



# Safeguarding Policy

## Falmouth Town Council

### 1. Introduction

Everyone has the right to live their life free from violence, fear and abuse, but not everyone can protect themselves.

Safeguarding is about protecting children, young people and adults from abuse, harm or neglect. It is everyone's responsibility. All employees /volunteers who have direct or indirect contact with children and vulnerable adults, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and vulnerable adults.

Organisations have a duty to make appropriate arrangements to safeguard and promote the welfare of children and vulnerable adults. Government guidance makes it clear that it is a shared responsibility and depends upon effective joint working between agencies and professionals that have different roles and expertise.

### 2. Legislative Background

Falmouth Town Council recognises that, under the Children Act 2004, it has a duty to make arrangements to ensure all its functions are discharged having regard to safeguarding, preventing radicalisation (Prevent duty April 2015) and promoting the welfare of children/vulnerable adults (Care Act 2014). This includes all services directly provided and those commissioned by the CMP. It also recognises legislative requirements and guidance arising from Children and Families Act 2014, Education act 20002, Counter Terrorism and Security Act March 2015, Changes to Female Genital Mutilation Act 2003 (arising from SeCMPus Crime Act 2015), UN Rights of the Child (UK law from 1992), Disqualification by Association February 2015, Keeping Children Safe in Education March 2015, Working Together to Safeguard Children March 2015 and Information Sharing March 2015.

Safeguarding Adults is recognised in law under the Care Act April 2014 and replaces 'No Secrets' DH 2000. Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect. While at the same time making sure that the adult's wellbeing is promoted including, where appropriate, having regard to their views, wishes, feelings and beliefs in deciding on any action. This must recognise that adults sometimes have complex interpersonal relationships and may be ambivalent, unclear or unrealistic about their personal circumstances. (Care Act Guidance 14.7)

### 3. Safeguarding Children and Young People

A child is "anyone who has not yet reached their 18th birthday". 'Children' therefore means 'children and young people' throughout this policy. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Children Act 1989 (See Children's Act 2004).

Safeguarding and promoting the welfare of children means:

- protecting children from maltreatment
- preventing impairment of their health or development
- ensuring that they grow up in circumstances consistent with the provision of safe and effective care
- enabling them to have optimum life chances and to enter adulthood successfully

The four main types of abuse are

1. Physical abuse
2. Emotional Abuse
3. Neglect
4. Sexual abuse

#### 4. Safeguarding Adults

Safeguarding adults applies to an adult whom:

- has needs for care and support (whether or not the local authority is meeting any of those needs)
- is experiencing, or at risk of, abuse or neglect
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. Ref: The Care Act 2014

The aim of protecting and safeguarding adults is to:

- stop abuse or neglect wherever possible
- prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
- safeguard adults in a way that supports them in making choices and having control about how they want to live
- promote an approach that concentrates on improving life for the adults concerned
- address what has caused the abuse or neglect

The main types of abuse are:

- **Physical abuse** – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
- **Domestic violence** – including psychological, physical, sexual, financial, emotional abuse; so-called ‘honour’ based violence.
- **Sexual abuse** – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- **Psychological abuse** – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.
- **Financial or material abuse** – including theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

- **Discriminatory abuse** – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- **Organisational abuse** – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- **Neglect and acts of omission** – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating
- **Self-neglect** – this covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surroundings and includes behaviour such as hoarding.

## 5. Safeguarding training

Falmouth Town Council will ensure that all employees and volunteers are trained and know what they need to do if they have a concern about a child, young person or vulnerable adult.

Staff will have guidance and training and be able to recognise the main types of abuse and know the correct protocols for responding to disclosures or concerns. They will be aware that that children and adults may be suffering from more than one type of abuse

Staff will respond appropriately when they see or are concerned about abuse or a vulnerable adult discloses information. This means that staff will report and record their concerns about abuse following Falmouth Town Council protocols.

## 6. Safeguarding Principles

- Provide and create an accessible, secure and safe environment.
- Protect children and vulnerable adults from discrimination, sexual, emotional and physical abuse, neglect, bullying, exploitation, injustice, violence and invasion of privacy.
- Promote children’s rights to freedom of thought and expression, to have their views taken into account, and the right to take part in appropriate events going on around them.
- Act in the best interests of children and vulnerable adults.
- Respect children as young people who have a right to be taken seriously.
- Uphold children’s right to develop abilities, personality, identity and creativity.
- Promote diversity, inclusiveness and respect for others.
- Respect and promote the right of children and adults to participate fully in cultural and artistic life.
- Endorse equality, diversity and inclusion.
- Create a culture of openness and empowerment.
- Avoid practices that lower children or vulnerable adult’s self-esteem and confidence.
- All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.

## 7. Responsibilities for Safeguarding

The Designated Person is **Mark Williams**, Town Clerk, who is responsible for ensuring that the policy is continually reviewed and adhered to.

Employees and volunteers are to be made aware of this policy and are expected to study it regularly and abide by it. They should be clear on how to respond appropriately to an incident.

Full-time employees, education staff and volunteers of the Art Gallery must undertake a criminal record check relevant to their role. This may include an enhanced Disclosure & Barring Service (DBS) check. All education staff, long term educational volunteers and visiting artists must also be made aware that an enhanced DBS check might be necessary for specific education work. Work placement candidates due to the shortness of their time at the Art Gallery will not be required to be checked, however Art Gallery staff will ensure that they are never left unsupervised with a child or vulnerable adult and understand the necessity for this.

No member of staff or volunteer should have unsupervised access to groups of children or individual children.

Procedures are being identified to deal with:

- a) Any incident occurring that causes harm or distress to a child on the site.
- b) The event of a child coming onto the site to seek assistance due to an occurrence off the site.

## **8. Safer Recruitment and Employment**

Robust procedures are in place to ensure that employees and volunteers who have access to children, young people and vulnerable adults or access to sensitive information about children, young people and vulnerable adults are recruited and employed safely.

Staff who work or have contact with children, young people, vulnerable adults and their families or carers have appropriate safeguarding and safe working practices training, including induction, consistent with their role and function. This training will reflect the necessity for effective multi-agency and inter-professional working – both within Falmouth Town Council and with other organisations.

Falmouth Town Council recognises that anyone may have the potential to abuse children, young people and vulnerable adults in some way. All reasonable steps are taken to ensure suitable people are recruited.

## **9. Reporting a safeguarding concern**

During working/office hours, safeguarding concerns can be reported to the Designated Officer Mark Williams, Town Clerk, in the first instance.

### **Safeguarding Contact details**

#### **Cornwall Council**

If you're an **adult** experiencing abuse or neglect, or if you're concerned about an **adult** experiencing abuse or neglect, contact Cornwall Council on 0300 1234 131 (out of hours number 01208 251300) or [contact us here](#)

If you have concerns about a **child**, or a child makes a disclosure, contact:

- Multi-agency Referral Unit (MARU): 0300 123 1116
- Out of Hours Service: 01208 251300

#### **Devon & Cornwall Police**

- 101

If an emergency incident occurs in a Council building ring 999

If it is a school trip ring 999

**For advice on any child protection matter**

Local Authority Designated Officer (LADO)

**01872 254549**

**For Referral advice (if you have concerns that abuse may be taking place)**

Cornwall and Isles of Scilly

Local Safeguarding Children Board

**01872 254551**

<https://www.cornwall.gov.uk/council-and-democracy/contacting-the-council/>

**Training advice (Reconstruct)**

**01895 204861**

**South West Child Protection Procedure**

<http://www.safechildren-cios.co.uk>

**Remember: all children under the age of 18 yrs should be considered a child under the child protection procedures.**

**Reporting a safeguarding concern in unsocial hours**

If employees are working or volunteers volunteering in unsocial hours, they may need to contact Cornwall Council or the Police direct, depending on the level of perceived risk. They will then decide on the action that will be required. The employee or volunteer should contact the Designated Person at the first opportunity to report the actions that have been taken.

Incidents may have a disturbing effect on you and you should ensure that where appropriate you seek support from colleagues and your line manager. Professional supervision will be sought if requested.

**10. Preventing Allegations Against Staff**

**Good Practice Guidelines for Child Group Visits**

- Regularly up-dated risk assessments will be carried out for child group visits and for activities carried out on-site. Staff and educational volunteers are reminded that the children are the direct responsibility of the parent or person *in loco parentis* (ie teacher, youth club worker, scout or guide leader etc).
- Staff and volunteers must be aware that children over the age of 8 can visit the gallery/library without adult supervision.
- All staff should be informed when it is known that a group of children are due to visit so that adequate supervision is available.
- All gallery/library staff and educational volunteers should be informed of fire exits and meeting point (in front of the Methodist Church).
- Staff and educational volunteers should be made aware of the requirements expected of them e.g. not accompanying children into toilets, keeping an eye on exits, not taking children to unsupervised spaces on their own, awareness of the possible dangers from other members of the public, awareness of 'grooming' etc.
- A member of staff or an educational volunteer should ensure that visiting artists/speakers/entertainers are supervised when with children. Nevertheless, the importance of male, as well as female 'mentors' in the arts is recognised and to be encouraged.

- Children will not be discriminated against.
- First Aid arrangements should be adequate. All staff and educational volunteers will be aware of the whereabouts of first aid boxes and equipment, emergency phone lists, and the identity of First Aiders. All first aid equipment is suitable, well maintained and in its designated place.
- Near or potential accidents or incidents (as well as actual accidents or incidents) will be entered into the Accident Book and brought to the attention of the Director and/or the Town Clerk.

Employees and educational volunteers should be aware that in law they are only entitled to use reasonable force as a last resort in order to remove a trespasser.

If an incident should occur where a child or vulnerable adult may need to be restrained this should only be attempted as a last resort under the following circumstances:

- To prevent accident or injury
- In self-defence

If one of these situations arises names and addresses of witnesses to the event will be sought and they will be asked to write an immediate account of the event. The police service should be immediately notified of any serious incident of this type, either through pressing the panic button at the sales desk, by telephoning or using the radio system.

#### **Dealing with a Lone Child in a Distressed State**

Falmouth Art Gallery has been identified as a Lost Children point during public events within the town. It is possible that an employee or volunteer may find themselves alone with a child possibly in a distressed state. This may occur if a child is lost and enters unaccompanied into the gallery from outside. If this happens the following procedure should be followed:

- If the child is seriously distressed or hysterical they should **not** be taken alone to private areas of the Council building.
- The child should **not** be left alone.
- Other visitors can be co-opted to ring the emergency services, search for parents etc on our behalf.

#### **Procedures in the Event of a Disclosure**

Employees or educational volunteers will try not to allow the child to leave the Council Building alone again. The MARU should be contacted for advice before trying to deal with the situation. Employees and education volunteers have an obligation to care for children once they have asked for help.

In the event of a child making an accusation of abuse against someone (whether part of our organisation or not) the Local Safeguarding Children Board and the Police **HAVE** to be informed immediately.

If an accusation against anyone is made, whether from our organisation, a member of the public or any other person, employees or volunteers will **avoid** trying to find out what happened. Asking the wrong questions can jeopardise the accuracy of the information, making the truth difficult to ascertain and may ultimately lead to either a wrong conviction of an innocent person, or prevent the conviction of a guilty one.

Information **volunteered** by the child, along with witness names, time, date, distress etc, will be recorded verbatim in the Incident Book.

Employees or educational volunteers will **not** prompt or ask questions of the child, but call The Local Safeguarding Children Board/Police.

Employees or educational volunteers will not promise to keep the information secret. Information will be passed on to the authorities. We cannot protect a child if we do not pass on the information.

In the event of any suspicion falling on an employee or volunteer, the appropriate authorities will be informed and the MARU will give advice as needed.

### **11. Further information**

<http://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people>

<http://www.safechildren-cios.co.uk>

<http://www.nspcc.org.uk>

<http://www.cornwall.gov.uk/cypf>

<http://www.nch.org.uk>

<http://www.barnados.org.uk>

<http://www.dh.gov.uk>

<http://www.education.gov.uk>

<http://www.everychildmatters.gov.uk>

Other relevant guidance and legislation can be accessed through the LSCB website

<http://www.safechildren-cios.co.uk> or the Department for Education website

<http://www.education.gov.uk>, including:

- Children Act 2004
- Information sharing: Guidance for practitioners and managers (2008)
- The UN Convention on the Rights of the Child (1989)
- Common Assessment Framework (CAF)
- Safeguarding Disabled Children Guidance (July 2009)
- Guidance for Safer Working Practice for Adults who work with CYP (2009)
- No to Abuse: Vulnerable Adults Safeguarding Procedures
- Safeguarding Leaflet – Group 1

## APPENDIX 1

### Safeguarding Guidance for employees and educational volunteers

#### 1. Listening to the Child

If a child confides in you:

- React calmly, remain accessible and receptive.
- Let them know if, and why, you are going to tell anyone else, and that you are going to do all you can to help them.
- Be aware of your non-verbal messages.
- Make it clear that you are taking them seriously.
  
- Look at the child directly, try to keep your eye level equal to or lower than the child's.
- Keep responses short, simple, slow, quiet and gentle.
- Observe and listen but do not probe or ask any questions.
- Make notes as soon as possible of what is said, who is present, events before, times etc. Try to write verbatim what the child said, using the child's actual words if possible. **Do not try to get a disclosure.**
- Do not end the conversation abruptly.
- If you have difficulty in understanding the child's communication, reassure him/her that you will get help.

#### Try to avoid:

- Saying *'why? how? when? where? who?'*, *'Are you sure?'*, *'I can't believe it'*, *'This is really serious. Don't tell anyone'*, *'I am shocked'*.
- Avoid passing comment, such as criticising the alleged perpetrator personally.
- Your shock or distaste showing.
- Speculating or make assumptions.

#### To Finish:

- Let the child know what you are going to do, and, as far as possible, what is going to happen next.
- Always finish on a calm and positive note.

#### 2. Dealing with a Disclosure from a Child/Young Person

##### Cornwall Safeguarding Children Standards Unit Guidelines

##### DO

- Listen to the child/young person.
- Take very seriously what they are trying to tell you – they are saying it for a reason.
- Take time with the child/young person.
- Let them speak freely.
- Try and remain calm and do not show too much emotion.
- It is appropriate to ask a child/young person **why** they are upset/ **how** a bruise or cut was caused.
- If you are unclear about what a child has told you, it is OK to clarify with **minimum** open questions, e.g. *'Can you tell me who you are talking about?/ when?/ where?'*. It is not your job to interview the child.



- As soon as possible, record what was said VERBATIM, by both of you, where it took place and who else was present.
- Liaise with the Designated Person within your agency/organisation and then inform the Local Safeguarding Children Board - Support Team.
- Give LSCB as much factual information as possible, i.e. full name, D.O.B., address and family details.
- Consider if the child is in need of medical attention and advise LSCB of this.
- Clarify with LSCB – when will they see the child and who will be liaising with the parents if this has not already been done.
- Reassure the child – *'it's not your fault', 'you've done the right thing by talking to someone,'* **BUT** don't ever say 'it will be OK' – it might not be for the child.

#### **DON'T**

- Don't make a judgement on your own about whether the child is telling the truth.
- Promise a child you can keep it a secret.
- Stop a child who is freely recalling significant events.
- Ask leading or suggestive questions.
- Question the child again after the initial disclosure.
- Make assumptions – that you know what they are talking about **OR** that someone already knows about it.
- Don't act alone.
- Don't delay passing on information.
- Don't lie to the child/young person.
- Don't force a child/young person to recall more than they want to.

### **3. Unsupervised Children in Libraries**

The way in which library staff deal with unaccompanied children discovered in the library must be based both on an awareness of the responsibility of the parent or the loco parentis carer, and the library's duty of care to all children on library premises.

Children are the legal responsibility of their parents and carers and Library Byelaw 16 states that it is an offence to leave a child unaccompanied in the library. This has been defined as a child under the age of eight.

Carers should always be asked to accompany their young children (under the age of 8) whilst at the library.

There will however, be situations when young children visit the library unaccompanied. Whilst not wishing to discourage children from visiting the library staff need to take reasonable steps to ensure the safety of the child and to inform parents/carers of their responsibilities.

#### **General principles if child wishes to leave unaccompanied**

- Establish whether the child is allowed by the parent or carer to come and go alone. If you are satisfied that this is so, then allow the child to leave.
- If you gather this information only from the child then you will need to use your judgement to ascertain whether the child is competent to leave alone.
- Relevant factors to judge the child's competence may be:
  - whether the child exhibits signs of nervousness
  - whether the child appears to clearly understand your questions
  - whether the child seems physically capable
  - whether the child appears to know clearly and readily where he or she lives

- how far the journey is
- whether you know of any particular hazards on the journey.

**If you are in doubt, encourage the child to remain in the library until you have been able to contact a parent or carer or the social services team or the police.**

**Children under 8 should not normally be allowed to leave alone unless you know that in the particular case the parent/carers allows it.**

- Ask the child if s/he is expecting to be collected by an adult. Even if the child is expecting to be collected soon, do not wait until closing time before taking the next step.
- Try to contact the parent or carer; see if the child can give you an address or telephone number; check registration details to see if the child or a parent/carers is a library member and use the contact details appropriately.

**Do not allow the child to go with anyone except the parent or carer (other than Police or Social Services) unless you have the express permission of the parent/carers.**

- If all attempts fail, contact your local area Social Services Duty Team. If you cannot, then contact your local police station.

#### **Unsupervised children at closing time**

- Staff should be prepared to check on the child's situation with the support of another member of staff - are they waiting for a parent or carer to collect them, or are they expected to go home alone?
- Staff should telephone the child's home from the library to clarify the situation if necessary.
- Staff should wait for the parent/carers to collect the child and then explain the library's policy to them (see below).
- If a parent or carer cannot be contacted then the relevant social services team should be contacted.
- If the team cannot be contacted then contact should be made with the local police station to collect the child and to make sure the child has not been reported as missing.

**Under no circumstances should a child be escorted home by a member of the library staff.**

The incident should be reported to the library manager and the Area Operational Manager at the earliest opportunity.

#### **4. Protecting Lost Children during Community Events**

At any public event that children go to, they may be separated from their parents or the adult looking after them. This policy has been written to guide those who are assisting with the community event should this occur.

##### **Guidance for keeping children safe**

Falmouth Town Council have identified that the lost children point, will in most circumstances, be situated in the Falmouth Art Gallery.

The Falmouth Art Gallery has some staff that have been checked under the Disclosure and Barring Service (DBS) (formerly the Criminal Records Bureau) and are used to working with young children and vulnerable adults. On occasions where this venue is unavailable the National Maritime Museum Cornwall (NMMC) has agreed to act as the alternative location.

The Town Council will:

- Communicate the location to all volunteers and groups involved in the planning and staging of the event.

- Ensure adequate staffing levels to be able to assist with this should an incident arise.

### **Procedure for reuniting the lost child with the responsible adult**

The following procedure should be followed should a child become lost

- Find out the child's name and age if possible.
- Make a public announcement stating only that a lost child has been found and where they can be collected.
- Do not give the child's name or a description of them.
- When an adult comes to collect the child, make sure you are satisfied that they are who they say they are. You may ask for identification.
- You must ask for identification if you are not sure that the person is who they say they are, or if the child's behavior or attitude gives you any reason to doubt this.

### **If you are not sure, you should contact the police for advice.**

- If the child is obviously upset, you should contact the police immediately.

### **What to do if you can't find the adult who is responsible for the child**

- If the responsible adult fails to appear within 15 minutes of the first announcement (or a similar set time based on the size of the venue), you should contact the police immediately.

### **What to do if you cannot find a lost child**

- If a parent tells you their child is lost, you should tell the police if the child is not found within a set time based on the size of the venue and the age of the child.
- If the child is not found quickly, or you have any concerns, for example, the child is very young, the parent or carer has been drinking alcohol and is not fit to look after the child, you should tell the police and make a note of:
  - ❖ the child's name and a description of what they look like;
  - ❖ the name of the responsible adult and a description of what they look like;
  - ❖ a brief description of any concerns you have.

### **Both adults should sign the note and you should pass it to the police if necessary.**

- When a child is successfully reunited with the responsible adult, don't forget to tell all the people originally involved in the search, including the police if appropriate.

### **Further information**

Police	101
Cornwall Multi Agency Referral Unit	0300 1231 116
Out of hours service	01208 251300
Cornwall Safeguarding Children Unit	01872 254551
Child Protection Line	0800 022 3222