

CLINICAL POLICY

Safeguarding Children Policy

Policy Number	CLP071
Version:	V2.2
Purpose:	This Policy provides guidance and direction for Trust staff on the subject of safeguarding children in line with local lead agency policies and procedures
Consultation:	The policy will be sent to the Trusts Clinical Policy Consultation Group and the Quality Assurance Group
Approved by:	Clinical Policy Group on 2 nd November 2021 / Quality Assurance Group on 17 th December 2021
Author:	Liz Emmerson - Named Nurse for Safeguarding Children and Young People
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Audience:	All Trust staff
Dissemination:	This policy is available on the Trust intranet under Clinical Policies. The Trust intranet indicates to staff that a policy has been reviewed and uploaded
Impact Assessments:	This Policy has been subjected to an Equality Impact Assessment. This concluded that this policy will not create any adverse effect or discrimination on any individual or particular group and will not negatively impact upon the quality of services provided by the Trust.

Version	Date Issued	Reason for Change
V1	01/10/2019	Policy development for GHC Trust
V2	18/01/2022	Trust and Partnership changes
V2.1	20/02/2023	New action card added to the Policy
V2.2	11/03/2024	Publication reference: PR00518 NHS E Local Policy alignment to include sexual safety

SUMMARY

The Department of Health (July 2018) guidance “Working Together to Safeguard Children”, clearly states that everyone who comes into contact with children and families has a role to play in safeguarding children and protecting them from harm.

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SAFEGUARDING CHILDREN POLICY ACTION CARD

TITLE – Child or Young Person Safeguarding Concerns: Responding and Reporting

FOR USE BY: All GHC staff

LIAISES WITH: Safeguarding Team 0300 421 6969

Rationale:

Safeguarding is everyone's business. If you have reasonable cause to suspect or know of the abuse or neglect of a child or young person:

STEP 1

- Identify and manage any immediate danger to the child or other children including any need to call emergency services. Be clear about what your concerns are.
- Identify if a crime has been committed and if you need to report to the police.

STEP 2

- If you have Safeguarding concerns for a child, immediate or not, unless it is unsafe to do so, speak to the child's parent or guardian and/or the young person about your concerns and about any actions you are going to take.
- If possible and safe to do so, gain the parent's consent to complete a Multi-Agency Request Form (MARF).
- If the parent/guardian does not give consent for a referral, discuss this with your line manager, call the GHC Safeguarding Team on the Safeguarding Advice Line **0300 421 6969**. Available Monday – Friday, 9am – 5pm.
- **If the risk of harm is high or imminent you can make a referral without consent.**
- **For advice from a social worker you can contact the Multi Agency Safeguarding Hub (MASH) on 01452 426565 or out of hours call the Emergency Duty Team on 01452 614194.**

STEP 3

- Complete the MARF via the online portal [Multi Agency Request Form - Online Portal](#).
- Refer to the [Gloucestershire Levels of Intervention](#) to clarify what level of service is being requested.
- For guidance in completing the MARF. Refer to the [GHC: MARF - 5 minute guide](#).

STEP 4

- Document in the child's notes, following the record keeping guidance for your service. Key things to record include:
 - Who lives in the child's household and/or cares for the child
 - Who has parental responsibility for the child
 - A summary of safeguarding concerns and the impact of these on the child
 - Your actions (advice sought, referrals made, information shared)
 - A SMART plan of the actions you will take to ensure the child's needs are met and they are kept safe.
- Activate any safeguarding alerts on the patient electronic recording system in use.
- Notify GHC safeguarding team of the referral by emailing safeguarding.notifications@ghc.nhs.uk, more information can be found here: [Safeguarding Referrals Update](#).
- Communicate with other parties involved as indicated (aim to do so with parental consent) in line with the [Principles of Information Sharing](#).
- If the abuse involves a person in a position of trust follow the necessary guidelines [Managing Allegations against Professionals who work with Children and Adults \(Clinical Policy CLP152\) - Interact \(ghc.nhs.uk\)](#).

STEP 5

- Follow up your referral in 5 working days and document the decision. Consider the escalation process you disagree with the decision [GSCP Escalation Policy \(gloucestershire.gov.uk\)](#).

1. INTRODUCTION

The aim of this policy is to direct staff on how Gloucestershire Health and Care NHS Foundation Trust (GHC) meets its statutory safeguarding responsibilities, follows guidance and promotes best practice. This policy defines the local arrangements, roles and responsibilities and how as a Trust staff work together with partner agencies to safeguard children.

Section 11 of the Children Act 2004 places a duty on key people and bodies (including NHS Foundation Trusts) to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. Section 16 of the Children Act 2004 states that 'regard must be given to the new working guidance 'Working Together to Safeguard Children, A Guide to Inter-Agency Working to Safeguard and Promote the Welfare of Children' (July 2018).

A child is defined as anyone who has not yet reached their 18th birthday; children means children and young people. This extends to the unborn child.

2. PURPOSE

This Policy provides guidance and direction for Trust staff on the subject of safeguarding children in line with local lead agency policies and procedures.

3. SCOPE

This policy applies to all Trust staff, who have a duty to abide by and promote the use of this policy. Chapter 2 of '*Working Together to Safeguard Children*' (HMGov2018) sets out the roles and responsibilities of all organisations with regard to safeguarding children.

4. DUTIES

At Trust level the ultimate responsibility for safeguarding children arrangements lies with the Chief Executive Officer of the Trust. Responsibility for the development, maintenance, review and ratification of this document lies with Director of Nursing, Therapies and Quality. This board level responsibility may be delegated. The relevant Trust Committee will be notified of its approval.

5. MENTAL CAPACITY ACT COMPLIANCE

Where parts of this document relate to decisions about providing any form of care treatment or accommodation, staff using the document must do the following: -

- Establish if the person able to consent to the care, treatment or accommodation that is proposed? (Consider the 5 principles of the Mental Capacity Act 2005 as outlined in section 1 of the Act. In particular principles 1,2 and 3) [Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk).
- Where there are concerns that the person may not have mental capacity to make a specific decision, complete and record a formal mental capacity assessment.
- Where it has been evidenced that a person lacks the mental capacity to make a specific decision, complete and record a formal best interest decision making process using the best interest checklist as outlined in section 4 of the Mental Capacity Act 2005 [Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk).
- Establish if there is an attorney under a relevant and registered Lasting Power of Attorney

or a deputy appointed by the Court of Protection to make specific decisions on behalf of the person (N.B. they will be the decision maker where a relevant best interest decision is required. The validity of an LPA or a court order can be checked with the Office of the Public Guardian) [Office of the Public Guardian - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

- If a person lacks mental capacity, it is important to establish if there is a valid and applicable Advance Decision before medical treatment is given. The Advance Decision is legally binding if it complies with the MCA, is valid and applies to the specific situation. If these principles are met it takes precedence over decisions made in the persons best interests by other people. To be legally binding the person must have been over 18 when it was signed and had capacity to make, understand and communicate the decision. It must specifically state which medical treatments, and in which circumstances the person refuses and only these must be considered. If a patient is detained under the Mental Health Act 1983 treatment can be given for a psychiatric disorder.
- Where the decision relates to a child or young person under the age of 16, the MCA does not apply. In these cases, the competence of the child or young person must be considered under Gillick competence. If the child or young person is deemed not to have the competence to make the decision then those who hold Parental Responsibility will make the decision, assuming it falls within the Zone of Parental control. Where the decision relates to treatment which is life sustaining or which will prevent significant long-term damage to a child or young under 18 their refusal to consent can be overridden even if they have capacity or competence to consent.

6. POLICY DETAIL

The statutory guidance set out in ‘Working Together to Safeguard Children’ (July 2018) is a document that will be complied with ‘unless exceptional circumstances arise’.

The two key principles outlined are:

- that safeguarding is everyone’s responsibility
- a child-centred approach is stressed as essential for effective safeguarding.

Clear local arrangements for collaboration between professionals and agencies to improve multi agency working and to ensure effective safeguarding systems are child centred should be in place. “Failings in safeguarding systems are too often the result of losing sight of the needs and views of the children within them, or placing the interests of adults ahead of the needs of children” (July 2018).

It is essential that all staff understand what they need to do, and what they can expect of one another, to safeguard children. Within this ‘Safeguarding Children Policy’, information is drawn from Gloucestershire Safeguarding Children Partnership and associated policies and procedures. This in turn is based on the South West Child Protection Procedures and the ‘Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children (July 2018).

Safeguarding Children Lead Director Responsibilities:

The Trust has an identified lead Executive Director for safeguarding children at board level. This is the Trust’s Director of Nursing, Therapies and Quality:

- who will keep the board fully informed of their accountability to the Gloucestershire Safeguarding Children’s Partnership (GSCP)
- who is responsible for the appointment of the Trust named professionals

- who will support and ensure the named professionals fulfil their responsibilities
- who will ensure an annual safeguarding children report is presented to the Trust Board and that other executive and non-executive directors are briefed appropriately
- who will ensure that safeguarding children is an integral aspect of the Trust's governance arrangements; that there is organisational compliance with clinical standards and requirements for child protection; that these issues are always considered when monitoring or planning new services
- who will ensure that the Trust works effectively with other relevant organisations to identify, assess and manage children and young people in need of protection
- who will have explicit working links with the named professionals in the Trust and ensure that the named professionals are appropriately line managed
- who will ensure clinical records, both electronic and hard copy, meet the required standards
- who will ensure that staff in all areas respond positively and sensitively to the needs of individual children and young people; environments in which children and young people are cared for are safe and appropriate.

Management Responsibilities:

Line managers will ensure that

- all staff have access to and know how to seek specialist safeguarding children advice
- all staff have a DBS check, to the appropriate level, as part of the recruitment process; this includes bank staff, agency staff, students and volunteers
- all staff have undertaken child protection training at the right level for their role, and they have updates at the appropriate time interval
- all staff have access to the GSCP Child Protection Procedures www.gloucestershire.gov.uk/gscp
- there is a regular audit of child protection practice, to include audit of child protection record keeping
- staff are supported to participate in individual management reviews; Rapid Reviews; Local Child Safeguarding Practice Reviews (LCSPR) or Domestic Homicide Reviews as appropriate.

Named Professional Responsibilities:

'*Working Together to Safeguard Children*' (HMGov 2018), states that each NHS Trust must identify a named nurse and a named doctor for safeguarding children. Named professionals have a key role in promoting good professional practice within the Trust, and provide advice and expertise for fellow professionals and will:

- support the Trust in its clinical governance role, by ensuring that audits on safeguarding are undertaken and that safeguarding issues are part of the trust's clinical governance system
- support the Head of Safeguarding to provide a quarterly report to the Trust Governance Assurance Group
- take responsibility for completing the Trust's Summary of Involvement Reports for Rapid Reviews, and Internal Management Reviews (IMRs)/Critical Analysis Reports for LCSPR's, and other learning models except where there has been GHC involvement in the case
- have a key role in ensuring a safeguarding training strategy is in place and working with the designated professionals and other named professionals to develop and deliver in-

- house safeguarding children training within the Trust
- support and advise other professionals on the management of more complex cases of child abuse
- participate in GSCP activities and sub-committee membership in agreement with and shared with other named and designated professionals
- promote good practice and effective communication within and between NHS Trusts and all agencies on matters relating to the protection of children, working closely with the designated and other named professionals
- ensure that safeguarding is an integral part of the Trust's risk management strategy
- ensure that GSCP Child Protection policies and procedures are accessible to and understood by GHC staff
- attend relevant local, regional and national forums and maintain up-to-date skills and competencies.

Individual Responsibilities of Staff:

- All staff should actively safeguard and promote the welfare of children
- Concerns that children are at risk of or are suffering from child abuse or neglect should always be shared with a senior member of staff. Reasons for the concern and actions taken must be documented in the health and social care notes/clinical records. Please refer to agency guidance. [Health Records and Clinical Record Keeping Policy \(CLP005\) - Interact \(ghc.nhs.uk\)](#)
- Band 5 staff and below should discuss with a senior member of staff prior to making a children's safeguarding referral.
- Help and advice can be sought from the GHC Safeguarding Advice Line on 0300 421 6969, the Named Nurse or Doctor for Safeguarding Children, Safeguarding Children Service with the Local Authorities the Gloucestershire Multi Agency Safeguarding Hub (MASH), or the Emergency Duty Team (out of hours).
- If a decision is made that a child may be at risk of significant harm a referral must be made to the Gloucestershire Multi Agency Safeguarding Hub (MASH) of the Local Authority. A referral phone call may be made in the first instance to:
 - **MASH - 01452 426565**
Out of hours contact the **Children's Social Care Emergency Duty Team** (Mon-Fri 5pm-8am and weekends) - [01452 614194](#)
 - Or in an emergency**
 - Police Control Room 101/999

This must be immediately followed up in writing by completing a Multi Agency Request Form (MARF) via the GCC Liquid Logic portal. This can be found on the safeguarding page on the GHC Staff Intranet or on the GSCP website: [Safeguarding and Child Protection Arrangements - Gloucestershire Safeguarding Children Partnership](#)
- The reasons for the referral will normally be discussed with the parents and the child if age appropriate and consent discussed/gained, unless such a discussion would place an adult (including staff) or the child (or other children) at increased risk. If sexual abuse or fabricated illness is suspected, the family should not be informed at this point.
- It is the responsibility of the person who identifies the concern to make the referral into Children's Social Care, however all staff should discuss the referral with their line manager and receive the right amount of support to do so. Staff should be mindful that 'health' is not an 'investigating agency' (unlike the Police and Children's Social Care) but does have

a 'duty to inform' where there are issues concerning the welfare of children and young people. Please refer to the 'Levels of Intervention Guidance' for guidance on risk identification, evidence of need, and threshold. It can be found at:

<https://www.gscb.org.uk/media/1517680/gloucestershire-revised-loi-guidance-version-30-final-300118.pdf>

- If staff disagree with the action from the referral, then the Escalation Process should be implemented. This is found on the GSCP website and on the Trust intranet. This GSCP Escalation Policy should be employed at any time, between any agency if there is a disagreement with a plan of action relating to the protection of a child or young person. Please see below links for further guidance.

[GSCP Escalation Policy \(gloucestershire.gov.uk\)](#)

- All staff have a duty to follow the policy and procedures laid down by the Gloucestershire Safeguarding Children Partnership.

Young Carers:

There may be situations where children and young people are providing care for their parents or taking on responsibilities greater than you would normally expect for their age. While this is not abusive it may have negative effects on them both in practical terms and emotionally.

If you are concerned that a child is providing an inappropriate level of care to a Parent, which may be the case when a Service User becomes unwell, a referral to Children's Social Care may be appropriate.

Young Carers may be able to offer advice and support from:

<http://www.glosyoungcarers.org.uk/> or 01452 733060

Child Criminal Exploitation (CCE) and Child Sexual Exploitation (CSE):

Child criminal exploitation occurs where organised crime groups or individuals exploit an imbalance of power between themselves and a child or young person, to manipulate the young person into carrying out illegal activities on their behalf. This type of exploitation commonly occurs within County Lines and Modern-Day Slavery, both of which interlink with a wide range of recognised vulnerabilities including child sexual exploitation (CSE), human trafficking, debt bondage, Children in Care and school exclusion.

Child Sexual Exploitation (CSE) is when someone grooms and controls a child for a sexual purpose. 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.

What to do if you suspect a child is being Criminally or Sexually exploited

- If in immediate danger – contact the Police – 999
- Discuss with your manager and include consideration to:

- a) a child under 13 is not legally capable of consenting to sex
- b) sexual activity with a child under 16 is an offence
- c) it is an offence to have a sexual relationship with a 16 or 17-year-old if in a 'position of trust' to that young person.

If concerns remain:

1. Commence safeguarding procedures and refer to Local Authority Children's Social Care at the Multi Agency Safeguarding Hub (MASH). Details as above.
2. Complete a CE Screening Tool, referring to the Multi Agency Protocol for Safeguarding Children who are at risk of abuse through Criminal and Sexual Exploitation for advice and guidance. Both can be found at: [Child Exploitation and Missing Children - Gloucestershire Safeguarding Children Partnership](#)
3. If advice/referral is required out of hours contact the Emergency Duty Team (EDT). Details as above.

Safeguarding Children Supervision:

All Trust staff will have access to child protection support and children's safeguarding supervision through the Named Doctor, Named Nurse and safeguarding team. Support and supervision are offered in 2 ways; formally (multi-disciplinary group supervision) or bespoke (by discussion when needed). Safeguarding discussions should also be incorporated into operational and professional supervision for all staff. Please refer to agency Supervision Policy for further information.

All staff working directly with children should attend three Group 'Reflective Children's Safeguarding Supervision' sessions per year. Sessions are available to book onto via the Trust's Training booking system, Care to Learn.

Statutory Safeguarding Responsibilities

Allegations management:

If a member of staff is concerned that another member of staff or volunteer has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child, or
- behaved towards a child or children in a way that indicates s/he may pose a risk to children. (Working Together 2018)
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

They must consult with their Manager/HR and refer their concerns to the Head of Nursing who is the Allegations Manager for the Trust who must be included in any decisions made and actions taken. Any allegations made against a member of staff must be reported to the Local Authority Designated Officer (LADO) by the Deputy Director of Nursing and Quality, the Head of Safeguarding or the Named Nurse Safeguarding Children and Young People and the Trust will cooperate fully with any subsequent investigation or recommendations made. Staff can be confident that allegations will be dealt with fairly and in line with the GSCP, Local Authority, and national guidance.

Please refer to the [GHC Managing Allegations against Professionals who work with Children](#)

[and Adults Clinical Policy CLP152](#) for further guidance.

For more information on the role of the LADO and the Allegations Management Process can be found here:

[The Role of the LADO and The Allegations Management process - Gloucestershire Safeguarding Children Partnership \(gscb.org.uk\)](#)

The Disclosure and Barring Service (DBS):

The core purpose is to prevent unsuitable people from working or volunteering with children and vulnerable adults. Employers retain their responsibilities for ensuring safe recruitment and employment practices.

The Safeguarding Vulnerable Groups Act 2006 sets out the scope of the scheme for England, Wales and Northern Ireland.

A regulated activity (work that a barred person must not do) in relation to children is:

- (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children
- (ii) Work for a limited range of establishments (specified place) with opportunity for contact e.g. schools, children's home, child care premises. Not work by supervised volunteers

Work under (i) or (ii) is regulated activity only if done regularly (see Department of Education Regulated Activity in Relation to Children: Scope).

Further information can be found at:

www.gov.uk/government/organisations/disclosure-and-barring-service

Multi-Agency Working:

The Trust must demonstrate that it works effectively with its partner agencies.

Information Sharing:

The Trust must ensure that there are robust mechanisms in place for sharing information with partner agencies in order that:

- information on vulnerable children and young people is passed efficiently between agencies and
- each child or young person receives a service that meets their needs.

Health professionals have a key role to play in actively promoting the health and well-being of children. There is a growing recognition of the importance of the mental health of parents and how they might impact on children. Lessons learned nationally from Serious Case Reviews and Child Safeguarding Practice Reviews highlight the importance of interagency working in the field of safeguarding. Close collaboration and liaison between services involved with a family is essential. This may require the sharing of information to safeguard and promote the welfare of children or protect a child from significant harm.

If you are unsure about if you can or should share information with a partner agency or are

uncertain about what information to share with whom, discuss with line management or the Trust's Safeguarding Team. If uncertainty remains contact GHC's Caldicott Guardian - Dr Amjad Uppal.

Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.

Information Sharing: Guidance for practitioners and managers. (HM Gov, 2008)

Collaboration:

The Trust promotes a culture of multi-agency collaboration and any issues or disputes will be dealt with promptly and at the appropriate level in order to demonstrate effective conflict resolution. See the GSCP website and the Trust intranet for the Escalation Policy (Management of Professional Disputes).

Child Death Reviews:

Working Together to Safeguard Children (2018) requires that child death review partners make arrangements to review all deaths of children normally resident in the local area. The Named Doctor and Named Nurse for Safeguarding Children are partners on this panel. National Guidance is provided within 'Working Together' (Chapter 5). GHC's Child Death Review Process is available on the Trust Intranet.

Rapid Reviews and Local Child Safeguarding Practice Reviews (LCSPRs):

The duty on local authorities to notify incidents to the Child Safeguarding Practice Review Panel 16C(1) of the Children Act 2004 (as amended by the Children and Social Work Act 2017) states;

Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Review Panel if-

- (a) The child dies or is seriously harmed in the local authority's area, or
- (b) While normally resident in the local authority's area, the child dies or is seriously harmed.

A Rapid Review of the incident must be arranged.

The purpose of the Practice Review (PR) is:

- To establish whether there are lessons to be learned about the way in which local professionals and organisations work together to safeguard and promote the welfare of children
- To identify clearly what those lessons are, how they will be acted upon, and what is expected to change as a result; and
- As a consequence, to improve inter-agency working and better safeguard and promote the welfare of children (*Working Together to Safeguard Children (2018)*).

Following the Rapid Review, a Local Child Safeguarding Practice Review may be recommended and undertaken by all agencies involved in the case. Each agency produces an Internal Management Review (IMR) or Critical Analysis Report which examines their

agencies involvement with the child and any relevant adults. All reports are then collated to produce an Overview Report with recommendations.

Executive Summaries of all SCRs and LCSPR's undertaken in Gloucestershire can be found at:

[Gloucestershire Statutory Reviews - Gloucestershire Safeguarding Children Partnership](#)

7. DEFINITIONS

Safeguarding:

Safeguarding and promoting the welfare of children is defined for the purpose of statutory guidance under the Children Acts 1989 and 2004 respectively as:

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

To undertake that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

Child in Need:

Under Section 17 of the Children Act 1989/04, children in need are those whose 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. The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989/04 are what will happen to a child's health and development without services, and the likely effect the services will have on the child's standard of health and development.

Children with a new or an enduring significant disability are by definition 'children in need' under Section 17, as are children who have been in-patients in hospital for more than a period of 3 months.

Child Protection:

Some children are in need of protection because they have suffered or are likely to suffer significant harm. Section 47 of the Children Act 1989/04 gives the local authority Children's Social Care the duty to make enquiries to decide whether they should act to safeguard or promote the welfare of a child who is suffering or is likely to suffer significant harm. It identifies significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the child. A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

It is essential that all Trust staff are able to recognise any concerns or risks relating to safeguarding children and to take the appropriate action in response to this concern or risk.

Abuse and Neglect: 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, or those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

Types of Abuse:

- (1) Physical abuse - may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- (2) Sexual abuse - involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (eg rape, vaginal, anal or oral sex) or non – penetrative acts. They may involve non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.
- (3) 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.

The Neglect Toolkit is available to help evidence neglect and inform professional decision making when neglect is suspected. A Neglect Toolkit should be completed, alongside a MARF when making to the Local Authority due to concerns of neglect. The toolkit can be found at:

[Neglect Toolkit - Gloucestershire Safeguarding Children Partnership](#)

- (4) Emotional abuse - is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effect 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 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, causing children to be 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.

Fabricated and Induced Illness – (Fictitious Illness):

Concerns may be raised when it is considered that the health or development of a child is likely to be significantly or further impaired by a parent or caregiver who has fabricated or

induced illness by the:

- (1) fabrication of signs and symptoms - this may include fabrication of past medical history
- (2) fabrication of signs and symptoms and falsification of hospital charts and records, and specimens of bodily fluids - this may also include falsification of letters and document
- (3) induction of illness by a variety of means.

These are not mutually exclusive.

Alerting features that should prompt you to **consider** fabricated or induced illness:

- A child's history, physical or psychological presentation, or findings of assessments, examinations or investigations, leads to a discrepancy with a recognised clinical picture, even if the child has a past or concurrent physical or psychological condition.
- Alerting factors that should prompt you to suspect fabricated or induced illness:
- A child's history, physical or psychological presentation, or findings of assessments, examinations or investigations leads to a discrepancy with a recognised clinical picture plus one or more of the following, even if the child has a past or concurrent physical or psychological condition;
 - reported symptoms and signs are only observed by, or appear in the presence of, the parent or carer
 - an inexplicably poor response to prescribed medication or other treatment
 - new symptoms are reported as soon as previous symptoms stop
 - biologically unlikely history of events
 - despite a definitive clinical opinion being reached, multiple opinions from both primary and secondary care are sought and disputed by the parent or carer and the child continues to be presented for investigation and treatment with a range of signs and symptom child's normal daily activities (for example, school attendance) are limited, or they are using aids to daily living (for example, wheelchairs) more than expected from any medical condition that the child has.

Mental Health and Safeguarding:

The majority of parents who suffer mental ill-health are able to care for and safeguard their children and/or unborn child. Some parents, however, will be unable to meet the needs and ensure the safety of their children and at the most extreme, parental mental ill-health has been identified as a clear factor in a significant number of child deaths. The welfare of the child must be paramount.

Where professionals suspect a child and/or unborn child has suffered or is at risk of suffering significant harm as a result of commission or omission on the part of the parent/carer, the referral process must be followed.

A referral to Children's Social Care **must** always be made where there is evidence of any of the following high risk indicators: -

- psychotic beliefs particularly if focussed on or involving the child e.g. command led hallucinations suggesting harm to the child.
- persistent negative views expressed about a child, including rejection
- ongoing emotional unavailability, unresponsiveness and neglect, including lack of praise and encouragement, lack of comfort and love and lack of age-appropriate stimulation

- inability to recognise a child's needs and to maintain appropriate parent-child boundaries
- ongoing use of a child to meet a parent's own need
- suicide plans which include the child
- distorted, confusing or misleading communications with a child including involvement of the child in the parent's symptoms or abnormal thinking. For example, delusions targeting the child, incorporation into a parent's obsessive cleaning/contamination rituals, or a child kept at home due to excessive parental anxiety or agoraphobia
- ongoing hostility, irritability and criticism of the child or young person, inconsistent and/or inappropriate expectations of child
- serious neglect of the child.

The following are other negative indicators which, if present, increase the risk of abuse: combination of depression, substance misuse and personality disorders at various points in time are the most frequently reported psychiatric conditions affecting parents who abuse their children.

- mental illness combined with a background of domestic abuse
- both parents have a mental disorder or a lone parent with limited support has a mental disorder
- poor compliance with treatment
- lack of insight into the disorder and its likely impact on the child
- self-harming behaviour and suicide attempts
- parental learning difficulties and mental illness.

It is also important to consider the nature of the illness:

- **Pattern:** frequency of episodes, length of episodes. In general, an illness that has longer and more frequent episodes will have a greater impact than illnesses of short duration
- **Severity:** the impact of an illness will not be directly related to its severity, e.g. a parent with a short severe illness may be hospitalised and substitute care provided for the child with little impact on parenting.
- **Chronicity:** a less severe illness that is chronic may lead to substandard care or neglect of the child, if long term medication or the illness itself lead to cognitive and/or personality changes
- **Specificity:** what are the symptoms of the illness and their likely impact?

The following are positive indicators/protectors which may reduce the risk of significant harm:

- older age of the child at the onset of their parent's illness (less exposure to difficulties and a greater range of potential coping resources)
- the more sociable child who is able to form positive relationships
- a more able child
- a parent who has discrete episodes of mental illness with a good return of parenting skills and abilities between episodes
- alternative support from adults with whom the child has positive, trusting relationship
- success outside of the home e.g. at school or in sport.

Professionals can improve children's chances of avoiding significant harm by strengthening

these protectors.

Substance Misuse and Safeguarding Children:

Substance misuse by parents does not, by itself, necessarily lead to concerns about parenting, child abuse and neglect. However, children are more at risk of harm and neglect if parents misuse drugs or alcohol. The category of neglect now includes the impact on the unborn child as a result of maternal substance abuse. Please see the GSCP website for further guidance.

[Safeguarding and Child Protection Arrangements - Gloucestershire Safeguarding Children Partnership](#)

Impact on Children:

- Serious effect on unborn child due to poor nutrition and lifestyle
- Lack of basic care and poor school attendance
- Child taking on caring role of siblings or parents
- Exposure to criminal or other inappropriate behaviour.

Impact on Parent/s:

- Can affect - parent's caring skills
- perception and judgement
- attention to basic physical needs
- control of emotion
- attachment to child.

The risk is greater where the substance misuse is chaotic and out of control and where both parents are misusing.

Parent's needs may be prioritised above their children's needs and there may be less money available.

There is a risk of physical harm if drugs and paraphernalia or alcohol are not kept safely out of a child's reach.

Children may also be at risk from adults who are visiting the house when parents are not in a position to protect them.

Safeguarding Children Risk Assessment Substance Misuse:

To be completed if the service user is a parent; has regular contact with children or lives in a household where there are children (i.e. the partner of someone who has children).

Domestic Abuse:

The cross-government definition of domestic violence and abuse is:

any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- Psychological /Emotional
- Physical
- Sexual
- Economic/financial.

There is a strong link between domestic violence and child protection. The Domestic Abuse Act 2021–explicitly recognises the children as ‘victims’ of domestic abuse if they see, hear or otherwise experience the effects of domestic abuse.

Prolonged and/or regular exposure to domestic abuse can have a serious impact on a child’s development and emotional wellbeing:

- Physical assaults to pregnant women cause risk to both the foetus and mother
- Older children may suffer physical blows during episodes of violence
- Children may be greatly distressed by witnessing physical and emotional abuse
- There may be a negative impact on their ability to look after children by adults suffering physical and psychological abuse.
- Children may be drawn into the violence or emotional abuse or may be pressurised into concealing the abuse
- Children’s exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress.
- The risks increase when violence is combined with drink or drug misuse.

Where professionals are aware of domestic abuse, and there are children living in the house, a referral should be made to Children’s Social Care.

Please refer to the Trusts **Domestic Abuse Policy** for further guidance.

Recognised Risk Factors:

- **History**
Previous domestic assault is the simplest, most robust risk marker of subsequent domestic assault.
- **Escalation**
Minor violence is a predictor of escalation to major violence.
- **Separation**
Victims are at greatest risk of homicide at the point of separation or after leaving a violent partner.

The Role of Health Professionals:

Evidence shows that men and women find it difficult to raise the subject of domestic abuse themselves and that direct questions get more positive results than vague queries. Health professionals should be prepared to take a proactive approach.

- Never ask about domestic abuse when someone else is present. Find a way of seeing the victim alone.
- Ensure privacy and no interruptions. Consider that they might want to talk to someone else i.e. different gender, race.

- Be patient and understand that they may also have time pressures
- Aim to have a supportive conversation and avoid pushing the person into revealing domestic abuse
- Never accept culture as an excuse for domestic abuse
- Might children be involved? Consider the link between domestic abuse and child abuse.

If a man or woman discloses Domestic Abuse:

- Focus on safety and that of children, if there are any;
- Give information and refer to relevant agencies;
- Make it easy for the victim to talk about the experience;
- Support and reassure;
- Be non-judgemental and
- Look after yourself

Jointly complete the ‘DASH’ (Domestic Abuse, Stalking and Harassment) form to assist with assessment of risk. This can be found on the GSCP website and on the Safeguarding Pages of the Trust Intranet Safeguarding.

Further information and training refer to the **Domestic Abuse Policy**

Gloucestershire Domestic Abuse Support Services (GDASS) 0845 6029035

This service is for agencies and individuals (men and women) seeking support with domestic abuse in Gloucestershire

- Cases will be risk assessed, and all very high-risk cases will be referred into the Multi Agency Risk Assessment Conference (MARAC)
- Individuals will be supported through a Safety Plan.

Freephone 24-hour National Domestic Violence Helpline: 0808 2000 247

7. PROCESS FOR MONITORING COMPLIANCE

The Trust participates in any monitoring undertaken, e.g. monitoring the implementation of recommendations from Safeguarding Practice Reviews through the monthly GHC Safeguarding Group and Governance Assurance Group.

Commissioning Services Standards for Safeguarding Children: All employees of a service commissioned by the NHS and Local Authority have a statutory responsibility to safeguard and promote the welfare of children under section 11 of the Children Act 2004.

Incident Reporting: The Trust uses the Serious Incident Requiring Investigation (SIRI) Reporting Process to ensure that any incidents relating to safeguarding issues within the Trust are fully investigated and the lessons learned are cascaded to practitioners. This should also be linked to the Child Death Review Process, Rapid Reviews and Local Child Safeguarding Practice Reviews. Following every Safeguarding Practice Review of child abuse or neglect there is considerable consternation that greater progress has not been made to prevent such occurrences. Reviews and enquiries across the UK, over the last three decades, often identify the same issues – among them, poor communication and information sharing between

professional and agencies, inadequate training and support for staff, and a failure to listen to children.

Care Quality Commission: Essential Standards of Quality and Safety Outcome 7 is safeguarding people (who use a service) from abuse in line with Regulation 11 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010.

Audit: The Named Professionals are responsible for the review of health service specifications and standards for child protection practice, and for the development and maintenance of child protection audit systems to monitor the application of child protection standards within the Trust. The audit programme for child protection will include audit of child protection records. The work is reported to the Quality Assurance Group to ensure that the effectiveness of safeguarding work is monitored.

8. INCIDENT AND NEAR MISS REPORTING AND REGULATION 20 DUTY OF CANDOUR REQUIREMENTS

To support monitoring and learning from harm, staff should utilise the Trust's Incident Reporting System, DATIX. For further guidance, staff and managers should reference the [Incident Reporting Policy](#). For moderate and severe harm, or deaths, related to patient safety incidents, Regulation 20 Duty of Candour must be considered and guidance for staff can be found in the [Duty of Candour Policy](#) and Intranet resources. Professional Duty of Candour and the overarching principle of 'being open' should apply to all incidents.

9. TRAINING

The Trust is committed to the adoption of the Gloucestershire Safeguarding Children Partnership Child Protection Training Strategies; *Safeguarding Children and Young People: Roles and Competences for Healthcare staff (4th Ed. January 2019)*; *Working Together to Safeguard Children (HMG July 2018)* and Section 11 of *The Children Act (DOH 2004)*.

The intercollegiate document (Fourth Edition, January 2019) outlines the five levels of training/competency which are categorised as follows:

Level 1: (Universal) All staff including non-clinical managers and staff working in health care settings.

All staff will attend a presentation on Safeguarding Children and Adults as part of the Corporate Induction programme.

Level 2: (Targeted) Minimum level required for non-clinical staff who have some degree of contact with children and young people and/or their parents/carers.

All clinical staff working within the Trust, irrespective of grade, should complete this level 2 Mandatory Training. Service managers should consider administrative and other staff attending these sessions if they have significant contact with service users and their families either in person, on the telephone or virtually. All staff as identified above must attend an update session every three years. This training is called Safeguarding Children and Adults – Level 2 and follows the 'Think Family' model. It should be repeated every 3 years as a refresher. This includes administrators for safeguarding teams, nurses working in adult acute/community services, allied health care practitioners and all other adult orientated

secondary care health care professionals.

Level 3 - Multi Agency Child Protection Training (Specialist)

Following Level 2 training, all Clinical Staff working with children and young people should complete Safeguarding Child Protection Inter-agency (CPIA Level 3). This is provided by the GSCP and is available to book on via their website.

It is essential for clinical staff working with children, young people and/or their parents/carers and who could potentially contribute to assessing, planning, intervening and evaluating the needs of a child or young person and parenting capacity where there are safeguarding/child protection concerns. This includes GPs, forensic nurses, urgent and unscheduled care staff, all mental health staff (adult and CAMHS - all psychiatrists providing care to adults with a history of substance misuse or severe mental illness and often there are dependent children), child psychologists, child psychotherapists, adult learning disability staff, learning disability nurses, public health nurses, children in care nurses, specialist nurses for safeguarding health professionals working in substance misuse services all children's nurses. In effect, most Band 6 staff (and above) working with adults in mental health, and staff working directly with children require level 3 multi agency training for safeguarding children.

Over a three-year period, professionals should evidence learning equivalent to a **minimum** of 6 hours (for those at Level 3 core this equates to a **minimum** of 2 hours per annum) and a **minimum** of 12-16 hours (for those at Level 3 requiring specialist knowledge and skill). Training at Level 3 will include the training required at Level 1 and 2 and will negate the need to undertake refresher training at Level 1 and 2.

A refresher session should be undertaken every 3 years. This will negate the need to repeat the Safeguarding Children and Adults – Level 2.

Level 4: Named Professionals (Specialists). This includes named doctors, named nurses, and safeguarding specialists

Named professionals should attend a **minimum** of 24 hours of education, training and learning over a three-year period. This should include non-clinical knowledge acquisition such as management, appraisal, and supervision training. Named professionals should participate regularly in support groups or peer support networks for specialist professionals at a local and National level, according to professional guidelines (attendance should be recorded). Training at level 4 will include the training required at levels 1-3 and will negate the need to undertake refresher training at levels 1-3 in addition to level 4.

Level 5: Designated professionals. This applies to designated doctors and nurses, consultant/lead nurses for Safeguarding (Strategic).

To complete training as above. The child protection system in the UK is the responsibility of the government of each of the UK's four Nations. Each government is responsible for passing legislation, publishing guidance and establishing policy frameworks. There may be specific duties relating to the Designated/ consultant/lead nurses, in each nation. It is the joint responsibility of both Managers and individual Clinicians to ensure they have adequate Child Protection Training.

10. REFERENCES

Children Act 1989. London: HMSO

Children Act 2004. London: HMSO

Department for Education and Skills (2004) *Statutory Guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004*

Department for Education and Skills (2004) *Every Child Matters – Change for Children*

Department for Education and Skills (2006b) *The Children Act 1989 Report 2004 and 2005.*

Department for Children, Schools and Families (2008) *Safeguarding children in whom illness is fabricated or induced. Supplementary guidance to Working Together to Safeguard Children*

Domestic Abuse Act 2021

HM Government 2008

HM Government (July 2018) *Working Together to Safeguard Children.*

Human Rights Act (1998) London: HMSO

National Health Service Executive (1999) *Safety, Privacy and Dignity in Mental Health Units.*

Royal College of Nursing. (4th ed. January 2019) *Safeguarding children and young people: roles and competencies for health care staff.*

11. ASSOCIATED DOCUMENTS

- Freedom to Speak Up Policy (which replaces the Speaking Up at Work Policy).
- Sexual Safety Policy (CLP154)
- NHS England Sexual Safety Charter for reference ([NHS England » Sexual safety in healthcare – organisational charter](#)).
- Lone Working Policy
- SARC Operational Policy
- Relationships and Professional Boundaries Policy
- Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards (MHA 2007)
- PREVENT Policy (CLP211)
- Child Death Review Process Guideline (CLG075)
- Managing Allegations against Professionals who work with Children and Adults Policy (CLP152)
- Children and Young People Visiting MH Inpatients Policy (CLP212)
- Health Records and Clinical Record Keeping Policy (CLP005)
- Young People Receiving Care and Treatment in Adult Inpatient Services (CLP262)
- Working with Mothers and Their Unborn Babies where there are Concerns for the Welfare of the Unborn Child/Perinatal Mental Health Policy
- Commissioning Services Standards for Safeguarding Children
- Resolution of Professional disagreements in work relating to the safety of children
- Escalation Policy
- Supervision Policy (CLP116)
- Safeguarding Adults Policy (CLP101)