



### **Child Protection Policy and Procedure**

A child in Scotland includes those up to 16 years. However, Child Protection guidelines can apply to young adults up to 18 years of age if they are subject to a Children's Hearing supervision requirement or are in the care of the Local Authority since in law they can be regarded as a child.

Advocacy Western Isles (AWI) recognises the implications of protecting children and, should there be a concern for a child's welfare, will refer to Child Protection Services (Police or Social Work) at the earliest opportunity, before hard evidence is necessarily available.

### **Why are Child Protection measures necessary?**

If there is a concern about the child, this concern needs to be properly investigated in order to protect the child. A proper investigation must be carried out by statutory agencies, drawing together information from all relevant sources to enable the whole picture to be considered by relevant authorities

Advocacy Workers should not be worried that by reporting concerns it introduces some unstoppable enquiry process into a suspicion which, after investigation, proves not to have been well founded. If at any stage in the investigation, those involved in it decide that the suspicion is not well founded, they have the authority to stop the investigation and take no further action

If suspicions are not reported, then no enquiry can be made into them. The direct result may be that the child or other child continues to suffer unnecessarily either because of further abuse which could have been prevented or by not receiving help and counselling needed to cope with any abuse that has already happened.

If any Advocacy Worker has a doubt of suspicion about the safety of a child, management needs to be informed promptly and management will make a child concern referral to Social Work or Police. In the absence of management, staff or volunteers must make the referral themselves.

If able to, Advocacy Workers need to record what is said verbatim in order to pass on concerns and write an account of the interaction with the child at the earliest opportunity.

AWI needs to complete the Child Concern forms in Appendix 2 at the earliest opportunity.

It is AWI's duty to the child to report any suspicions.

### **Policy**

Aims of the Advocacy Western Isles Child Protection Policy are:

- To protect the welfare of children first and foremost (irrespective of their carers or providers)
- To observe the highest standards of practice to discharge responsibility
- To instigate effective reporting, if a child's welfare is at risk or is responsibly believed to be at risk
- To give Advocacy Western Isles staff a clear structure within which they too are protected in their work with families and children

### **Policy Statement**

Children have a right not to be abused and be protected from abuse

AWI believes that the welfare of the child is of paramount importance at all times. This is in the child's best interest. Services provided to families with children should, if possible, work in partnership with parents and children or any person who has parental responsibility, to ensure that the safety and wellbeing of the child will be maintained at all times.

AWI will support, in particular, the principles of children within the UN Conventions on the rights of a child, including:

#### **Non-Discrimination**

All the Rights in the Convention apply to all children equally irrespective of race, sex, religion, language, disability, opinion or family background

#### **The Child's View**

Children have the right to say what they think about anything that affects them and have the right to be supported to do this. When courts or official bodies make decisions that affect children, there is an expectation that they listen to what children want and feel.

#### **Protection and Interference**

Children have the right to protection from interference with privacy, family, home and correspondence, and redress from libel or slander

## **Protection and Maltreatment**

Statutory authorities are required to protect children from all forms of maltreatment perpetrated by parents or others responsible for their care, and to undertake preventative treatment programmes in this regard.

### **Definition of Child Abuse – for information**

Children who are in need of protection when their basic needs are not met, in a manner appropriate to their age and stage of development. They will be at risk through avoidable acts of commission or omission on part of their parent(s), sibling(s), other relevant person or a carer (ie, the person(s) while not the parent who has actual custody of the child)

To define an act or omission as abuse, three elements must be taken into account:

- Whether there is demonstrable damage or harm to the child, or a prediction of harm to the child
- Whether the injury/state of the child should have been avoidable through action by parents or carers responsible for the child
- Whether the potential harm or future risk is linked to the action or inaction of the parent or carer. This would also apply where it was not possible to establish the identity of the perpetrator

This statement represents a very general definition of what constitutes an abusive act against a child, which may be helpful because it facilitates an open mind and sensitivity to a range of abusive acts against children. However, practitioners have found it useful to be aware of more specific definitions and categories of abuse and child abuse as experienced by an individual child. These may not always fit neatly into one category. This is for information only and concerns should be passed on to Management at the earliest opportunity.

### **Categories of Abuse**

#### **Physical Injury**

Actual or attempted physical injury to a child up to the age of 16 years, where there is a definite knowledge or reasonable suspicion that the injury was inflicted or knowingly not prevented. Physical injury may include hitting, bruising and fractures, scratches, burns or scalds, deliberate poisoning, attempted drowning or smothering. It also includes persistent abuse, eg, starvation.

#### **Physical Neglect**

This occurs when a child's essential needs are not met, and this is likely to cause impairment to physical health and development (eg, physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care results in persistent or severe exposure through negligence to circumstances that endanger the child

physically and developmentally. Physical neglect may also include a failure to secure appropriate medical treatment for the child or when an adult carer persistently pursues or allows the child to follow a life style inappropriate to the child's development needs or which jeopardises the child's health. It would also include where a child is left inappropriately in the care of another child or the care of an incompetent adult.

### **Sexual Abuse**

The child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits a child, directly or indirectly, in an activity intended to lead to the sexual arousal or other forms of gratification of that person(s) or others. This definition holds good irrespective of the degree of personal contact (if any) and whether or not the child is believed to have initiated the behaviour. This would include individuals controlling access to a child, eg, trafficking and sexual exploitation.

### **Emotional Abuse**

Failure to provide for the child's emotional needs such as to have a severe effect on the behaviour and development of the child. This may include situations where as a result a persistent behaviour by the parent(s) or care giver(s), children are rejected, denigrated or scapegoated; inappropriately punished or praised; denied opportunities for exploration, play and socialisation appropriate of their age and/ or stage of development; encourage to engage in anti-social behaviour; put in a state of terror or extreme anxiety by the use of threats or practices designed to intimidate them; isolated from normal social experiences preventing the child from forming friendships.

Children left on their own for long periods are under stimulated or suffer sensory deprivation especially in infancy; who do not experience adequate nurturing, or who are subject to a large number of caregivers may also come into this category.

Placing a child in a position of responsibility for themselves which is inappropriate.

Sustained or repeated abuse of this type is likely in the long term, to result in failure or disruption in development of personality, inability to form secure relationships and may additionally have an effect on intellectual development and educational attainment and a detrimental effect on establishing a sense of responsibility.

It is recognised that social media may be relevant in all categories of abuse and inappropriate access or use of social media may instigate and exacerbate all forms of injury to a child. Therefore, social media content may be grounds for referral to child protection.

## **Roles and Responsibility**

AWI needs to ensure that:

- All staff and volunteer Advocacy Workers are familiar with local Child Protection Inter Agency Procedures and Guidelines published by the Outer Hebrides Child Protection Committee 2014
- Staff and volunteers are informed/trained, full training every three years and refresher training annually
- Proper support and supervision is available to all staff in the event of an incident arising
- After the CYP Advocacy Worker has reported concern, their subsequent first point of contact, if required, is a designated Management Committee member, who is trained in Child Protection Procedures
- The Management Committee members receives annual refresher awareness of Child Protection practices
- This policy document is kept up to date and all incidents are monitored with an annual audit by the Management Committee, to ensure best practice is adopted

## **CYP Advocacy Worker**

The CYP Advocacy Worker needs to:

- Be familiar with documents mentioned above
- Understand and be able to put into practice all relevant Child Protection procedures, including those required by the Social Work Department and the Police
- Take responsibility for organising appropriate training for staff
- Establish and maintain good communication with agencies working in the field of Child Protection
- Inform the Chairperson of Advocacy Western Isles of any action taken in relation to Child Protection Policy and Procedure, whilst maintaining confidentiality at all times
- Promptly refer allegations or suspicions of child abuse to the **designated Social Work Department officer or Police**

## **Staff and Volunteer Advocacy Workers**

Staff and volunteer Advocacy Workers need to:

- Work within the child protection guidelines, observing confidentiality as laid down in AWI Confidentiality Policy
- Inform and seek support from Management/CYP Advocacy Worker with any concerns or worries regarding children
- Report any incident or concerns immediately to Management
- In the absence of Management, report any incident or concerns directly to Social Work or Police
- Record all actions and complete and submit Child Concern form

## **Staff Training**

All staff and volunteer Advocacy Workers need to:

- Attend training courses on Child Protection (full training every three years and annual refresher training)
- Receive up to date information on Western Isles Child Protection Guidelines
- Adhere to the Policy and Procedures of Western Isles Child Protection Committee and AWI Child Protection policy and procedures
- All staff to familiarise themselves with the contact names and telephone numbers of Social Work Department, Police and the Western Isles Child Protection Officer

## **Guidelines on Action – Medical Assistance**

Any staff or volunteer of Advocacy Western Isles seeing a child who presents as being abused or need of immediate medical assistance must:

- Enlist the parent(s)/carer(s) co-operation, except in situations where there is danger that this action may expose the child to further immediate risk of abuse, where possible
- Seek medical assistance immediately at the nearest hospital casualty department or call an ambulance, or contact the child's general practitioner, if the child is injured. It may be appropriate to accompany the child (and parent/carer of applicable) to the hospital
- Contact the Management who will contact the Social Work Department or the Police in order to safeguard the child if the child is found alone. If management are not available, Advocacy Workers will need to make direct contact with Social Work or Police themselves
- Ensure that the child is safeguarded if the child is found in the care of an incapacitated person (due to illness, or under the influence of drink/ drugs) through the Child Protection procedures
- Ensure that the child is safeguarded if the child is at risk of harming themselves
- If AWI is unable to safeguard a child, Child Protection procedures will be followed

In any of the situations above, record as soon as possible in black pen, all actions and observations, and, where possible, a verbatim record of what has been said. In any event, contact the Management/CYP Advocacy Worker once the child's immediate needs are met.

## **Important Points to Remember**

- The welfare of the child is paramount
- Investigating and diagnosing Child Abuse is not the responsibility AWI staff
- The Social Work Department has a statutory responsibility for the protection of children

- Where there are any grounds for concern, Management will contact the Designated Officer in the Social Work Department or the police. Should Management not be available, it is the Advocacy Workers responsibility to contact Social Work or the Police.

### **Guidelines on Reporting**

- Staff and Volunteer Advocacy Workers, having informed Management of an incident, must submit a written report within 24 hours of the incident
- If appropriate Management should inform the Parent/Carer that any concerns about the child will be discussed with other professionals such as Social Workers and the Police
- If the child begins to disclose information, staff and volunteers should listen carefully to what the child has to say without prompting, probing or commenting. Notes should be made as soon as possible; however, it is not for Advocacy Western Isles to investigate allegations or diagnose child abuse
- It is also important to make the child aware that you are required to disclose information that is passed on in confidence in certain circumstances
- Advocacy Workers should keep a brief written record in simple language of anything giving concern and they should record all subsequent action accurately and date and sign records in black pen within 24 hours of the incident
- In an emergency, any staff member may withdraw from the immediate situation if necessary and dial 999 or 111 for the Police and/or ambulance. Once the emergency has been dealt with, the Manager and Social Work Department should be informed.

CONFIDENTIALITY MUST APPLY AT ALL TIMES

### **Following an Incident**

Following a report incident, the Social Work Department may conduct a Case Conference to determine how best to safeguard the child and work with the family whilst maintaining the focus on the child. The Chair of the Case Conference may call AWI (for reasons such as requesting information or the presence of the Advocacy Worker whether or not AWI initiated the first action).

Address for Lewis and Harris: Advocacy Western Isles, First Floor, Rear Wing, 16 Francis Street, Stornoway, Lewis, HS1 2XB. 01851 701755 or [office@advocacywi.co.uk](mailto:office@advocacywi.co.uk)

Address for Uist and Barra: Advocacy Western Isles, Sandy 01878 700000, 07584 898480 or [uistandbarra@advocacywi.co.uk](mailto:uistandbarra@advocacywi.co.uk), or Mel 07721 781046 or [mel@advocacywi.co.uk](mailto:mel@advocacywi.co.uk)

Date of review – March 2020

Date of next review – March 2021

**APPENDIX 1**  
**Additional Information and Contact Addresses**

Area	Agency	Designated Officer	Address & telephone no
Lewis & Harris	Comhairle nan Eilean Siar Social Work Department	Team Leader Children & Families	Social Work Department Comhairle nan Eilean Siar Sandwick Road Stornoway (Tel): 01851 709336 (Fax): 01851 701381

Out of Hours Contact Number (Faire) (Lewis and Harris): 01851 701702

Uist & Barra	Balivanich Social Work Department	Team Leader Children & Families	Social Work Department Comhairle nan Eilean Siar Balivanich Benbecula (Tel): 01870 602425 (Fax): 01870 602332
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Out of Hours Contact Number (Faire) (Uist & Barra): 01851 701702

Western Isles	Northern Constabulary	Area Commander Area Inspector	Police Station Church Street Stornoway (Tel): 01851 702222 (Fax): 01851 705434
Western Isles	NHS Western Isles	Lead Clinician Child Protection Senior Nurse Child Protection	Western Isles NHS Board 37 South Beach Street Stornoway (Tel): 01851 702997
	Scottish Children's Reporter Administration	Authority Reporter	10 Harbour View Cromwell Quay Stornoway (Tel): 01851 706317 (Fax): 01851 702189

Out of Hours Contact with Authority Reporter can be made through Out of Hours Social Worker  
via Faire: 01851 701381

Area	Agency	Designated Officer	Address & telephone no
Western Isles	Procurator Fiscal Services	Procurator Fiscal	Procurator Fiscal's Office Sheriff Court Buildings Lewis Street Stornoway (Tel): 01851 703439

CHILD PROTECTION COMMITTEE: INTER-AGENCY GUIDELINES AND PROCEDURES CHILDREN  
HAVE THE RIGHT TO PROTECTION FROM ABUSE/ NEGLECT.

**APPENDIX 2**

**COMHAIRLE NAN EILEAN SIAR – SOCIAL WORK DEPARTMENT**

**CHILD PROTECTION REFERRAL FOR ALL AGENCIES**

To be completed and sent to the Team Leader, Social Work (please refer to Appendix 1 for contact numbers) in respect of children suspected to being abused and or neglected. A copy should, at the same time, be sent to your own agency Line Manager.

Completion of this form must be preceded by a telephone call to the Team Leader (Social Work)

<b>Name(s) of child(ren)</b>	<b>D.O.B.</b>	<b>Address</b>
<b>Nature of referral/ description of circumstances</b>		

Submitted by:	Date:
Designation:	

Agency:

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