. Arrangements to work effectively with other organisations to safeguard and promote the welfare of children, including arrangements for sharing information.
- i. A culture of listening to and engaging in dialogue with children - seeking their views in ways appropriate to their age and understanding, and taking account of those views.

1.4 Our Policy

The Council has the following priorities regarding the safeguarding of children:

1.4.1 Inform

To inform staff, parents, volunteers, contractors and Councillors, children and members of the public of the Council's beliefs and legal responsibilities with regard to safeguarding children, and to enable everyone to have a clear understanding of how these responsibilities will be delivered in the event of a concern arising about a child through staff training, awareness and publicity.

1.4.2 Demonstrate

The Council will perform its legal and moral duties to safeguard children by delivering best practice across the organisation. This policy and associated procedures reflect current legislation, accepted best practice and comply with Working Together to Safeguard Children 2013.

1.4.3 Empower

North Hertfordshire District Council will establish and maintain a culture where children, staff, contractors and Councillors feel secure, are encouraged to talk, and are listened to when they have a worry or concern about a child or staff member.

The Council believes that everyone should be encouraged to share their concerns, no matter how minor they may seem, to protect children. Children, staff, contractors and Councillors should be confident that they know who to talk to if they are worried about a child or concerned about a member of staff or contractors' behaviour towards a child.

2 Employing and maintaining safer staff

- 2.1 The Council must ensure a comprehensive safer staffing model for recruiting and monitoring its staff to meet the requirements of the statutory guidance Working Together to Safeguard Children (2013). North Hertfordshire Council will take all reasonable steps to employ staff who are safe to work with children. An appropriately rigorous approach to scrutinising candidates will be made when recruiting staff. Those posts with increased contact with children or their information shall be vetted through the Disclosure and Barring Service and monitored with due rigour. The Council supports the legislative requirements for employing and maintaining safer staff and the guidance specified by the Hertfordshire Safeguarding Children Board Safe Staffing handbook, a link to which can be found in Section 6: Further Information.

- 2.2 The Council's policies on Recruitment including employment checks, Confidential Reporting and Managing Misconduct intend to deter inappropriate interested parties from applying, prevent inappropriate persons from being appointed, detect inappropriate actions and conduct of staff and remove inappropriate staff. These should be referred to throughout recruitment and employment. Links to these policies can be found Section 6: Further Information.
- 2.3 As part of their duty to carry out the Council's functions having regard to the need to safeguard and promote the welfare of children, where appropriate and as determined in contractual documents, contractors must also take all reasonable steps to employ staff who are safe to work with children.

3. Working to Protect Children

3.1 Safeguarding children: everyone's responsibility

- 3.1.1 Every member of staff, volunteer, contractor or Councillor, who, during their work have any kind of contact (direct or indirect) with children and their families, or who have access to information about them, has a responsibility to safeguard and promote the welfare of children.
- 3.1.2 Protecting the vulnerable is not just a moral duty, Government guidance makes it clear that it is a shared responsibility, and depends upon effective joint working between agencies and professionals that have different roles and expertise.
- 3.1.3 The high profile inquiries into the deaths of Victoria Climbié and Peter Connelly and the crimes committed by Ian Huntley and Vanessa George highlighted the risks to children when there is a lack of priority status given to safeguarding, information sharing and inter agency working. The Government response to the findings of the Climbié case included the Green Paper Every Child Matters and the provisions in the Children Act 2004. Section 11 of the Children Act 2004 places a duty on all agencies to make arrangements to safeguard and promote the welfare of children.
- 3.1.4 For the Council this duty currently means that:
- a. Safeguarding and promoting the welfare of children is not just the duty of those working directly with these groups of people.
 - b. North Hertfordshire District Council must ensure that no act or omission on the part of the organisation, or that of its staff, or partner organisations puts a child inadvertently at risk; and that rigorous systems shall be in place to proactively safeguard and promote the welfare of children and support staff in fulfilling their obligations.
 - c. This duty applies to the Council's independent contractors who are required by statute to meet the standards of the Council in protecting children and promoting their welfare in responding to concerns about a child or a member of staff.
 - d. This policy focuses on the workplace responsibilities of staff, although the duty of safeguarding and promoting the welfare of children extends to an individual's personal and domestic life through their general duty of care and specific responsibilities as parents and carers.

3.2 North Hertfordshire District Council roles and responsibilities

- 3.2.1 All organisations that work with children must share a commitment to safeguarding and promoting their welfare. This leadership and commitment must be demonstrated throughout all levels in the organisation:

Political leadership

Political leadership is essential to champion the rights of the child and embed these rights in the Council's decision making processes.

Strategic leadership

Strategic leadership is essential for managers to champion children's safeguarding and welfare and ensure the delivery of the Council's Safeguarding Action Plan.

Operational leadership

Operational leadership is essential to ensure that all the Council's services meet their obligation to safeguard children appropriately. This is achieved through the appointment of a Designated Senior Manager for Safeguarding, the creation of effective operational safeguarding procedures, monitoring and control procedures supported by the appointment of Designated Senior Persons for Safeguarding in appropriate service units.

- 3.2.2 The Council's Safeguarding Children policy will be embedded through a Safeguarding Action Plan to fulfil the duty under Section 11 of the Children Act 2004. This Safeguarding Children policy provides a framework which supports staff, Councillors and contractors working for the Council to understand their individual and collective responsibility in securing the safety and welfare of children.

- 3.2.3 Partnership working is a key priority to ensuring the Council safeguards and promotes the welfare of children. As North Hertfordshire District Council is not the only agency to come into contact with children and families, it is vital that staff work in partnership with other agencies, such as schools and children's social care services. While other agencies such as health, schools and children's social care may come into contact with vulnerable children on a more regular basis, the Council's staff can make a significant and valuable contribution to the broader welfare of children. The opportunity afforded by officers visiting homes, be that to prevent anti-social behaviour, to address housing or environmental issues, or check eligibility for benefits, should not be overlooked as it represents another set of 'eyes and ears' which may see issues worthy of report that other agencies or relatives cannot.

The poor professional practice which failed to prevent the deaths of Victoria Climbié and Peter Connelly has delivered a valuable lesson; that communication and information sharing between organisations is of paramount importance to ensure that children do not suffer from such harm again. The Council is therefore committed to communication through a variety of methods to enhance the welfare and protection of children. The Council will follow best practice information sharing protocols with safeguarding authorities via multi agency partnership meetings, either relating to individual children or of a more strategic nature. We also participate in the establishment and maintenance of safe data transfer through use of safe email accounts.

- 3.2.4 The Munro Review 2011 highlights the importance of the rights and the wishes of children who ask for help and recommends that this is central to child protection review processes. Involving children in the Council's work from planning to delivery and reviewing services is an essential part of the Council's commitment to safeguard and promote the welfare of children. Every child, as each adult, has the right to be involved in the decisions which affect their lives. This is key throughout the Children Act 2004. North Hertfordshire Council must ensure that the views of children and their families are taken into account in service planning and delivery. The protection of children, and promotion of their welfare, must be central to the Council's work, whether that work directly or indirectly involves children and families.
- 3.3 Staff trained to safeguard children
- 3.3.1 The Council must ensure that all staff, volunteers, contractors and Councillors who work with or have contact with children are appropriately trained. Although not all staff, volunteers, contractors or Councillors will work directly with children or have direct access to their information, they must understand the responsibility they have to protect children from harm in all respects – be that physical, psychological, or emotional in nature.
- 3.3.2 All staff, volunteers, contractors and Councillors will be appropriately trained and managed to ensure their skills and knowledge match the level of contact they have with children through their work. This should be addressed through Hertfordshire Safeguarding Children Board quality-assured training, and ongoing performance management.
- 3.4 Behaviour standards for staff, volunteers, contractors and Councillors
- 3.4.1 Staff will provide the highest level of care ensuring a child's welfare is a primary guide to their actions while maintaining professional standards of conduct with children who use the Council's services.
- 3.4.2 Staff, volunteers, contractors and Councillors should never act in such a way that could leave them open to allegations of abuse or inappropriate behaviour or relationships with a child.
- 3.4.3 Everyone working for or involved with the Council should be alert to behaviours which may be inappropriate. Behaviour involving inappropriate physical contact with children, developing inappropriate friendships or relationships with children, or inappropriate communication to or with children must be avoided. It is particularly important to be aware of the implications of working alone with children/young people.
- 3.4.4 'Grooming'
- a. 'Grooming' is a term used to describe the process of gaining the trust of a vulnerable child, or children and their families, as well as work colleagues and the wider community with intent to facilitate and ultimately commit sexual abuse on a child. Grooming can take many forms, and techniques used vary greatly.

- b. Grooming uses common human manipulative behaviour traits and can therefore be difficult to identify. Often the indicators can be the same behaviours for those who are model staff, volunteers or Councillors, such as being dependable and hard working. However, some key signs that a person is grooming a child could be:
- Giving gifts, special treatment and/or compliments, often sexualised, to a particular child or children
 - A reputation among children for being sexually inappropriate
 - Arranging out of hours/workplace meetings with a child or facilitating lone working opportunities
 - Using personal contact methods to communicate with a child (e.g. social networking, texting, and instant messenger) without reasonable cause
 - Encouraging a culture of secrecy and separation from peers, parents, guardians, teachers and others who may be able to protect or intervene
- c. The Council's Safeguarding Children Procedure identifies what must be done if staff, volunteers or Councillors identify inappropriate behaviour. See Section 6: Further Information for a link to the full procedure.

3.4.5 Communication through electronic media

- a. Children communicate through a variety of means including social networking websites (such as facebook), instant messenger, twitter and text messaging. The Council will increasingly use such media to communicate with children and young people. Consultation and communication procedures must include safeguarding protocols to protect children. Staff must ensure that when using electronic media to communicate with children that they do not act in such a way that could harm a child or leave them open to allegations of abuse or inappropriate behaviour or relationships with a child. The Hertfordshire Safeguarding Children Board offers advice for professionals which can be accessed via hertssafeguarding.org.uk/adults/prof_esafety

- 3.4.6 To meet the requirements of the Hertfordshire Safeguarding Children Board North Hertfordshire District Council must ensure that, within staff and Councillor codes of conduct, appropriate behaviour standards when working with children are addressed.

3.5 Contracted services responsibilities and partnership arrangements

- 3.5.1 Section 11 of the Children Act 2004 places a statutory responsibility on North Hertfordshire District Council to ensure that its contractors, regardless of the value of the contract, have in place sufficient arrangements to meet the criteria within Section 11 guidance to ensure that their arrangements meet the requirement to safeguard and promote the welfare of children.

- 3.5.2 The provisions within Section 11 of the Children Act 2004 apply to all contractors/agencies commissioned to carry out functions on behalf of North Hertfordshire District Council. The determination of the specific terms of the application of this policy, to contractors/ agencies delivering services on behalf of the Council, shall be specified where appropriate in contractual documents, including procurement standards, monitoring and quality assurance.

- 3.5.3 Housing authorities, when discharging their functions via other organisations such as Registered Social Landlords are under a duty to ensure that the organisation safeguards and promotes the welfare of children.
- 3.5.4 Where the Council chooses to discharge its functions through alternative methods by entering shared service or partnership arrangements, the Council must ensure that the duty to safeguard and promote the welfare of children is executed to a standard equal to that of North Hertfordshire Council's agreed policy. Governance of these agreements should take into account the operation effectiveness of such arrangements to safeguard and promote the welfare of children.
- 3.5.5 Based on the requirements of the Council, which are set out in Working Together to Safeguard Children (2013) and stated in section 1 of this policy, those carrying out functions of the Council as contracted or commissioned services should have in place similar standards to those of the Council. As an indicator, contractors/agencies, should have in place the following:
- Senior management commitment to safeguarding
 - Clear, accessible statement of responsibility (including safeguarding policy, complaints, equal opportunities and incident monitoring procedures)
 - Clear mechanisms for identification and action regarding safeguarding concerns with clear lines of accountability
 - Managing Misconduct Procedures
 - Methods for involving children and families in service planning and delivery.
 - Staff training programme for safeguarding.
 - Safer recruitment procedures.

4. Responding to Safeguarding Concerns

4.1. Significant harm and children in need

The Children Act 1989 introduced the concept of significant harm and a child in need and places the duty on the local authority (Hertfordshire County Council) to act to safeguard such children. North Herts District Council has a devolved 'duty to co-operate' both in the protection afforded to and reporting of harm which may be experienced by children in the district.

4.1.1 Significant harm

A child may be at risk of significant harm if they have suffered directly or by seeing or hearing the ill treatment of another. There are no absolute criteria to establish if significant harm is being inflicted upon a child. A single violent episode may constitute significant harm but more often it is an accumulation of significant events that interrupt, damage or change the child's development. It should be remembered that this may also extend to emotional or psychological harm experienced by living in a household where domestic violence is prevalent.

4.1.2 Child in need

A child is defined as in need if he/she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority OR his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services OR he/she is disabled.

4.2 Responding to suspected abuse and disclosures of abuse

4.2.1 Where a Council employee, volunteer or Councillor is concerned that a child is or may be at risk of harm or in need, they should follow the Council's Safeguarding Children procedures. See Section 6: Further Information for a link to the procedure.

4.2.2 To ensure a clear line of accountability, designated senior persons across the Council will be responsible for dealing with staff concerns and taking action to safeguard children. Clear procedures for dealing with concerns and allegations of abuse must be available to all staff, volunteers and Councillors.

4.2.3 Prior to making a referral, best practice shows that parents should be notified of the intended referral, if doing so would not put the child at further risk of harm and the concern is not related to sexual abuse. However, this process should not delay or hinder the referral being made, nor should a parent or child's objection prevent a referral being made if necessary.

4.2.4 The Data Protection Act 1998 requires that personal information is:

- Obtained and processed fairly and lawfully
- Only disclosed in appropriate circumstances
- Accurate, relevant, not held longer than necessary and kept securely before being disposed of appropriately.

4.2.5 The Council should ensure that it shares information in accordance with the Data Protection Act 1998 and that it complies with the Seven Golden Rules for information sharing cited in 'Information Sharing: Guidance for Practitioners and Managers (HM Government, 2008). See Section 6: Further Information for a link to the Seven Golden Rules and the full document.

4.2.6 The Human Rights Act 1998, article 8 states that there shall be no interference in a person's private life by a public authority, except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of crime and disorder, for the protection of health and morals or for the protection of the rights and freedoms of others.

4.2.7 The Council must ensure that a proportionate balance is struck between the personal freedom of members of the public and the role of the Council to respond to safeguarding concerns. This consideration should not prevent action being taken to safeguard a child in need or at risk of significant harm as defined by the Children Act 1989.

4.3 Acting on allegations against staff, Councillors and volunteers

4.3.1 An allegation is any information that indicates that a member of staff, volunteer or Councillor may have:

- Behaved in a way which has, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child;
- Behaved towards a child in a way that indicates she/he is unsuitable to work with children.

This applies to any child the member of staff/volunteer has contact with in their personal, professional or community life.

- 4.3.2 The Safeguarding Vulnerable Groups Act 2006 regards behaviour which indicates a person is unsuitable to work with children as:
- Conduct that endangers a child or is likely to endanger a child;
 - Conduct that, if repeated against or in relation to a child, would endanger that child or would be likely to endanger him;
 - Conduct involving sexual material relating to children (including possession of such material);
 - Conduct involving sexually explicit images depicting violence against human beings (including possession of such images), if it appears to the Disclosure and Barring Service that the conduct is inappropriate;
 - Conduct of a sexual nature involving a child, if it appears to the Disclosure and Barring Service that the conduct is inappropriate.
- 4.3.3 Section 35 (Regulated activity providers: duty to refer) of the Safeguarding Vulnerable Groups Act 2006 sets out the duty for the Council as a regulated activity provider to refer concerns they have regarding staff, Councillors or volunteers to the Disclosure and Barring Service. The Hertfordshire Safeguarding Children Board prescribe that the process of referring cases should be in first instance involve a referral to the Local Authority Designated Officer, referred to as the LADO.
- 4.3.4 The recipient of an allegation must not determine its validity, but must report it following the correct Safeguarding Children procedure. Failure to report it in accordance with procedures is a disciplinary matter. See Section 6: Further Information for a link to the procedure.
- 4.3.5 Failure of the Council to act in accordance with the Safeguarding Vulnerable Groups Act 2006 in responding to allegations made against its staff, volunteers or Councillors may result in the prosecution of the Council. The Council's Recruitment procedures meet the key duties of the Safeguarding Vulnerable Groups Act 2006 and must be followed at all times.
- 4.4 Keeping, accessing and sharing children's information safely
- 4.4.1 Effective information sharing underpins integrated working and is a vital element of both early intervention and safeguarding.
- 4.4.2 Within North Hertfordshire Council, children's information must be stored, accessed and shared in accordance with legislative and recognised best practice recommendations. This information could range from personal details, such as name, address and school name, to sensitive information, such as ethnicity and family information on benefits, but also include concerns arising about the wellbeing of the child which staff of North Hertfordshire Council have deemed appropriate to record under the scope of this policy. The Council must evidence that it complies with the Hertfordshire Safeguarding Children Board procedures for sharing information 'The Seven Golden Rules'. See Section 6: Further Information for a link to these and guidelines for sharing information.

4.4.3 Staff, volunteers and Councillors follow the Council's Information Sharing guidelines to meet the requirements of the Hertfordshire Safeguarding Children Board. See Section 6: Further Information.

5. Conclusion

5.1 This safeguarding children policy meets the legislative and moral duty of North Hertfordshire District Council by setting out its understanding of the requirement to make arrangements to safeguard and promote the welfare of children.

5.2 This policy therefore provides the foundation for the Council's safeguarding action plan and Safeguarding Children procedures which will specify the actions the Council will take in order to achieve the best possible outcomes for children and their families using the Council's services.

5.3 The processes used are necessary tools, the protection for vulnerable children is vital.

6. Further Information

6.1 Children Act 1989

<http://www.legislation.gov.uk/ukpga/1989/41/contents>

6.2 Children Act 2004

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

6.3 Disclosure and Barring Service

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

6.4 Hertfordshire Safeguarding Children Board Safe Staffing Handbook

http://hertssafeguarding.org.uk/adults/prof_safe_handbook.html

6.5 Hertfordshire Safeguarding Children Board Procedures

<http://hertsscb.proceduresonline.com/index.htm>

6.6 Information Sharing: Guidance for Practitioner's and Managers (HM Government, 2008) includes 'Seven Golden Rules for Information Sharing

<http://www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking/a0072915/information-sharing>

6.7 NHDC associated Policies and Procedures

[Code of Conduct](#)

[Confidential Reporting \(Whistleblowing\)](#)

[Disclosure and Barring Service – Employment Checks](#)

[Managing Misconduct](#)

[Recruitment Advertising](#)

[References](#)

[Selection Methods in Recruitment](#)

6.8 [NHDC Safeguarding Children Action Plan](#)

6.9 [NHDC Safeguarding Children Procedure](#)

6.10 [NHDC Information Sharing Guidelines for Safeguarding Children](#)

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6.11 [NHDC Managing Allegations procedure](#)

6.12 Working Together to Safeguarding Children 2013
<http://www.education.gov.uk/aboutdfe/statutory/g00213160/working-together-to-safeguard-children>

7. Glossary of Terms

7.1 Child (children)

A child is anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Children Act 1989.

7.2 Child abuse and neglect

These are 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 institutional or community setting, by those known to them or, more rarely by a stranger, for example through the internet. They may be abused by an adult or adults or another child or children. Abuse is categorised as physical, sexual, emotional and neglect.

7.2.1 Emotional abuse

This is the persistent emotional maltreatment of a child to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that 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 children. These may include interactions that are beyond the child's developmental capability as well as overprotection 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. It may involve serious bullying (including cyberbullying), 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.

7.2.2 Neglect

This 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, clothing and 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-givers)
- Ensure access to appropriate medical care or treatment.

7.2.3 Physical abuse

This 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.

7.2.4 Sexual abuse

This involves forcing or enticing a child or young person to take part in sexual activities, 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 (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

7.3 Child in need

Children who are defined as being in need, under section 17 of the Children Act 1989, when their vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services, or if they are disabled. The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989 are:

- What will happen to a child's health or development without services being provided
- The likely effect the services will have on the child's standard of health and development

Local authorities have a duty to safeguard and promote the welfare of children in need.

7.4 Child protection

This is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

7.5 Child sexual exploitation

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something (such as food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition for example being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

7.6 Core assessment

A core assessment is initiated where an initial assessment on a child determines that the child's needs are complex or high and require a further assessment to determine the level of support or intervention required.

7.7 Disclosure and Barring Service (DBS)

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

The service is responsible for: processing requests for criminal records checks, deciding whether it is appropriate for a person to be placed on or removed from a barred list, and placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland. See Section 6: Further Information for a link to their website.

7.8 Safeguarding and promoting the welfare of children

This is defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.

Welfare is undertaking that role so as to enable those children to have optimum life chances and to enter adulthood.

7.9 Section 47 (of the Children Act 2004) enquiry

This is often referred to as a child protection enquiry and is often initiated if there are reasonable grounds to suspect that a child is suffering or is likely to suffer significant harm. These enquiries are usually conducted by a social worker and the police.

7.10 Significant harm

This is any physical, sexual, or emotional abuse, neglect, accident or injury that is sufficiently serious to adversely affect progress and enjoyment of life. Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act 2002 (implemented on 31 January 2005) so that it may include, "for example, impairment suffered from seeing or hearing the ill treatment of another". Suspicions or allegations that a child is suffering or likely to suffer significant harm may result in a core assessment incorporating a section 47 Child Protection Enquiry.