



CHILD PROTECTION POLICY & PROCEDURES

Policy Approval and Review

Date of Board Ratification	Signed	Position	Date	Review due date
4.2.21	Sharon Burnett	CEO	5.2.21	5.2.22
9.6.22	Sharon Burnett	CEO	9.6.22	9.6.23

1.0 INTRODUCTION

- 1.1 Causeway & Mid-Ulster Women's Aid (C&MUWA) works to support women and their children who have been abused through domestic violence.
- 1.2 We believe that children and young people should never experience abuse of any kind and that we all have a responsibility to promote the welfare of all children and young people, to keep them safe and to practice in a way that protects them.
- 1.3 This policy applies to anyone working on behalf of Causeway & Mid-Ulster Women's Aid including senior managers, the board of trustees, paid staff, volunteers, sessional workers, agency staff and students.
- 1.4 The purpose of this policy is:
 - To protect children and young people who receive Causeway & Mid-Ulster Women's Aid services. This includes the children of adults who use our services.
 - To provide parents, staff and volunteers with the overarching principles that guide our approach to child protection.

2.0 LEGAL FRAMEWORK

- 2.1 This policy has been drawn up based on legislation, policy and guidance that seeks to protect children in Northern Ireland.
- 2.2 The Children's Order NI 1995 provides the framework for the care and protection of children in Northern Ireland. It is based on the 5 principles of paramountcy, partnership, protection, prevention, and parental responsibility.
- 2.3 In addition a range of other legislation exists which relates to child protection in Northern Ireland not all of which is child specific. A summary of key legislation is available from nspcc.org.uk/learning

3.0 POLICY STATEMENT

- 3.1 Causeway & Mid-Ulster Women's Aid recognises that:
 - The welfare of the child is paramount.
 - All children regardless of age, disability, gender identity, race, actual or perceived religious belief or sexual orientation, have the right to equal protection from all types of harm and abuse.
 - Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues.
 - Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting children's welfare.
 - Where a child is at risk, the need for appropriate action will override any principles of confidentiality.
 - That cyber bullying, grooming and Child Sexual Exploitation (C.S.E) are emerging issues in the field of Child Protection and staff may require additional training in these areas. (See Appendix 2)

3.2 Causeway & Mid-Ulster Women's Aid will seek to keep children and young people safe by:

- Valuing, listening to and respecting them.
- Appointing Designated Child Protection Officers and providing access to regular training to ensure that they can fulfil their role competently.
- Adopting child protection and safeguarding practice through our policies, procedures, and code of conduct for staff and volunteers.
- Providing effective management for staff and volunteers through supervision, support, and training.
- Recruiting staff and volunteers safely ensuring that all necessary checks are completed prior to taking up posts.
- Ensuring all staff are aware of organisational child protection requirements through induction and regular training.
- Recording and storing information professionally and securely.
- Sharing information about safeguarding and good practice with children, their families, staff, and volunteers.
- Using our procedures to share concerns and relevant information with agencies who need to know and involving children, young people, parents, carers, and families appropriately.
- Using our procedures to manage any allegations against staff and volunteers appropriately.
- Ensuring that any children's services delivered without parents present are appropriately supervised in line with recognised ratios.
- Creating and maintaining an anti-bullying environment and using our procedures to deal with any bullying that does arise.
- Ensuring we have effective complaints and whistleblowing policies in place.
- Promoting positive approaches to discipline which foster self-esteem, respect, tolerance, and self-control as outlined in the 'Children are Unbeatable' campaign.
- Ensuring we provide a safe physical environment for our children, young people, families, staff, and volunteers by complying with all health and safety measures in accordance with the law and regulatory guidance.
- Ensuring adequate insurance cover is in place for service users, staff and third parties within all facilities operated by Causeway & Mid-Ulster Women's Aid.

3.3 This policy should be read in conjunction with the following organisational policies/documents:

- Refuge Admissions
- Code of Conduct
- Confidentiality
- Adult Protection from Abuse and Safeguarding
- Equal Opportunities for Service Users
- Health and Safety
- Retention of Records
- Recruitment and Selection
- Comments & Complaints

- Volunteering
- Whistleblowing
- Data Protection
- Refuge Handbook

4.0 IMPLEMENTATION

The Chief Executive Officer has specific responsibility for the effective implementation of this policy. Each Senior Manager also has responsibilities, and all paid staff, volunteers, placement students, sessional and agency workers including Board of Directors are expected to abide by the policy.

5.0 COMMENTS & COMPLAINTS

- 5.1 A breach of the Child Protection Policy and Procedures will be regarded as misconduct and may lead to disciplinary action.
- 5.2 Any comments or complaints in relation to this policy may be raised following the procedures laid down in Causeway & Mid-Ulster Women's Aid's Comments & Complaints Policy.
- 5.3 Any member of staff who believes that they have been treated unfairly has the right to pursue a grievance through the procedure outlined in their Employment Contract.
- 5.4 Any volunteer who believes that they have been treated unfairly has the right to pursue a grievance through the procedures outlined in their Volunteer Policy.

6.0 MONITORING & REVIEW

- 6.1 This policy will be reviewed annually or in the event of an occurrence which highlights need for change within the policy or to reflect any legislative change.

7.0 PROCEDURES FOR MITIGATING AND RESPONDING TO ACCIDENTS

- A Risk Assessment will be completed by staff in respect of any activity or trip taking place off site
- Procedures for responding to accidents involving children are laid down in Causeway & Mid-Ulster Women's Aid's Health & Safety Policy and Procedures.
- A full organisational risk assessment is in place to ensure that all identifiable risks have been assessed with corresponding mitigations in place.

8.0 PROCEDURES FOR DEALING WITH ACTUAL OR SUSPECTED INCIDENTS OF ABUSE OR NEGLECT

8.1 If a member of staff knows, suspects or has received a disclosure or report that abuse or neglect is happening, she should discuss this as soon as possible with a Designated Child Protection Officer (DCPO).

8.2 The Designated Child Protection Officer will:

- Assess whether action is needed urgently
- Ensure all project staff who support the family are spoken to as a means of informing decision making
- Seek additional information from the parent/carer (if appropriate and safe to do so)
- Seek advice from other DCPO's within the organisation (if required)
- Seek advice from Social Services (if required)
- Seek advice from the NSPCC Helpline (if required)
- Request that the staff member obtains further information about the situation (if required)
- Keep a factual record and log of all incidents or causes of concern, actions and decisions taken and reasons for these decisions and actions.

8.3 The Designated Child Protection Officer will then make one of the following decisions:

- That no action of any kind beyond ongoing service provision is required.
- That no report is required at present, but the situation should be monitored and reviewed within a specified time with the possibility that a referral may need to be made in the future.
- That the mother should be encouraged to report the matter to Social Services with our support.
- That the matter must be reported to Social Services regardless of parental/carer consent.
- That the matter must be reported to Social Services without advising the mother/carer.
- That the matter must be reported to the PSNI.

Note: *Where a decision is made that the matter should be reported to Social Services without advising the mother/carer this will usually be for one of two reasons. Either the matter has come to the DCPO's attention as the result of an anonymous/third party report, and we do not have the contact details of the mother/carer OR because to do so would potentially put the child at further risk.*

8.4 Where a referral to social services is necessary, the concerns must be reported in the following way:

- If the DCPO is aware of a case being open to a particular team we will contact the named Social Worker in the first instance. If contact is not possible we will contact the Duty Social Worker within the Gateway Team.
- For all other cases we will contact the Duty Social Worker within the Gateway Team.

- 8.5 In all cases (unless it would put the child at further potential risk of harm) the mother/carer will be advised of the decision made, the reasons for the decision and the actions arising from the decision regardless of whether or not they consented.
- 8.6 Where the mother/carer of the child is a service user Causeway & Mid-Ulster Women's Aid will offer support and work with her to best meet the child's needs regardless of the decision made. This will include making referrals to external agencies where appropriate.

9.0 RECOGNISING AND RESPONDING TO INCIDENTS OR CONCERNS

- 9.1 Causeway & Mid-Ulster Women's Aid staff should use the guidance below to help inform their response to child protection matters however they should be mindful that any concern however minor it may appear, should always be discussed with a DCPO.
- 9.2 If an injury or bruising is observed, it is essential to discuss how this happened with the mother/carer. This should be recorded. If the injury does not appear to be consistent with the explanation given, this should be discussed with the DCPO.
- 9.3 If a member of staff witnesses abuse by the mother/carer, she may intervene and challenge the behaviour if it is safe to do so. The situation should be calmed down and the child should be offered comfort and reassurance. The matter should then be raised with the DCPO as above.
- 9.4 If it is believed that there is a conflict of interest between the child and their mother/carer or that evidence of abuse may be contaminated by our intervention, the welfare of the child must take priority.
- 9.5 It should not be assumed that the only function of Social Services is the investigation of child protection matters, as they may be able to offer access to services, such as family centres without an investigation by the duty team. In such cases use of UNOCINI should be considered.

10.0 IF A CHILD DISCLOSES ABUSE TO A STAFF MEMBER

- 10.1 If a child makes a disclosure/ raises a concern to a member of staff the staff member will:
- Stay calm and listen carefully to what is being disclosed.
 - Offer support without making false promises.
 - Reassure the child that s/he was right to disclose what happened and that the abuse is not her/his fault.

- Explain to the child that in these circumstances confidentiality cannot be maintained.
- Assure the child that the issue will be taken seriously.
- Tell the child what action is likely to be taken, who will be informed, and what the consequences may be.
- If the child has sufficient understanding, discuss the options realistically.
- Keep the child informed throughout the entire process.
- Discuss this with the Designated Child Protection Officer, who will decide on the appropriate course of action.
- Keep a factual record of the disclosure and of subsequent action.

10.2 C&MUWA is aware of the danger of contaminated evidence, especially when dealing with young children and particularly in cases involving allegations of sexual abuse or gross physical abuse. For this reason, staff will:

- Give the child time and reassurance so s/he can say what happened in her/his own words.
- Avoid asking repeated questions.
- Avoid asking intrusive or leading questions.
- Avoid making judgemental comments.
- Avoid jumping to conclusions: a) by asking who the child is talking about ('Dad' may refer to a stepfather), and b) by checking the meaning of any words that are unclear; and
- Avoid further discussion of the abuse with the child
- Without delay talk to the Designated Child Protection Officer.

10.3 It is important to discuss the situation with the child so that the child understands why a referral to Social Services is necessary. The child should be encouraged to discuss the abuse with the mother/carer, particularly if she is not aware of it.

11.0 IF A CHILD IS ABUSING OTHERS

11.1 In these cases, C&MUWA will:

- Inform the child and the mother/carer that this behaviour is abusive and unacceptable.
- In partnership with the mother/carer, work with the child to enable her/him to cope with emotions and to relate to other people more positively, referring on to additional external services if required.
- Monitor the situation and keep factual records.
- Take further action if necessary to protect the abused child inclusive of child protection referral to social services or UNOCINI referral for the child displaying abusive behaviours and/or the child subject to the abuse as appropriate.
- In relation to refuge service users' arrangements may be made for alternative accommodation for one or both families as urgently as possible. All families will be offered support.

12.0 IF IT IS ALLEGED THAT A STAFF MEMBER HAS ABUSED A CHILD

- 12.1 If an allegation is received that a Causeway & Mid-Ulster Women's Aid paid staff member, volunteer, placement student, sessional or agency worker has been abusive to a child C&MUWA will:
- Ensure that any such allegation is reported immediately to Designated Child Protection Officer and to a member of the Senior Management Team
 - The SMT will follow organisational procedures in investigating allegations of misconduct, including making a decision as to whether a precautionary suspension is appropriate.
 - Report the matter to relevant external agencies as appropriate or legally required.
 - Keep a record of any allegations of child abuse made against any staff member.
- 12.2 Where a decision is taken by the organisation to dismiss, suspend or transfer (temporarily or otherwise) to a non-childcare position on the grounds that the individual has harmed a child or placed a child at risk of harm, Causeway & Mid-Ulster Women's Aid must make a referral to The Disclosure and Barring Service under the Safeguarding Vulnerable Groups (NI) Order 2007. (see Appendix 1)
- 12.3 Any allegation of abuse against a person working in a registered crèche will also be reported to the Early Years Team.
- 12.4 In each case Causeway & Mid-Ulster Women's Aid will ensure that any funder requirements to report such instances are adhered to (i.e., serious incident reporting mechanisms)

13.0 THIRD PARTY REFERRALS

- 13.1 From time-to-time Causeway & Mid-Ulster Women's Aid receives information from a third party relating to Child Protection concerns. In some but not all cases this concerns may relate to a child not known to us and whose mother is unknown to us.
- 13.2 Any member of staff who receives a third-party referral should speak immediately to a Designated Child Protection Officer for advice as to how to proceed.
- 13.3 C&MUWA staff will always try and encourage the third party to disclose their concerns directly to Social Services if appropriate (with support as required/requested) however often the third party may be reluctant to make a referral and will not want to give their details to Social Services in relation to the referral for fear of their name being disclosed to the family being referred.
- 13.4 In cases where the third-party details are known to staff, but the third party wishes to remain anonymous a final decision as to whether to disclose the third-party details will be made by the Chief Executive Officer (or another member of the SMT in her absence). This decision will be made having taken advice from

the Designated Child Protection Officer and any other staff involved. When taking the decision to refer the following will be considered:

- Do we know the details of the third party? e.g., if it is an anonymous call the referral can be made as it stands.
- Is there a risk to the third party should their details be disclosed?
- Is there a greater risk to the child(ren) if the third-party details are not disclosed?
- Can we make a full and appropriate referral and still withhold the third-party details or does this obscure the context and therefore reduce the impact of the referral and Social Services ability to investigate?
- Will the act of making a referral automatically identify the third party even if their name is not disclosed? (In this situation the risk to the child(ren) will outweigh any risk to the third party)

13.5 Regardless of the outcome all third-party referrals will be recorded and logged in the incident files as with any other Child Protection matter.

REFUGE SPECIFIC PROCEDURES

14.0 IF IT IS ALLEGED THAT A CHILD LIVING IN REFUGE HAS BEEN ABUSED BY ANOTHER REFUGE RESIDENT (OTHER THAN A FAMILY MEMBER)

14.1 C&MUWA will ensure that:

- The situation will then be discussed separately with the resident and the mother/carer of the child.
- A record will be kept of any comments made
- The matter will be discussed with the DCPO immediately as above and all appropriate reporting will be processed.

14.2 When necessary to ensure the paramountcy and protection of the child arrangements for alternative accommodation for one or both families should be made as urgently as possible. All families will be offered support.

15.0 PARENTAL RESPONSIBILITY AND CHILD-MINDING

15.1 Women are responsible for their children's care in the refuge at all times. This includes health, safety, and behaviour. Women should supervise their children in the communal areas of the house and ensure that younger children are never left alone. This obligation is stated clearly in the house rules section of the licence agreement.

15.2 In special circumstances (such as where a woman must see her solicitor, attend court or go to hospital) it may be possible for the refuge project to provide or arrange childcare. However, children should never be left in the refuge without proper supervision.

- 15.3 Babysitting cannot take place in Refuge. It is not acceptable for older children living in the refuge to act as babysitters for younger siblings. Mothers should not ask another woman to baby-sit their child/children at any time. This is fully explained to women accessing refuge and they are expected to adhere to this.

16.0 DISCIPLINING CHILDREN

- 16.1 The responsibility for disciplining children lies with mothers/carers.
- 16.2 C&MUWA staff can provide information and advice to women on positive management of children's behaviour as requested.
- 16.3 Causeway & Mid-Ulster Women's Aid does not condone the use of smacking as a means of disciplining children.
- 16.4 C&MUWA believe that all children have the right to expect positive approaches to discipline which foster self-esteem, respect, tolerance, and self-control. Causeway & Mid-Ulster Women's Aid endorses the 'Children are Unbeatable' campaign and promotes this message within refuges and community-based services.

17.0 FURTHER REPORTING RESPONSIBILITIES

- 17.1 In order to ensure quality standards of service delivery those services which are funded by the Supporting People Fund are required to report Major Adverse Incidents.
- 17.2 A major adverse incident is one that cannot be managed solely by CMUWA but requires investigation by an external agency, presents risk to the reputation of CMUWA and our funder.

MEANING OF A 'REGULATED POSITION'

Causeway & Mid-Ulster Women's Aid ensures that all staff and volunteers have been vetted through the Access NI process before they take up post. Access NI vetting must be completed for all posts which include regulated activities.

The Safeguarding Vulnerable Groups (NI) Order 2007, as amended by the Protection of Freedoms Act 2012 defines 'regulated activity' with children and adults. Regulated activity is work which a barred person must not undertake. It is a criminal offence for a barred person to seek or undertake work from which they are barred, and it is an offence for organisations to 'knowingly employ' a staff member or involve a volunteer in regulated activity if they are barred.

Definition of regulated activity relating to CHILDREN

From 10 September 2012 regulated activity relating to children includes:

1. Unsupervised activities: teaching, training, instructing, caring for or supervising children, providing advice/guidance on well-being, driving a vehicle only for children.
2. Work for a limited range of establishments (specified places) with opportunity for contact with children for example schools, children's homes, childcare premises, children's hospitals. Work undertaken by supervised volunteers in these places is not regulated activity.

Work under 1 or 2 is regulated activity if undertaken regularly. Regular means carried out by the same person frequently (once a week or more) or on four or more days in a 30-day period or overnight.

3. Relevant personal care, for example washing or dressing, or health care by or supervised by a professional (even if carried out once).
4. Registered childminding and foster care. Note: the day-to-day line manager/supervisor of an individual in regulated activity is also in regulated activity.

Appendix 2

Sexual Offences (Northern Ireland) Order 2008

The Sexual Offences (Northern Ireland) Order 2008 was introduced with the intention that:

- Outdated law would be modernised and strengthened
- Previous sexual offences law would be consolidated into one statute
- To provide protection for the vulnerable, especially children and mentally disordered
- To harmonise body of offences and penalties with the rest of the UK

Some changes as a result of the order are as follows:

- Rape is no longer dealt with under Common Law and has been redefined to include oral and anal penetration (Article 5)
- Consent is defined within the order: Agreement by choice and freedom and capacity to make the choice. (Article 3)
- The Order removes the element of consent from many offences, children under 16, children under 18 having sexual relations with a person in a position of trust or family member, Persons with a mental disorder impeding choice, children under 18 involved in pornography or prostitution.
- Age of consent is lowered to 16
- New offences introduced eg. Assault by penetration (Article 6), Abuse of trust, Familial Offences, Carers, Kerb Crawling.

Child victims

There are three categories of children as follow:

- Under 13
- Under 16
- Under 18 where alleged assailant is in position of trust, is a family member or if the child has been engaged in prostitution or pornography

Consent is irrelevant and proof of act and age are all that is required to enable a prosecution.

For victims under 13 no defence of reasonable belief in age is applicable.

For victims under 16 a defence of reasonable belief in age is available.

Requirement to report under Section 5 of the Criminal Law Act 1967

Child Aged 13-15 Years

Penetrative Sex

NB penile penetrative sex with no consent is considered as rape

Age of Child/ Young Person	Consensual YES/NO	Age of Perpetrator	Requirement to report under Section 5 of the Criminal law Act 1967? YES/NO
13	No	18 or over	Yes
13	Yes	18 or over	Yes
13	No	Under 18	Yes
13	Yes	Under 18	No
14-15	No	18 or over	Yes
14-15	Yes	18 or over	Yes
14-15	No	Under 18	Yes
14-15	yes	Under 18	No

Child Aged 13-15 Years

Sexual Activity (non-penetrative)

NB Sexual Activity with no consent is sexual assault

Age of Child/ Young Person	Consensual YES/NO	Age of Perpetrator	Requirement to report under Section 5 of the Criminal law Act 1967? YES/NO
13	No	18 or over	Yes
13	Yes	18 or over	Yes
13	No	Under 18	Yes
13	Yes	Under 18	No
14-15	No	18 or over	Yes
14-15	Yes	18 or over	Yes
14-15	No	Under 18	Yes
14-15	yes	Under 18	No

Examples of offences covered in the order are:

- Sexual activity with a child (Article 16)
- Causing/incite child to engage in sexual activity (Article 17)
- Engaging in sexual activity in the presence of a child (Article 18)
- Causing a child to watch a sexual act (Article 19)

- Sexual offences against children committed by children or young persons (Article 20)
- Arranging/Facilitating (Article 21)
- Meeting, Following, grooming (Article 22)
- Abuse of trust (article 23-26) children under 18 where defendant is over 18 and in a position of trust in relation to the child.

This appendix is an overview of the Sexual Offences (Northern Ireland) Order 2008 and highlights main issues concerning children but does not give a comprehensive guide to the full order. C&MUWA will ensure that DCPO liaises with PSNI where appropriate to either report concerns or seek advice under the order.

Disclosure and Barring Service referrals guide: employers and volunteer managers – when to make a referral to the DBS Purpose

This guide provides general guidance on when an employer of people who work (paid or unpaid) with children or vulnerable adults is required to make a referral to the DBS.

What is a referral?

A referral is information regarding a person working in regulated activity with children or vulnerable adults which notifies us of concerns that harm or risk of harm has occurred to a child or vulnerable adult.

A referral is made on the DBS Referral Form and is usually provided to the DBS by an employer or volunteer manager.

For more detailed information see the DBS referral guidance and referral form on our website or call the barring helpline on 01325 953 795.

When to refer – specifics

The Safeguarding Vulnerable Groups Act (SVGA) 2006 and Safeguarding Vulnerable Groups (Northern Ireland) Order (SGVO) 2007, place a legal duty on employers, volunteer managers and personnel suppliers (employment agencies, employment businesses and some educational institutions) of people working with children or vulnerable adults to make a referral to the DBS in certain circumstances. This is when an employer, volunteer manager or personnel supplier has dismissed or removed a person from working with children or vulnerable adults (or would or may have if the person had not left or resigned etc.) because the person has:

1. been cautioned or convicted for a relevant offence; or
2. engaged in relevant conduct in relation to children and/or vulnerable adults [i.e., an action or inaction (neglect) that has harmed a child or vulnerable adult or put them at risk of harm]; or
3. satisfied the harm test in relation to children and/or vulnerable adults. [i.e., there has been no relevant conduct (i.e., no action or inaction) but a risk of harm to a child or vulnerable adult still exists].
4. The legal duty to refer to DBS applies to employers and volunteer managers even when a referral has been made to a body such as a local authority safeguarding team or professional regulator regardless of whether that body has made a referral to the DBS about the person.

1. Caution or conviction for a relevant offence

If an employee who works with children or vulnerable adults in regulated activity has been cautioned or convicted for a relevant offence the employer must make a referral to the DBS. This should be done as soon as the employer is aware of the caution or conviction.

A relevant offence is a serious offence that will, subject to consideration of representations where permitted, automatically bar a person from working with children or vulnerable adults. Relevant offences are defined in secondary legislation.

2 or 3. Relevant conduct or harm test is satisfied

An employer or volunteer manager must make a referral to the DBS if the following criteria have been met:

- they have dismissed or removed the person from working with children or vulnerable adults (or would or may have done so if they had not left or resigned etc.); because
- the person has engaged in relevant conduct; or the harm test is satisfied.

A referral should not be made when an allegation is first made. The employer must first undertake an investigation and evidence gathering in order to establish if the allegation has foundation. Without evidence or information for the DBS to consider, many allegations will be quickly closed as there will be no basis on which the DBS can proceed.

A referral should be made when the employer has gathered information and evidence to support the allegation and decided that the criteria for making a referral to the DBS has been met.

Points to note

- If you suspect that a crime has been committed, you should contact the Police.
- The DBS has no investigatory powers and relies upon the evidence provided with referrals and any other evidence that it may gather.
- It is crucial that employers do not make a referral to the DBS without providing supporting evidence. The DBS referral form details the information you should provide if you have it.
- Employers should, as far as possible, complete their investigations (even if the person has left their employment). This will ensure that the DBS has all available information and evidence on which to base its decision.
- If additional relevant information becomes available to an employer after making a referral, this should also be provided to the DBS.
- In all cases, the referral should be made on the DBS referral form and posted to the DBS enclosing all relevant information that the employer holds.