



# Child Protection Policy

Developed with NSPCC\*

*\*Disclaimer note: These safeguarding policy and procedure materials were drawn up specifically for Strathearn Arts with the assistance and advice of the NSPCC and conform to current child protection legislation and guidance. The NSPCC cannot accept any responsibility for the implementation and application of the procedures by Strathearn Arts.*

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## Section 1 – Introduction

Strathearn Artspace (will be referred to as Strathearn Arts in this document) is committed to providing a safe environment for children and young people. This child protection policy and procedures reflect this commitment and aims to ensure that all concerns about the care and protection of children and young people are effectively managed.

Section 5 of the Children (Scotland) Act 1995 states that ‘it shall be the responsibility of a person who is 156 or over and who has care and control of a child under 16, to do what is reasonable to safeguard the child’s health, development and welfare’.

This places on Strathearn Arts a Duty of Care for the children and young people have the right to freedom from abuse as outline in the UN Convention of the Rights of the Child. Strathearn Arts will constantly strive to provide a safe environment, free from any forms of abuse. Definitions of abuse can be found in Appendix 1

This policy is based on Children’s rights as noted within Scottish Government guidance and underpinned by the UN convention on the rights of the child including;

- The best interests of the child must be a top priority in all decisions and actions that affect them. (Article 3)
- Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.
- Strathearn Arts must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them. (Article 19)

### 1.1 Legal Framework

The following legislative and policy initiatives inform our practice as appropriate:

- The Children and Young People (Scotland) Act 2014
- National Guidance for Child Protection in Scotland (2021)
- UN Convention on the Rights of the Child
- The Children Scotland Act 1995
- The Protection of Vulnerable Groups (Scotland) Act 2007
- Disclosure Scotland Act 2020
- The Children’s Charter
- Getting it Right for Every Child 2005
- The Children (Scotland) Act 2020

- General Data Protection – Data Protection Act 2018.

## 1.2 Strathearn Arts Supporting Policies

This policy should be read in conjunction with the related policies and procedures below

- Anti-harassment & Bullying Policy
- Compassionate Leave Policy
- Data Protection Policy
- Equality Policy
- Family Friendly - Adoption Leave Policy
- Family Friendly - Maternity Leave Policy
- Family Friendly - Parental Leave Policy
- Family Friendly - Paternity Leave Policy
- Family Friendly - Shared Parental Leave (Birth) Policy
- Family Friendly - Time off for Dependant Emergencies Policy
- Flexible Working Policy
- IT Policy
- Social Media Policy
- Staff Handbook
- Substance Misuse Policy
- Whistleblowing Policy

## Section 2 - Scope of the Policy

This document sets out the responsibilities of all those who work for Strathearn Arts, including senior managers, trustees, employees, volunteers, sessional workers, agency staff, students or anyone working on behalf of Strathearn Arts (these will be referred to throughout the policy as 'staff and volunteers').

**Strathearn Arts is fully committed to promoting children's rights, notably their right to be protected from harm, abuse and exploitation and to be involved in any decisions that directly affect them.**

The purpose of this policy statement is:

- To protect children and young people who receive Strathearn Arts' services from harm.
- To provide staff and volunteers, as well as children and young people and their families, with the overarching principles that guide our approach to child protection

We will seek to keep children safe by:

- valuing them, listening to and respecting them and keeping them at the centre of everything we do;
- ensuring that children and young people are enabled to express their ideas and views on a wide range of issues and will have access to the organisations complaints procedures
- appointing a nominated child protection lead, a deputy, and a lead trustee/board member
- Recruiting and selecting staff and volunteers safely, ensuring all necessary checks are made
- Ensuring staff and volunteers are aware of the child protection policy and know what to do if they have a concern about the welfare of a child
- sharing information about child protection and effective practice with staff and volunteers, along with children, parents and carers.
- recording, storing and using information professionally and securely, in line with data protection legislation and guidance
- ensure children, young people and their families know where to go for help if they have a concern
- having a designated child protection lead who will share concerns and relevant information with agencies (on a need-to-know basis) involving children, young people, parents, families and carers appropriately

- ensuring that all staff and volunteers understand their obligations to report care/protection concerns about a child/young person, or a worker's conduct towards a child/young person to the organisations designated child protection lead
- Ensure we create an anti-bullying environment, through application of our Anti-Harassment and Bullying Policy.
- ensure that all staff and volunteers understand the organisations' Code of Conduct and Child Protection procedures.
- ensuring we provide a safe physical environment for our children, young people, and staff in accordance with the law and regulatory guidance
- ensuring that all procedures relating to the conduct of staff and volunteers are implemented in a consistent and equitable manner.
- building a culture where staff, children, young people and their families, treat each other with respect and are comfortable about sharing concerns.

**This policy is based on the following principles:**

- the welfare of children is paramount
- no child or group of children must be treated any less favourably than others in being able to access services which meet their particular needs
- all people, regardless of age, ability, gender, racial heritage, religious belief, sexual orientation, culture or identity, have a right to equal protection from all types of harm or abuse and no person or group of people should be treated less favourably than others in being able to access services which meet their particular needs;
- We reflect actively on our experience of child protection issues and seek to review and improve our practice accordingly.

Strathearn Arts will treat any breach of this policy very seriously. For those who work for us, failure to follow this policy could lead to disciplinary action, which may ultimately result in dismissal. For those who work with us, we reserve the right to immediately terminate any contract and, for trustees and volunteers, to require them to immediately cease being a trustee or volunteer.

**All concerns and allegations of abuse will be taken seriously.**

## Section 3 - Internal roles and responsibilities

The Director is responsible for developing and reviewing the organisations child protection policy statement and other care and protection policies and guidelines. However, all those who work for or with Strathearn Arts share the responsibility for protecting children.

**All staff** are responsible for ensuring that all child welfare, wellbeing and protection concerns are addressed in accordance with Policy and Procedure.

**All volunteers** are aware of who to turn to if they have a concern about a child or young person.

Strathearn Arts Code of Conduct is in place for all Staff and Volunteers to ensure they know how to behave and also what to expect if they do not behave accordingly, alongside how to report if they have concerns.

**Strathearn Arts** are expected to share information and concerns with their Designated Child Protection Lead who can then work collaboratively with other services. Strathearn Arts' nominated a Child Protection Lead is Angela Lennon, Interim Director.

**Trustees** have a responsibility to ensure appropriate child protection measures are in place and promote a culture that prioritises children and young people (Scottish Charity Regulator (2018b)). Trustees also have duties to manage risk and to protect Strathearn Arts assets and reputation.

Trustees ensure that there are appropriate policies and that they are implemented effectively. Strathearn Arts' nominated a Child Protection Trustee is Craig Pagett.

### 3.1 Designated Child Protection Lead (DCPL)

- Be the first point of contact for any concerns for all staff and volunteers.
- responsibility to regularly review and update the child protection policy and procedure annually.
- Advise and provide guidance to all staff and volunteers who have concerns about a child or young person.
- Have a working knowledge of the relevant legislation and national guidance in protecting children and young people.
- Manage all referrals, refer all cases of suspected abuse to the appropriate agency either Social Care and/or Police and ensure that appropriate information is available, confirmed in writing under confidential cover as quickly as possible.
- To ensure that Strathearn Arts policy and procedure to protect children are implemented and followed and that all staff know where they can find these
- To liaise with appropriate local agencies for support and advice and know where to find local contacts
- Advise and organise mandatory training of all staff about their responsibilities to protect and keep children safe

- To collect monitoring data on all welfare, wellbeing and protection activities across Strathearn Arts and evaluate their effectiveness.
- To lead on developing, reviewing, updating and disseminating Strathearn Arts nation specific policy and procedures and monitoring its implementation
- Support staff after any an incident in Strathearn Arts.
- Ensure all child protection incidents are referred to Strathearn Arts using the Reportable Incident form.
- Ensure the charity regulator is informed of any child protection incident.

### **3.2 Deputy Child Protection Lead**

Strathearn Arts' Deputy Child Protection Lead is Gordon McDowall, Finance and Operations Manager.

- Support the DCPL in their role and deputise in their absence.
- Support the DCPL in revising policies and procedures and embedding them across Strathearn Arts.
- Support the DCPL in the management and oversight of staff and volunteers working with children & young people.



## Section 4 - Code of Conduct

It is the responsibility of all staff and volunteers to read and understand the Code of Conduct, and to seek guidance from line managers if further clarification is needed.

### Code of safe conduct for Staff/volunteers

- Wherever possible avoid spending time with children and young people unobserved, no staff member should be alone with a child unless with permission or in an emergency.
- Where not feasible, all efforts should be made to move into view of others, keep doors open and if necessary, invite the child/young person to bring a friend
- Where a private conversation is necessary, inform another member of staff of your whereabouts and approximately how long you will be with the child or young person
- Staff and volunteers should watch out for each other. Are colleagues being drawn into situations that could be misinterpreted? How colleagues' view each other's practice will be how outsiders will view it, including parents.
- Be aware of any physical contact with a young person. Where necessary, for example, when there has been an accident ensure that you are treating the person for the injury. Do not continue with any additional contact if this is not required.
- Do not have or be perceived to have favourites
- Do not use physical punishments of any kind on a child or young person.
- Do not arrange meetings outside working hours. Do not develop social relationships with young people using the service. If you come into contact with a service user in a social setting, try and move away.
- Maintain a professional distance. Pay attention to your own behaviour in such a setting.
- Do not borrow money from service users
- Do not 'friend' or 'follow' on any social media sites or give out your personal mobile or home telephone numbers. Adjust privacy settings on your own personal social networking sites.

### 4.1 Professional Boundaries

- Inform your line manager if you have had a previous professional or personal relationship with service users in order to agree how best to manage confidentiality and risk, and ensure that you operate in accordance with Strathearn Arts Policies and Procedures

- If you live and work/volunteer within your own community, be clear about professional boundaries when any of your own family or children has friendships with service users' children or siblings, and that this is discussed with your line manager.
- Bring any risk of potential breakdown of professional boundaries, however unintentional, to the attention of your line manager immediately.
- You must not enter into a partner relationship with service users or members of their families. This constitutes a breach of professional boundaries and relevant codes of conduct/practice. If you become aware that the above situation has occurred in relation to a colleague, you must bring this to the attention of your line manager immediately.
- If you do have a personal relationship with a service user/s who begins to attend your place of work, this should be declared to your line manager.

## 4.2 Social Media

It is recognised that Social Media sites have become a significant way of life for many people and that, when used appropriately, are a positive way of keeping in touch with friends and colleagues as well as providing an opportunity to communicate through media.

There are instances, however, where these sites can be used inappropriately in terms of content or substantial use during working hours.

- A staff member should not refer to any confidential information relating to their employment. This includes potentially sensitive or confidential information about Strathearn Arts
- Any misuse of a Social Networking site including acts committed that may bring Strathearn Arts into disrepute, may result in disciplinary action against the staff member and could constitute gross misconduct.
- Social Networking sites should not be used for accessing or sharing illegal content.
- If a member of staff is concerned by information or content posted on a Strathearn Arts official site (i.e. Twitter, FaceBook, YouTube, Instagram) they should raise this concern with their DCPL/line manager.
- Staff should refrain from using language which could cause offence to others.
- Privacy should be respected always – if a staff member wishes to post a photograph or information on an individual, they should gain prior permission from the individual and must not be posted on personal pages.
- Viewing and updating personal sites is not permitted during working times. Reasonable access of these sites is acceptable during breaks and lunch periods.
- Staff must not friend/follow on their personal sites those that attend Strathearn Arts under any circumstances.

## Section 5 - Disclosure of Abuse

<p>This policy and procedures are based on the 4R's approach to support staff</p> <p><b>Recognise, Respond, Refer and Record</b></p>			
<p><b>Recognise</b> any concerns for a young person at risk that you are working with, this may be welfare/wellbeing or child protection.</p>	<p><b>Respond</b> appropriately to any concerns about a child within Strathearn Art's policy and procedures</p>	<p><b>Refer</b> – this will be the responsibility of the DCPL following discussion with yourself and others. This may include calling <b>local statutory services or the NSPCC Helpline on 0808 800 5000</b></p>	<p><b>Record</b> – once you have discussed any concerns with the DCPL you must record this information using Strathearn Art's recording form</p>

Adults don't always recognise, understand or react appropriately when a child starts to tell them about experiences of abuse and that this can mean that they don't get the support they need.

**If a child discloses abuse, (or you observe or are informed through a third party) remember that this may be the beginning of a legal process, as well as of a process of recovery. Legal action against a perpetrator can be seriously damaged by any suggestion that the child/young person has been led in any way.**

The following guidance should be followed as far as possible:

- Show them you care, help them OPEN UP. Give them your full attention and keep your body language open and encouraging. Be compassionate, be understanding and reassure them their feelings are important. Phrases like “you’ve shown such courage today” help.
- Take your time SLOW DOWN. Respect pauses and don't interrupt them – let them go at their own pace. Recognise and respond to their body language. And remember that it may take several conversations for them to share what's happened to them.
- Show you understand REFLECT BACK. Make it clear you're interested in what they're telling you. Reflect back what they've said to check your understanding – and use their language to show it's their experience.

Staff should be aware that:

- it is **not their responsibility to investigate** suspected cases of abuse
- they should not take any action beyond that in their organisations procedures **and**
- they cannot promise a child complete confidentiality – they must explain that they may need to pass information to other professionals to help keep the child or others safe.

**If we have concerns, we MUST ACT** – it may be the final piece of the jigsaw that is needed to protect that child, or we may prevent other children/adults from being hurt.

If the child decides to withdraw at this stage, the adult should stress that they can have further discussions in the future – that there will always be someone to listen to them. They should also be given alternative sources of support such as the telephone number of **ChildLine – 0800 11 11**. However, the child should also be told that their current concerns will be passed on.

- **Affirm their feelings** as expressed by them (show empathy).
- **Ask open, non-leading questions – Remember it is not your role to investigate** Keep questions to the absolute minimum necessary to ensure a clear and accurate understanding of what has been said.
- **Re-assure** that they are being courageous in ‘telling’.
- **Do not make value judgements** about an alleged abuser/s and what has taken place.
- **Explain that information will be passed on** to another member of staff and explain why this is important.
- **Explain the next step, be open and honest**, reassure that they will be kept informed of what is happening and will be supported as appropriate. Any information subsequently shared with the child/young person should always be appropriate to their age and stage of development and should not breach the confidentiality of any other parties involved.
- **Treat the allegation very seriously** and report it immediately to DCPL.
- **Write down** exactly what you have been told using the pro-forma shown in this guidance. Always try to record what the child said (if a verbal allegation) and the words they used. If the allegation came to light through other sources (e.g. play etc.), include any original material (if available) with the completed pro-forma. A copy of the record may be required (at a later date) as part of the child protection process or as evidence for future criminal prosecution.

- **Remember that the child's welfare is paramount** even where the child's parents/carers are considered to be the primary client(s) of your service.
- **On no account speak with the parent/carer** about what has happened until the DCPL has advised on the next step.
- **Where the need for urgent medical intervention** is indicated, the DCPL must take action to ensure medical treatment. First aid and urgent removal to hospital accompanied by an appropriate staff person will be a priority, followed by immediate notification to Police, as appropriate.
- **Ask for support.** It is recognised that dealing with child protection concerns can have stressful consequences for workers so the provision of support is essential

Deciding to report a colleague or volunteer you suspect of abusing or otherwise harming a child can be stressful and difficult and you may be worried about the person concerned taking action against you. The law does give you protection if you raise concerns or report a colleague as long as the report was not malicious or vexatious.

Children and young people from birth to 18, or beyond if still in school, may have a Named Person to help support their wellbeing within the GIRFEC approach. The Named Person is a central point of contact if a child, young person or their parent(s) want information or advice, or if they want to talk about any worries and seek support. They can also, when appropriate, reach out to different services who can help. The Named Person will be the headteacher, or guidance teacher or other promoted member of staff - for a school age child. For Pre-school children, this will be their health visitor

The Named Person will be a point of contact for any concerns about a child's welfare and wellbeing, the Named Person will carefully consider the situation by asking five questions:

- **What is getting in the way of this child's or young person's wellbeing?**
- **Do I have all the information I need to help this child or young person?**
- **What can I do now to help this child or young person?**
- **What can my agency do to help this child or young person?**
- **What additional help, if any, may be needed from others?**

Once they have considered the situation, a Named Person will discuss this with the child's parent(s) and other appropriate professionals if required, to assess what needs to be done to improve the child's or young person's wellbeing. They may plan what action(s) will be taken next and arrange appropriate review dates for the plan. Each situation and concern will be unique to the child or young person, and the way they are supported will be tailored to their individual needs. If a matter is serious enough then a referral will be made to Social Work Services or Police Scotland (please note if named person is not in place within the local authority area the child lives you can call your local social work office or NSPCC on 0808 800 5000 to discuss your concerns)

## **5.1 Escalation process – what to do if concerns are not being appropriately acted upon.**

If you have concerns about the safety or welfare of a child and feel they are not being acted upon by your manager or DCPL you can take further advice from social care yourself, contact the NSPCC Helpline however in the first instance, the aim should be to resolve the disagreement at the lowest level between those involved. If this fails, the matter will be raised with DCPL for further discussion and agreed course of action. A record of all conversations and actions must be kept.

## **5.2 Patterns of Concerns**

In some cases, it is ongoing events that give rise to concerns through observation which may include signs that a parent may not be complying, for whatever reason, may emerge over time. This can include a pattern of missed appointments, parents agreeing to take up services and then failing to attend, or parents agreeing to make changes but not following through.

Any ongoing concerns around the welfare or wellbeing of children and young people should be discussed within supervision in which cases the manager or DCPL may ask for a chronology of concerns to be recorded to which can support monitoring of patterns. A referral on the grounds of accumulation of patterns of concern should be discussed by the DCPL and local authority social work service before parents/carers are informed.

A chronology is:

- a summary of events key to the understanding of need and risk, extracted from comprehensive case records and organised in date order
- a summary which reflects both strengths and concerns evidenced over time
- a summary which highlights patterns and incidents critical to understanding of need, risk and harm
- a tool which should be used to inform understanding of need and risk. In this context, this means risk of significant harm to a child.

## **5.3 Managing Allegations against staff and volunteers**

Any concerns about the welfare of a child from alleged poor practice, abuse or harassment by an employee or volunteer of Strathearn Arts must be discussed with the Director/DCPL and reported immediately, this includes breach or potential breach of professional boundaries.

However, the first concern must be the reassurance of the child or young person and their protection from any potential risk. During the reporting process the young person should be protected from further contact with the individual involved in the allegation.

Concerns about a member of staff may fall into any of the following three categories where someone has;

- Behaved in a way that has harmed the child/young person, or may have harmed a child/young person
- Possibly committed a criminal offence against or related to a child/young person
- Behaved towards a child/young person or children in a way that indicates they may pose a risk of harm to as a member of staff s/he is unsuitable to work with children

## 5.4 Supporting Employees

- Employers have a duty of care to their employees. They should ensure they provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended.
- Suspension should be carefully considered and is not automatic
- It is essential that any allegation is dealt with very quickly, in a fair and consistent way that provides effective protection for the child/young person and at the same time supports the person who is the subject of the allegation
- All options to avoid suspension should be considered prior to taking that step.

Where it is clear that an investigation by the police is unnecessary, the DCPL should discuss the next steps with the head or the organisation and HR.

- Keep Records on an individual's file until retirement or 10 years if that will be longer.
- Decisions regarding suspension are with the employer

## 5.5 Whistleblowing

Strathearn Arts understand that staff and volunteers will often be the first to know when someone inside or connected with the organisation is doing something illegal, dishonest, or improper, but may feel apprehensive about voicing their concerns. However, it is in the interest of everyone, and the organisation that individuals with knowledge of wrongdoing are supported in reporting such behaviour.

Any individual with knowledge of any such activities should inform their DCPL/manager who will take the matter further as appropriate and necessary or alternatively call NSPCC Whistleblowing advice line on 0808 028 0285.

Please see Strathearn Arts Whistleblowing policy and procedure

## 5.6 Making a Child Protection Referral

Inform the DCPL as soon as possible when you have a concern. They will assess the nature of the concern and decide the most appropriate course of action. In their absence, you can contact Social work or NSPCC

The DCPL will assess the information and decide whether the concern is reportable in terms of this procedure. The manager may wish to discuss the potential referral in advance with the relevant social work department.

The DCPL will make clear any concerns which will consider any immediate response.

Any child protection referral made by Strathearn Arts will be done so in discussion with the DCPL. This may include the following:

- A child or young person makes a clear allegation of abuse or neglect;
- concerns have arisen in relation to a child on the child protection register or supervision order;
- A child sustains an injury (with concerns about how it was caused), is being denied access to medical assessment,
- There are any circumstances which suggest that a child is suffering or is likely to suffer significant harm including being sexually exploited (including online), is missing from home, or there are additional concerns about their vulnerability (e.g Female Genital mutilation, Forced marriage, domestic abuse, parent's substance use or mental health, self-harm, human trafficking).
- A member of the public makes an allegation that someone has abused a child/young person;
- Professional concern exists about abuse or neglect, despite no allegation being made (see disclosure below)
- Concern exists about a child/young person having contact with a person who may pose a risk, or potential risk.

The DCPL will in discussion with social work decide who will inform the parents/carers (if appropriate) within 24 hours.

In all our work with parents and carers we will:

- Advise them at the start of service of our duty to report child wellbeing, welfare and protection concerns.
- Ensure the child's wellbeing is at the centre by maintaining a clear focus on the needs of the child/young person and acting in their best interests.
- Work in partnership with parents maintaining appropriate boundaries and explicit objectives.
- Communicate clearly and openly and work in a planned way.
- Support parents/carers where appropriate when concerns for a child are identified.
- Seek support from manager/DCPL within supervision when concerns have been identified or investigated.

Strathearn Arts DCPL will follow up and record the outcome of all referrals made to social work to ensure any referral made is properly dealt with by Social Work, in accordance with this policy and the local inter-agency guidelines.



The DCPL will 'own' the referral until they are satisfied that the concerns raised have received an appropriate response. Follow up the referral within 2 working days if no communication is received, or sooner, depending on assessment of level of risk. When the concern has been addressed or adequate progress made, the DCPL will close the incident.

## Section 6 - Recording, Confidentiality and Information Sharing

Sharing relevant information is an essential part of protecting children/adults from harm. Strathearn Arts staff should understand when and how they may share information and will be supported and guided within the law, these procedures and supervision.

Where there is a child/young person protection concern, relevant information should be shared with police or social work without delay, provided it is necessary, proportionate and lawful to do so. The lawful basis for sharing information should be identified and recorded. Strathearn Arts data protection leads should be able to advise where doubt about the appropriate lawful basis exists.

Strathearn Arts staff with child protection concerns may share relevant information order to:

- clarify if there is a risk of harm to a child/young person
- clarify the level of risk of harm to a child /adult
- safeguard a child/young person at risk of harm
- clarify if a child/young person is being harmed
- clarify the level of harm a child/young person is experiencing
- safeguard a child/young person who is being harmed

Professional judgement must always be applied to the available evidence about each specific emerging concern, and about what is relevant, proportionate, and necessary to share. The concern must be placed in the context of available observed and recorded information about the particular child/young person, their needs and circumstances.

**Sharing without consent:** Where there may be a child/young person protection concern, information may be lawfully shared without the need for consent to be obtained from the individual(s) to whom the information relates. The following considerations will be helpful to support relevant, proportionate, timely, safe and effective information sharing.

- if there is evidence that a child is at risk of significant harm, relevant information can be shared with a statutory agency without delay. Consent is not required or appropriate because the information must be shared in order to protect the child/young person. Consent should only be sought when the individual has a real choice over the matter. However, where appropriate, agreement and understanding about the sharing of information may be helpful in engaging individuals in the process
- the needs, feelings, views and wishes of the child/young person should be considered and documented. They may also need additional support to understand and communicate

- information sharing decisions must be based not only upon considerations about the safety and wellbeing of the individual, but also the safety of others
- information can be shared without consent if, for example, a practitioner is unable to gain consent from the individual in time to prevent risk of harm, or if gaining consent could place a child/young person at risk
- relevant personal information can be shared lawfully if, for example, it is to keep a child/young person or individual at risk safe from neglect or physical, emotional or psychological harm. This must be done in a way that complies with the relevant areas of law such as data protection, human rights and confidentiality
- in all circumstances, it is important to be transparent with children and families so that they know what information is to be shared or has been shared and in what circumstances. In certain exceptional circumstances, it may not be appropriate to advise the individual that information is to be shared
- children and their families should also be aware that they can challenge whether sharing information is proportionate.
- a record should be made of the reasons and considerations that informed the decision to share the information

If, where there is a possible child/young person protection concern, a decision is made not to share information, consider:

- what are the reasons for deciding not to share information?
- what harm could result if this information is not shared?
- what are the possible risks for the child or young person or for others if information is not shared and how serious could those risks be?

Reasons for not sharing should be recorded

## 6.1 Information Sharing: Guiding principles

Information shared must only be that which is necessary for child protection purposes.

Individuals about whom information is being shared should not be put under pressure to consent to the sharing of their information. They should be informed and involved in such a way that they understand what is happening and why.

They should also be told what information about them is being shared, with whom and why this is necessary, unless to do so would be detrimental to:

- the best interests of a child/young person

- the health or safety of a child/young person or another person
- the prevention or detection of crime (e.g. creating a risk of harm to a child/young person)

or - the apprehension or prosecution of offenders

or

- it is not reasonably practical to contact the person
- it would take too long given the particular circumstances (e.g. where you have to act quickly)
- the cost would be prohibitive
- there is some other compelling reason

Information sharing must be:

- timely in relation to the child protection concern
- secure in the manner in which it is shared
- explicit in the records about any dispute in facts or opinions shared

Shared information and records held must:

- state with whom the information has been shared and why
- be accurate and up to date
- be explicit about reasons for sharing or not sharing information
- Information sharing that may be viewed as interfering with the right to private family life can only be lawful if it is done in a way that is proportionate to the achievement of a legitimate aim.

Records should only be retained for a period of seven years and destroyed in line with Strathearn Arts Data Protection Policy and Retention Schedule. Collection, sharing and any other processing of special categories data made under this policy are also covered by the appropriate policy document referred to above.

When information is requested by other organisations this must be passed to the DCPL and the Data Protection Officer for consideration. A decision to share information or not must be recorded and stored appropriately.

(adapted from National Guidance for Child Protection in Scotland 2021)

## 6.2 Recording

Good child protection practice depends on having sufficient, clear, succinct, accurate and accessible records.

Strathearn Arts will ensure that staff and volunteers are aware of and can easily access our Safeguarding Incident forms. These will be shared with and retained by the Designated Child Protection Lead online and can only be accessed by relevant staff through the use of a unique password.

It will be the responsibility of the Designated Child Protection Lead to update the records according to any contacts made on the child/young person's behalf in order to ensure we have a clear chronology of events.

**Please refer to Strathearn Arts Social Media policy for further information and support.**

### **6.3 Photography**

Permission must be sought to use imagery of participants in any activities of Strathearn Arts. It must be made clear where the photographs are to be used. (Please see Appendix 2 to be used by all teams)

## Appendix 1: DEFINITIONS

### Who is a 'child'?

For the purposes of this policy the definition of a 'child' or 'young person' is anyone aged under 18 years of age as supported by the Children and Young People Scotland Act (2014). Where a young person aged 16-18 requires protection it must be noted that Adult Support and Protection (Scotland) Act 2007 legislation may apply.

### What is Abuse?

Child abuse and neglect is the maltreatment of a child/young person in any form. An individual may abuse or neglect a child or adult at risk of harm directly, or may be responsible for abuse or neglect because they fail to prevent significant harm by another person. 'Significant Harm' is circumstances where "a child or young person's basic needs are not being met in a manner which is appropriate to his or her individual needs and stages of development and the child is. It can occur within a relationship of trust and can happen to a child/young person regardless of their age, gender, race, disability or ability, sexual orientation, religion or socio-economic status.

Children/young people and adults at risk may be abused in a family or in residential care or in the community, including artistic and sporting activities by any individual known to them or by a stranger.

Children with disabilities are at increased risk of abuse through various factors such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse has occurred.

**The main types of abuse are: physical, emotional, sexual and neglect.**

**Physical Abuse** - is the causing of physical harm to a child or young person and may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after (this is known as fabricated or induced illness). There may be some variation in family, community or cultural attitudes to parenting, for example, in relation to reasonable discipline. Cultural sensitivity must not deflect from a focus on a child's essential needs and protection from harm.

**Emotional Abuse** - Emotional abuse is the persistent emotional maltreatment that has severe and persistent adverse effects on the child's emotional development. 'Persistent' means there is a continuous or intermittent pattern which has caused, or is likely to cause, significant harm. It may involve conveying to a child that they are worthless or unloved, inadequate or imposition of demands inappropriate for their age, repeated silencing, ridiculing or intimidation. Extreme overprotection, such that a child is harmed by prevention

of learning, exploration and social development, seeing or hearing the abuse of another (in accordance with the Domestic Abuse (Scotland) Act 2018).

Some level of emotional abuse is present in all types of ill treatment of a child; it can also occur independently of other forms of abuse.

**Sexual Abuse** – Is an act that involves a child under 16 in any activity for the sexual gratification of another person – whether or not it is claimed that the child consented or assented. Forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or in the production of indecent images, in watching sexual activities, using sexual language towards a child, or encouraging children to behave in sexually inappropriate ways.

Child sexual exploitation involves a young person under the age of 18 being manipulated, forced, pressurised or coerced into taking part in a sexual act in exchange for something.

**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. 'Persistent' means there is a pattern which may be continuous or intermittent which has caused or is likely to cause significant harm. However, single instances of neglectful behaviour by a person in a position of responsibility can be significantly harmful.

**GIRFEC SHANARRI** indicators set out the essential wellbeing needs. Neglect can impact on healthy development It may involve a parent or carer failing to provide adequate food, shelter and clothing, to protect a child from physical harm or danger, or to ensure access to appropriate medical care or treatment. It may also include neglect of, or failure to respond to a child's basic emotional needs. In its extreme form children can be at serious risk from the effects of malnutrition, lack of nurturing and stimulation.

**Other areas of concern include:**

**Female genital mutilation:** an extreme form of physical, sexual and emotional assault.

**Honour-based abuse and forced marriage:** A marriage conducted without the full and free consent or both parties

**Child trafficking:** Involves recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years.

**Criminal exploitation:** the action of an individual or group to coerce, control, manipulate or deceive a child under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator

**What is harm and significant harm in a child protection context?**

'Harm' means the ill treatment or the impairment of the health or development of the child, including, for example, impairment suffered as a result of seeing or hearing the ill treatment of another. In this context, 'development' can mean physical, intellectual, emotional, social or behavioural development and 'health' can mean physical or mental health.

Whether the harm suffered, or likely to be suffered, by a child or young person is 'significant' is determined by comparing the child's health and development with what might be reasonably expected of a similar child. Deciding whether harm has been or is likely to be significant can be complex, and where there are concerns about harm, abuse or neglect, Strathearn Arts staff and or volunteers must share these with the relevant agencies who will assess whether the harm is, or is likely to be, significant.



## Appendix 2: Photography Form

In accordance with Strathearn Arts Protecting Children policy we will not permit photographs, video, or other images of young people to be taken without the consent of the child, young person or the parent if the child is under 16.

Strathearn Arts 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 Designated Child Protection Lead immediately.

### Consent information:

*To be completed by child:*

- I give permission for my photograph to be used for display purposes
- I give permission for my photograph to be used within other printed publications
- I give permission for my photograph to be used on Strathearn Arts website
- I give permission for videos of me to be used on Strathearn Arts website
- I give permission for my photograph to be used on Strathearn Arts social media pages
- I give permission for videos of me to be used on Strathearn Arts social media pages

**Signature of child:**

**Print name child:**

**Date:**

If the child is under 16, consent must be obtained from parents.

*To be completed by parent:*

- I give permission for my child's photograph to be used for display purposes
- I give permission for my child's photograph to be used within other printed publications
- I give permission for my child's photograph to be used on Strathearn Arts website
- I give permission for my child to be videoed for use on Strathearn Arts website
- I give permission for my child's photograph to be used on Strathearn Arts social media pages
- I give permission for my child to be videoed for use on Strathearn Arts social media pages
- I can confirm that I have read or been made aware of how these images or videos will be stored within the organisation.

**Photography**

**Print name of parent:**

Date:	

### Appendix 3: Safeguarding Incident Form

Please complete this form and pass to your Designated Child Protection Lead / Director within 24 Hours of the incident happening/concern arising

If the person at risk is in imminent danger of harm you should refer directly to the police or social services without delay.

Section 1a: Your Details	
Name	
Role	
Designated Child Protection Lead	

Section 1b: Person at Risk's Details (Complete to the best of your Knowledge)		
Child / Young Person <input type="checkbox"/>	Adult <input type="checkbox"/>	
Surname:	Known As:	
Forename:		
Address:	Gender	
Postcode:	<input type="checkbox"/> Male	
Telephone No:	<input type="checkbox"/> Female	
Date of Birth:	<input type="checkbox"/> Other: _____	
	Mobile No:	
	Language Spoken:	
Does the person have a Disability?	If Yes, What Disability: (& source of diagnosis)	Other Special Needs:

Section 1c: Parent/Guardian/Carer's Details	
Parent/Guardian/ Carer's Name	

<b>Contact Information</b>	
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Have parents /guardian/carers been notified? Yes  No

If YES, please provide details of what was said/action agreed:

If NO, please provide details of why:

## Section 2: Details of Incident/Concern

CONCERN

INCIDENT

**Does the Concern/Incident Involve:**

Staff/Volunteers

General Public

Teacher/Group Leader

**DETAILS OF THE INCIDENT OR CONCERNS:**

**What** are you worried about? **Who** are you worried about? **Where** did the incident happen/concern arise? **When** (date and time of incident)? Any witnesses? (Continue on a separate sheet if necessary)

**Individual's Account of The Incident:** If recording a verbal disclosure by an Individual use their words.

Please provide details of any person involved in this incident or alleged to have caused the incident / injury:

**Have You Reported the Incident to An External Agency?**

Yes

No

If YES, please provide details what agency and what was said/action agreed:

If NO, please provide details of why:

Print Name		Signature	
Date			

### Section 3: To be Completed by the Designated Child Protection Lead

I confirm that I received this form on:

\_\_\_\_\_

I confirm that I have reviewed the information on this form with 24 hours of receipt and have decided to take the following action:

- Refer immediately by telephone to Social Care / Regional Emergency Social Work Service / Police / Ambulance.
- Contact External Agencies for advice/information
- Refer to Social Care Team in writing. **REMEMBER** it is important to gain consent for any referrals to Adult Services if the person has capacity.
- Contact external agency to follow up referral made by staff / agency worker / volunteer
- Take no Further Action
- Contact the Director

Please give explanation of your decision, and if you have contacted an external agency for any reason, please provide details what agency and what was said/action agreed:  
(continue you on a separate sheet as necessary)

Signature of DCPL:

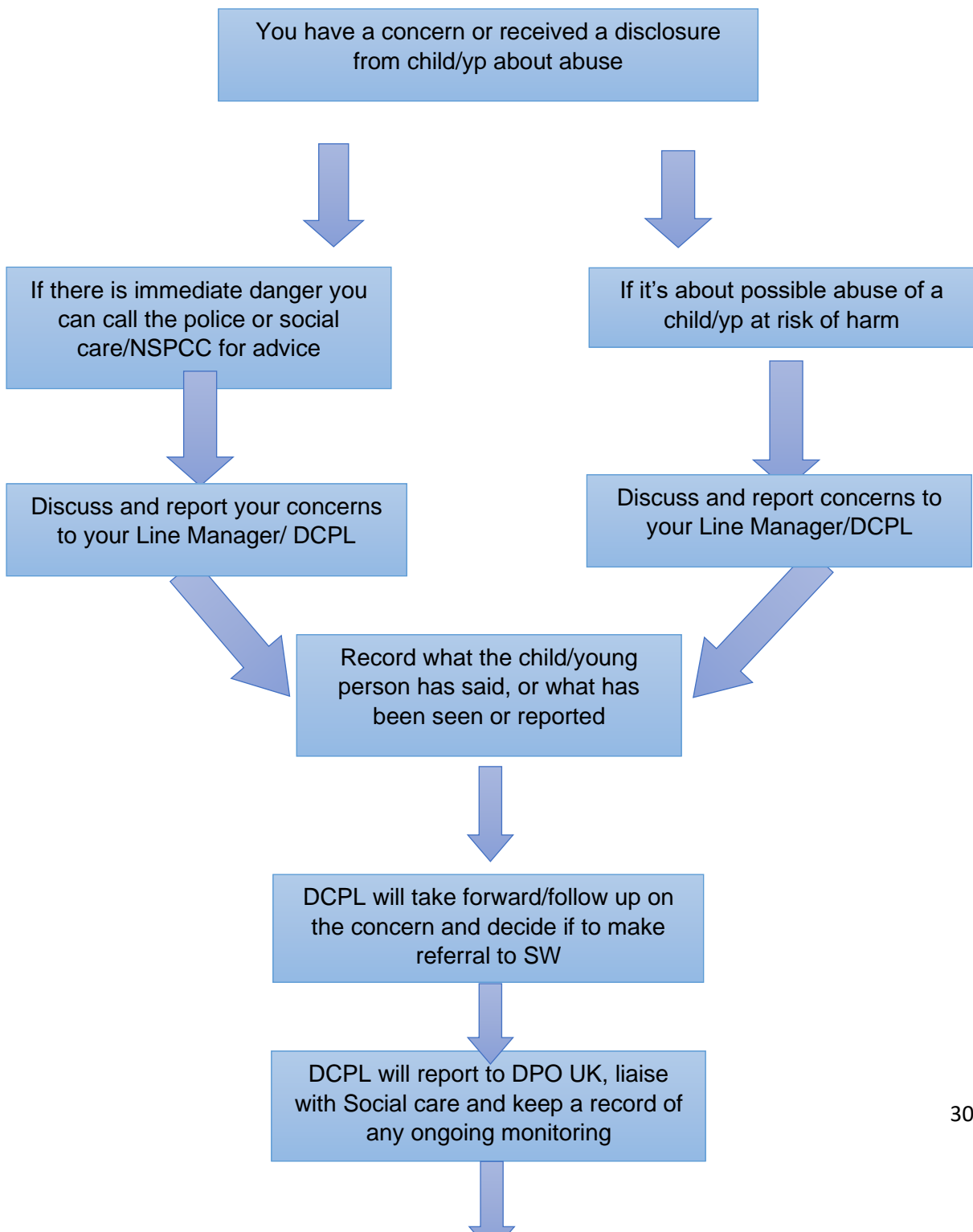
Date:

Whatever your decision, you MUST:

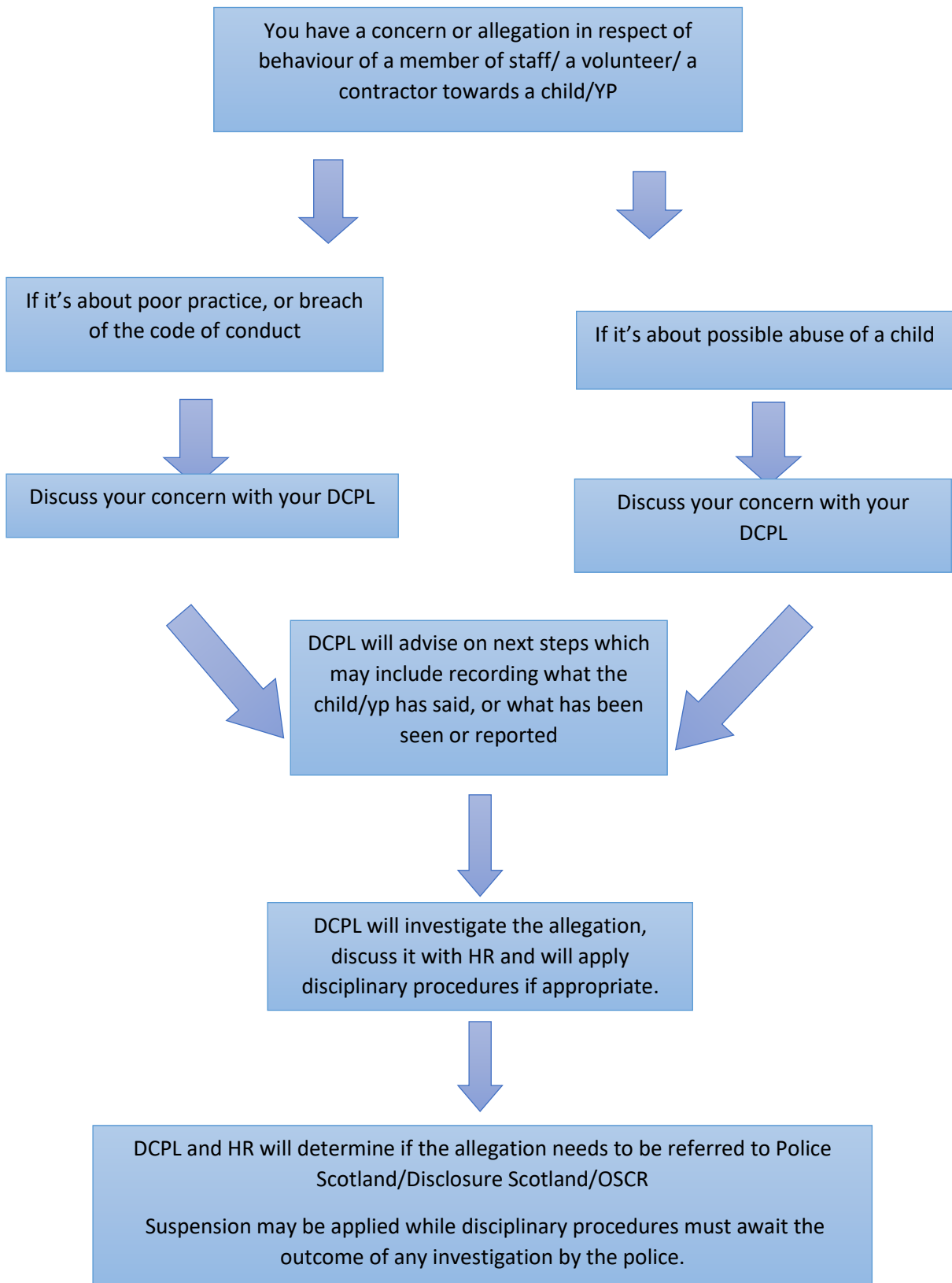
1. Record in writing all actions taken, the reasons for these, and by whom the actions were taken.
2. Forward records (securely) to Safeguarding Manager re: Safeguarding Case File (in line with GDPR guidelines)

- 3. Keep a full record of all actions and decisions
  - 4. Ensure pastoral care is provided to staff/volunteer as appropriate
- Further Outcomes/Actions *(attach extra sheets as necessary)*

## Appendix 4: Disclosure/concern for a child, young person



## Appendix 5: Allegations against staff/volunteer





## Appendix 6: Recruitment and Employment

Strathearn Arts will take all reasonable steps to prevent unsuitable people from working with children.

All staff and volunteers will be interviewed, require criminal records checks (where applicable) and have two suitable references of their suitability to work with children/young people.

### Selection

- All applicants, for staff and volunteers, will complete an Application Form.
- Shortlisted applicants will be invited to attend an interview.
- Shortlisted staff applicants will be asked to provide references, and these will always be taken up prior to confirmation of appointment.
- All successful applicants appointed to a 'regulated' work position, as defined by the PVG Act, will be required to become members of the PVG Scheme or, if already a member. Provide their PVG Scheme Record and permit access to a PVG Scheme Record Update
- We will follow up each reference with a telephone call or personal contact, during which we will discuss the applicant's suitability to work with children.
- Any applicant found to be fully listed on the Children's List will not be appointed to a regulated work
- Any future work that is designed specifically for children and young people will be facilitated by a staff member who must be a member of the PVG scheme.

### Training

- All newly appointed staff and volunteers at Strathearn Arts will receive training, support, information and guidance to ensure they understand their role and responsibilities with regard to Child Protection. This will include:
- Relevant training and support will be provided on an ongoing basis, and will cover information about their role and opportunities for practising skills needed for the work.

- Training on specific areas such as Health & Safety, Identifying and Reporting Abuse, and Confidentiality, will be given as a priority to new staff and volunteers and will be regularly reviewed.
- Details of the structure of the organisation will be provided, including the details of overall responsibility for child protection within the organisation
- Details of the organisations aims and objectives will be provided
- An assessment of staff and volunteer training and development requirements will be completed
- The roles and responsibilities of staff and volunteers within the organisation will be clarified
- Clear details of the expectations, roles and responsibilities of all newly appointed staff and volunteers will be provided
- All staff and volunteers must agree and sign up to the organisations Child Protection Policy and procedures
- Training, information and a copy of the organisations Code of Conduct will be provided
- The contact details and roles and responsibilities of the organisations Child Protection Officer will be provided

### **Contractors**

- The responsibility for employees of contractors, and sub-contractors remain with the main contractor who must ensure that they are informed about their responsibility to report any concerns directly to them in the first instance and/or to an identified DCPL in line with this policy and procedure.

### **Learning and development**

Strathearn Arts has a responsibility to ensure all new staff undertake an induction programme (in development). As part of this induction programme, Strathearn Arts will ensure all staff are made aware of and understand their responsibilities in respect of all policies relating to child protection.

Volunteers are able to access our Learning Portal to avail of all necessary training and this is recorded, so we can maintain continuity in learning.

## Appendix 7: Contact Details

Strathearn Arts Designated Child Protection Lead	Angela Lennon, Interim Director
Deputy Designated Child Protection Lead	Gordon McDowall, Finance and Operations Manager
Lead Trustee	TBC

### Perth and Kinross Child Protection

Duty Team is based at Pullar House in Perth, Monday to Friday from 9 am until 5 pm. The Duty Officer will be available to discuss concerns about the care and protection of any child in the local community. Outwith these hours enquiries are dealt with by the Out of Hours Service which is based at Almondbank House, Perth. The Duty Officer (for both locations) can be contacted on the following number: 01738 476768 (24 hours).

### Police Scotland

Emergency	999
Non-Emergency	101

## Services for Children & Young People

Childline	0800 1111
NSPCC	0808 800 5000 NSPCC   The UK children's charity   NSPCC

Disclosure Scotland	<a href="https://mygov.scot">Disclosure Scotland - mygov.scot</a>
Volunteer Scotland	<a href="#">Home - Volunteer Scotland</a>

National Third Sector GIRFEC Protect	<a href="https://www.gov.scot">Getting it right for every child (GIRFEC) - gov.scot (www.gov.scot)</a>
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Hosted by Children in Scotland, providing advice and support to the third sector in implementation of GIRFEC.	<a href="#">Children in Scotland</a>
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5Rights	
Exists to articulate the rights of children and young people in the digital environment.	<a href="https://5rightsfoundation.com">5Rights (5rightsfoundation.com)</a>

Action for Children Scotland	
Supports and speaks out for the UK's most vulnerable and neglected children and young people.	<a href="#">Our work in Scotland   Action For Children</a>

Childline Scotland	0800 1111
Provides free, confidential support to children who have been abused or have other worries or concerns.	<a href="#">Childline   Childline</a>

Children 1st	
Offering practical help and advice to children, young people and families across Scotland.	<a href="#">Scotland's National Children's Charity   Children 1st</a>
Parentline Scotland	08000 28 22 33
A free confidential helpline for parents and carers who need advice or support	<a href="#">Children 1st Parentline - Parenting Help, Advice &amp; Support   Children 1st</a>
CEOP – Child Exploitation Online Protection	<a href="#">CEOP Safety Centre</a>
Online safety education programme for CEOP	<a href="#">CEOP Education (thinkuknow.co.uk)</a>