

## 2.3: Safeguarding Children and Young People Policy



### 1.0 Purpose

North Yorkshire Youth recognises that it is always unacceptable for a child or young person to experience abuse of any kind and takes seriously its responsibility to protect and safeguard the welfare of all children and young people.

We will safeguard children and young people by:

- Ensuring that the welfare of the child/young person is paramount.
- Safeguarding children and young people by valuing, respecting and listening to them.
- Responding swiftly and appropriately to all suspicions or allegations of abuse, and provide parents, carers and children with the opportunity to voice their concerns.
- Ensuring that all children and young people regardless of age, disability, gender, race, religious belief, sexual orientation or identity have the right to equal protection from all types of harm or abuse.
- Having a system for dealing with concerns about possible abuse
- Maintaining good links with statutory child care authorities and other relevant children and young people's organisations and agencies.
- Recruiting staff and volunteers safely and ensuring all necessary checks are made including DBS checks upon appointment and at a maximum of three yearly intervals for paid staff and every five years for volunteers.
- Adopting and promoting child protection guidelines through procedures and a code of conduct for staff and volunteers.
- Sharing information about concerns with agencies who need to know, and involving parents, carers and children appropriately.
- Providing effective management for staff and volunteers through supervision, support and training.

The purpose of the policy:

- To provide protection for the children and young people who receive North Yorkshire Youth services.
- Provide staff and volunteers with guidance on procedures they should adopt in the event that they suspect a child or young person may be experiencing, or be at risk of, harm.
- To provide health and safety guidelines to protect children and young people from harm.

This policy applies to all staff, including Senior Managers and the Board of Trustees, paid staff, volunteers, seasonal workers, agency staff, students or anyone working on behalf of North Yorkshire Youth.

All North Yorkshire Youth policies are subject to review within a rolling programme.

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### Safeguarding Children and Young People: The Definitions

#### Child/Young Person

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, does not change his/her status or entitlements to services or protection

#### Abuse

Abuse is any form 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 others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.

#### Physical Abuse

A form of abuse which 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

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 a child 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

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communicate.

It may feature age or developmentally inappropriate expectations being imposed on children.

These may include interactions that are beyond a 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 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.

### **Sexual Abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities including any which may 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.

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### Child Sexual Exploitation

Child sexual exploitation is a form of child sexual 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 (a) in exchange for something the victim needs or wants, and/or (b) 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.

### 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, 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.

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

### Extremism

Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our

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society.

Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist.

### Awareness of Abuse and Neglect

North Yorkshire Youth will provide all staff with adequate safeguarding training in order to carry out their role and responsibilities under this policy. Individuals within the organisation need to be alert to the potential abuse of children both within their families and also from other sources including abuse by members of staff and volunteers.

All members of North Yorkshire Youth should respond to any suspected or actual abuse of a child in accordance with this policy.

It is good practice to be as open and honest as possible with parents/carers about any concerns; however, you must not discuss your concerns with parents/carers in the following circumstances:

- By delaying in sharing relevant information with an appropriate person or authority would increase the risk of harm to the child or young person
- By asking for consent may increase the risk of harm to the child, young person, you or anyone else.

### What to do if children talk to you about abuse or neglect

It is recognised that a child may seek you out to share information about abuse or neglect, or talk spontaneously to individuals or in groups. In these situations you must:

- Stay Calm
- Listen carefully to the child. DO NOT directly question the child.

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- Give the child time and attention
- Allow the child to give a spontaneous account; do not stop a child who is freely recalling significant events.
- Believe what the child is telling you
- Make an accurate record of the information you have been given taking care to record the timing, setting and people present, the child's presentation as well as what was said. Recordings must be kept secure and in accordance with organisation procedures.
- Use the child's own words where possible.
- Explain that you cannot promise to not speak to others about the information they have shared.
- Reassure the child that:
  - you are glad they have told you;
  - they have not done anything wrong;
  - what you are going to do next.
- Explain that you will need to get help to keep the child safe.
- Remember that children should not be required to provide multiple accounts of events within the organisation

### You must:

- Treat all children and young people with respect
- Ensure that, whenever possible, there is more than one adult present during activities which children and young people or at least that you are within sight or hearing of others. (This is with the exception of Independent Visitors whose role requires one to one working. Guidance issued to Independent Visitors to reduce risk should be followed)
- Respect a young person's right to personal privacy
- Encourage young people and adults to be comfortable and caring enough to speak out
- Recognise that caution is required when you are discussing sensitive issues with children or young people
- Operate within the organisation's principles and guidance and any specific procedures
- Challenge unacceptable behaviour and report all allegations/suspicions of abuse.

### You must not:

- Have inappropriate physical or verbal contact with children or young people included within this are inappropriate text messages, emails and phone calls.
- Allow yourself to be drawn into inappropriate attention-seeking behaviour/ make suggestive or derogatory remarks or gestures in front of children or young people
- Reach conclusions about others without checking facts
- Either exaggerate or trivialise safeguarding issues
- Show favoritism to any individual

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### What you should do if you suspect abuse

You may become concerned about a child for a number of reasons, for example:

- They have not spoken to you or avoid speaking to you
- They are upset
- Because of your observations,
- You are given information from another party about a child.

It is good practice to ask a child why they are upset or how a cut or bruise was caused, or respond to a child wanting to talk to you. This practice can help clarify concerns and result in appropriate action.

If you are concerned about a child you must share your concerns. Initially you should talk to the Safeguarding Officer or their deputy. You should make a note of your concerns on an incident form and any actions agreed following your discussion with the Safeguarding Officer. Everyone in the organization should be aware of the designated person/s within North Yorkshire Youth who should be informed immediately regarding any concerns about a child being neglected or abused.

- **Safeguarding Officer:** David Sharp (Chief Executive) – 01845 522145 or 07881822729
- **Deputy Safeguarding Officer:** Clare Yates (Youth Development Manager) – 01845 522145 or 07918761106

### Informing parents

The GDPR and Data Protection Act 2018 places greater significance on how organisations retain and use personal data. NYY will be transparent and accountable in relation to their use of data for collecting, storing, and sharing information.

Information to be shared with another agency will usually require explicit consent except where there are concerns for the welfare or safety of the child. In these circumstances the need for consent changes where it is believed that a child has or is likely to suffer:

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☑ Significant harm and/or; ☑ Has developmental and welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent or carers).

For cases not reaching this threshold, it is good practice to be open and honest at the outset with the parents/carers about concerns, and the need for a referral. All reasonable efforts should be made to inform parents/carers prior to discussing concerns with Children and Families Service; however, this should not be delayed if concerns cannot be discussed with the parents or carers.

Where the child expresses a wish for his or her parents or carers not to be informed, their views should be taken seriously and a judgement made based on the child's age and understanding, as to whether the child's wishes should be followed (see <http://www.nspcc.org.uk/preventing-abuse/child-protection-system/legal-definitionchild-rights-law/gillick-competency-fraser-guidelines/>).

There may be some circumstances where it is not appropriate to seek consent, either because the individual cannot give consent, it is not reasonable to obtain consent, or because to gain consent would put a child or young person's safety or well-being at risk.

Where a decision to share information without consent is made, a record of what has been shared should be kept along with the reason why consent was not obtained.

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### Consultation with Children's Social Care

Where concerns have been highlighted to the Safeguarding Officer or deputy, they will contact the Customer Contact Screening Centre to discuss the concerns with Children's Social Care.

You may also wish to consult with Children's Social Care in the following circumstances:

- When you have been unable to contact the Safeguarding Lead or their deputy and you believe the child is at risk of harm
- When you remain unsure after internal consultation as to whether safeguarding concerns exist
- When there is disagreement as to whether safeguarding concerns exist
- When the concerns relate to any member of the organising committee

Consultation is not the same as making a referral but should enable a decision to be made as to whether a referral to Social Services or the Police should progress.

### Making a Referral to Children's Social Care

Professionals in all agencies have a responsibility to refer a child to Children's Social Care when it is believed or suspected that a child:

Has suffered significant harm and /or is likely to suffer significant harm and/or has developmental and welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent).

If you are worried about a child or a young person under the age of 18, you should contact the children and young people's service through the Multi Agency Screening Team (MAST). If your concern is outside of normal office hours, you should contact the emergency duty team.

- During Office Hours  
By Phone: 01609 780780  
Email: Children&families@northyorks.gov.uk

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- Outside Office Hours  
Emergency Duty Team (for evenings, weekends and bank holidays): 01609 780780

Further details can be found at the following address:

<https://www.safeguardingchildren.co.uk/professionals/practice-guidance/referrals-to-children-and-families-service-using-the-updated-universal-referral-form/>

- Police  
In an emergency, always ring 999.  
You should call 101 to report crime and other concerns that do not require an emergency response.

Before making a referral to the North Yorkshire Children and Young People's Service you should contact the MAST on the number above. A written confirmation of the referral must then be completed and submitted within 24 hours. Where possible, the North Yorkshire Children and Young People's Service request that you use their "Universal Referral Form" to ensure that all relevant information is provided to ensure that the referral can be progressed as effectively as possible. Referral forms can be found at

<https://www.safeguardingchildren.co.uk/professionals/forms-for-professionals/>

When contacting the Customer Service Centre the staff should:

- Clearly identify themselves, their agency/relationship with the child(ren) and family,
- Give details of where they can be contacted.
- Provide as much relevant family information as possible and, clearly stating the name of the child, the parents/carers and any other children known to be in the household, the dates of birth and addresses and any previous addresses known
- Provide details of any special needs or communication needs of either the child or any family member
- State why they feel the child is suffering, or is likely to suffer, significant harm.
- Share their knowledge and involvement of the child(ren) and family
- Share their knowledge of any other agency involved
- Indicate the child's, parent's/carers knowledge of the referral and their expectations
- Ensure they record within their agency files the concerns and action taken.

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### Safeguarding Children and Young People: Supervision of Children and Young People.

Making arrangements for the proper supervision of children and young people is one of the most effective ways of minimising opportunities for them to suffer harm of any kind whilst in your care.

#### Planned activities

- Those charged with supervision are responsible for the welfare and safety of the children and young people for the whole time they are away from home. Organisers must be satisfied that those who accompany young people are competent and that appropriate checks (including DBS) have been made.
- The organisers journeys/visits undertaken as a group should in their planning prepare a detailed programme of activities for the children who are involved in the project and must ensure that each activity is risk assessed.
- Where staff or volunteers are working one to one with young people (for example through the Independent Visitors Scheme) they should plan appropriate activities in advance taking into consideration risks and the specific needs of the young person they are supporting. For young people in the Independent Visitors Scheme they should request a risk assessment is agreed by the Independent Visitor Coordinator for activities presenting higher levels of risk, for example involving water or falling hazards. Independent Visitors should have good awareness of safety issues and take reasonable safety precautions during outings.
- Young people should not normally be left unaccompanied in any unfamiliar environment, or whilst undergoing any journey or visit when there should be clear boundaries, arrangements for meeting up and emergency contact arrangements.
- In circumstances when planned activities are disrupted, e.g., due to weather conditions, organisers should have alternative activities prepared.
- Parents should be given full information about a trip, including details of the programme of events, the activities in which the young people will be engaged and the arrangements for their supervision and their written consent to the young person participating obtained.

#### Supervision of children and young people

- The general principle should be that children and young people are supervised at all times and only engage in activities suitable to their age and ability unless there is a considered decision otherwise e.g. a shopping expedition.
- In normal circumstances two or more adults should be present for the supervision of young people according to the activity being undertaken.

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- Supervisors of young people should know at all times where children are and what they are doing. Likewise, children and young people should always know how and where to contact a supervisor.
- All activities must be risk assessed but those where potentially dangerous equipment is used and/or activity undertaken must have constant adult supervision.
- Dangerous behaviour by children and young people should not be allowed.

### Safeguarding Children and Young People: Protecting Children, Young People and Workers.

#### Contact with Children

Most staff and volunteer roles within NYY do not involve one to one working with young people. In such roles it is therefore possible to reduce potential situations for the abuse of children and protect yourself and others from false accusations by adhering to the following general rules:

- Avoid spending excessive amounts of time alone with children, away from others.
- Do not take children alone in a car on journeys, however short.
- Do not take children to your home.
- Do not message, email or phone children without a manager knowing and a record made of the interaction

When it is unavoidable that these things happen (when there is a clear and present danger to a child or young person) they should **only** occur with the full knowledge and consent of the Child Protection Officer or Deputy and the child's parents.

Independent Visitors are currently the only role where it is permissible to spend one to one time with young people and undertake car journeys. This is a requirement of the role which involves developing a supportive long term one to one relationship with a young person. Independent Visitors should follow guidelines provided in the Independent Visitors Handbook

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and covered in training, in order to minimise risk in this situation. It is not permissible for Independent Visitors to take children to their home.

### Relationships with children

Staff and Volunteers should never:

- Engage in rough physical games including horseplay – apart from structured sports activities.
- Engage in sexually provocative games.
- Allow or engage in inappropriate touching of any form.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments about or to a child, even in fun.
- Let allegations a child makes be ignored or go unrecorded.
- Do things of a personal nature for children that they can do themselves.
- Message, email or phone children without a manager knowing and a record made of the interaction

### Restraint

Restraint is where a child is being held, moved or prevented from moving, against their will, because not to do so would result in injury to themselves or others or would cause significant damage to property.

Restraint must always be used as a last resort, when all other methods of controlling a situation have been tried and failed. Restraint should never be used as a punishment or to bring about compliance (except where there is a risk of injury).

Only staff or volunteers who are properly trained in restraint techniques should carry it out. A young person should be restrained for the shortest period necessary to bring the situation under control.

To be legally acceptable, restraint must be a fair and acceptable response to a situation. The amount and type of force used must be in line with the situation and the needs of the child or

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young person. (do we need to say that in an extreme situation, even without training, restraint could be legally acceptable – for example, stopping a child stepping out into heavy traffic)

Where restraint has been used by a member of staff or a volunteer then this must be recorded on an incident form and submitted to the Child Protection Officer.

### **Intimate Care**

No member of staff or volunteer at North Yorkshire Youth should carry out intimate care for a child or young person. 'Intimate Care' can be defined as care tasks of an intimate nature, associated with bodily functions, bodily products and personal hygiene, which demand direct or indirect contact with, or exposure of, the sexual parts of the body.

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### Safeguarding Children and Young People: Code of Conduct for staff and volunteers

#### You must:

- Treat all children and young people with respect at all times
- Provide an example of good conduct you wish others to follow.
- Ensure that whenever possible there is more than one adult present during activities with children and young people or at least that you are within sight or hearing of others or in the case of Independent Visitors, ensure guidance for reducing risk is followed.
- Respect young people's right to personal privacy/encourage young people and adults to feel comfortable and caring enough to point out attitudes or behaviour they do not like.
- Remember that someone else might misinterpret your actions, no matter how well intentioned.
- Be aware that physical contact with a child or young person may be misinterpreted.
- Recognise that special caution is required when you are discussing sensitive issues with children or young people.
- Operate within the organisation's policies, principles and guidelines and any specific procedures.
- Challenge unacceptable behaviour and report all allegations/suspicions of abuse.

#### You must not:

- Have inappropriate physical or verbal contact with children or young people.
- Allow yourself to be drawn into inappropriate behaviour/make suggestive or derogatory remarks or gestures in front of children or young people.
- Jump to conclusions about others without checking facts.
- Either exaggerate or trivialise child protection issues.
- Show favouritism to any individual.
- Rely on your good name or that of the organisation to protect you.
- Believe "it could never happen to me".
- Take a chance when common sense, policy or practice suggests another more prudent approach.

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### Safeguarding Children and Young People: Photographic Policy.

When taking photographs of children and young people:

- As a general rule avoid using children's names (first name or surname) in photograph captions. If the photograph is used with the child's name express parental consent must be given
- Always use a parental permission form to obtain consent for a child to be photographed / videoed.
- State what the use of the photograph will be, clearly identifying if it is for publicity material.
- Obtain the child's permission to use their image.
- Only use images of children in suitable dress to reduce the risk of inappropriate use. Some activities – swimming, drama, gymnastics and athletics for example present a much greater risk of misuse.
- Address the use of images of children on the organisation's website. Images accompanied by personal information e.g. this is X who likes to collect stamps could be used by an individual to learn more about a child prior to grooming them for abuse.
- Prepare written expectations of professional photographers or the press who are invited to an event, making clear the organisation's expectations of them in relation to child protection.
- Do not allow photographers unsupervised access to children.
- Do not approve photography sessions outside the event or at a child's home.
- Do not take or store any photographs of a young person on any personal device

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### Safeguarding Children and Young People: Photographic Policy – Draft Consent Form.

#### Consent form for the use of photographs and video (Parents & Children)

North Yorkshire Youth recognises the need to ensure the welfare and safety of all children.

In accordance with our Safeguarding Policy we will not permit photographs, video or other images of children and young people to be taken without the consent of the parent/carers and children.

North Yorkshire Youth will follow the guidance for the use of photographs a copy of which is available from the Chief Executive.

North Yorkshire Youth will take all steps to ensure these images are used solely for the purposes they are intended. If you become aware that these images are being used inappropriately you should inform the Chief Executive immediately.

I (parent/carer) consent to (organisation) photographing or videoing (Name of Child) for the purposes of (Insert usage).

I (insert name of child) consent to North Yorkshire Youth photographing or videoing my involvement in (event) for the purposes of (Insert usage).

Date:

Signature:

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