

## Policy and Guidance – Safeguarding Children

### **1 Introduction to Safeguarding Policy and Guidance**

Hesley Group offers a child centred culture which aims to develop independence and create a safe environment to maximise children's potential. The philosophy includes warmth, security, consistency, understanding and trust. This is the purpose for the service and safeguarding arrangements sit in this context. Hesley Group values are "person centred, outcome focused and quality driven". We treat every child using our services as an individual, and we work hard to ensure each person receives care that is safe, effective, caring, responsive and well led.

As a provider of care and education to children with learning disabilities, Hesley Group has a key role in keeping people safe, teaching them to keep themselves safe, preventing abuse and ensuring early intervention. Sound safeguarding arrangements balanced with promoting independence, good child centred care and health planning and positive behaviour support will actively ensure the support needed to keep people safe is in place.

Robust and comprehensive safeguarding and protection processes, which include listening to people supported by Hesley Group services and ensuring employees and others are able to speak up, and their concerns are acted upon, will demonstrate standards that are supported by law and national guidance.

Abuse is a violation of a child's human rights by a person(s) and can result in lasting harm and developmental difficulties. Failings in safeguarding systems are too often the result of losing sight of the needs and views of the children within them, or placing the interests of adults ahead of the needs of children. (Working Together to Safeguard Children; DfE March 2015.)

This is why Hesley Group makes safeguarding a priority and will maintain an open and transparent approach to reporting, learn from concerns and incidents in order to increase quality of practice, taking account of feedback from people who use our services on feeling safe. These procedures fit with those of the Local Safeguarding Children's Partnership. They exist to demonstrate to Hesley Group employees their responsibilities and explain the correct processes they must follow if they are concerned about the safety and wellbeing of a child.

**Chris McSharry**  
**Chief Executive Officer**

## 1.1 Scope of Policy

Please note that for the purposes of this policy the reference to children means children and young people we support in our registered children's homes for children. In addition to this policy please note there is a separate policy and guidance document for each of our schools, based on the national guidance as set out in "Keeping Children Safe in Education". These are situated within the schools curriculum manuals at ReS 3.10A (Fullerton House School) and ReS 3.10B (Wilsic Hall School).

This policy applies to all employees, people we support, visitors, volunteers and contractors, without exception.

The Hesley Group undertakes to ensure this policy, guidance and training on it is provided to all employees on commencement of their employment and such training is regularly refreshed

All employees, therefore, have responsibility for ensuring they work within the remit of this policy and in the manner in which they have been trained.

Hesley Group employees have a duty to provide people using the service with the best possible care at all times, never to engage in any action or activity that could be construed as abusive and to immediately report any suspicions they have that abuse is occurring.

All actions taken to support people must demonstrably be taken in their best interests and in line with all relevant aspects of the Mental Capacity Act 2005.

Every Hesley Group employee, therefore, has personal responsibility to fulfil these duties and failure to do so may result in disciplinary proceedings and possible dismissal.

This policy links to a number of other Hesley Group policies and the Hesley Group Code of Conduct for Employees, Per 4.9.1.

## 1.2 Outcome

Children will receive care and education in a way that is effective, caring, responsive and well led and meets the quality standards as set out in the Ofsted Children's Homes Regulations and Quality Standards 2015 and the Education (Independent Schools Standards) Regulations 2014 This includes protecting each child from abuse and harm and the risk of abuse and harm.

## 1.3 Why we Need a Policy

Children's social care services and schools providers play an important role in the protection of people from harm and are responsible for ensuring that services and support are delivered in ways that are of high quality and safe.

At Hesley Group we support children who may be at a higher risk than most in society. Many individuals have difficulty or are unable to express their concerns

and fears verbally, or report things that have had a negative impact on their lives.

This could include episodes of physical abuse (including inappropriate use of restraint, medication or restriction/deprivation of liberty), sexual or emotional abuse (including discriminatory, psychological abuse) by individuals. But it could also include neglecting to support someone in the way they should be supported, for example not giving people the right support and care with their health or personal care needs, failing to give people their medication, etc.

If the Hesley Group did not have proper procedures in place to check out new employees or have proper policies in place or did not manage the service properly and this resulted in people coming to harm, this could be deemed institutional abuse.

In addition to the moral responsibility for protecting people, we are also required by law to do our utmost to protect people from harm and abuse. This includes having a working policy and guidance for our employees in relation to Safeguarding Children.

## **2 Safeguarding and the Protection of Children**

**2.1 Safeguarding is everyone's responsibility:** for services to be effective each professional and organisation should play their full part. Everyone who works with children - including teachers, GPs, nurses, midwives, health visitors, early years professionals, youth workers, Police, Accident and Emergency employees, paediatricians, voluntary and community workers and social workers - has a responsibility for keeping them safe. Hesley Group employees are no exception.

**2.2 A child-centred approach:** For services to be effective they should be based on a clear understanding of the needs and views of children. These are requirements relating to the wishes and feelings of children who are, or may be, looked after (section 22 (4) Children Act 1989), including those who are provided with accommodation under section 20 of the Children Act 1989. (*Working Together to Safeguard Children DfE 2015*)

The voice of the child must guide our actions and the child's wishes and feelings remain at the centre of what we do. Please see our policy and guidance on Communication, ReS 5.5, Capacity and Consent, ReS 6.4A and People's Rights and Having a Say, ReS 5.8.

### **2.3. Mental Capacity Act 2005 (MCA), Deprivation of Liberty and Safeguarding Children**

Where a child's care arrangements present a restriction of a person's liberty that could be deemed as deprivation of that liberty and they are aged 16 and over, i.e. if someone is under continuous supervision and control and is not free to leave the service, or subject to restrictive practices such as restraint, we must think carefully about MCA, Deprivation of Liberty and the Court of Protection. For people who are aged 16 and above living in Children's Homes

(i.e. Hesley Group Residential Special Schools) contact will need to be made with the funding authority and if necessary the Court of Protection (see also MCA Deprivation of Liberty Safeguards Policy and Guidance, [ReS 6.4B](#)).

## 2.4 Responsibilities for All Employees

As stated above – **everyone working for Hesley Group has a responsibility** to safeguard and protect the children in our care. Hesley Group children’s services will be fully compliant with the law and guidance in relation to safeguarding people using our services. This includes the Children’s Homes Regulations and Quality Standards 2015, also the Education (Independent Schools Standards) Regulations 2014 in children’s services and Department for Education statutory guidance as outlined in Part 1 of ‘Keeping Children Safe in Education 2015’.

Hesley Group will operate sound recruitment procedures that are designed to exclude people who are not fit to be placed in a position of trust and responsibility in relation to children to whom we provide care and education. Prospective employees are required to disclose specific information about their history and undertake a DBS criminal records and Vetting and Barring Check as required for their post. Teaching employees will need to be checked against the disqualified teacher list.

We should always aim for a culture of openness, honesty and awareness among employees, children and young people in our services and their relatives and other stakeholders. This should enable children, our employees and others to raise concerns about behaviour that they suspect is abusive. People raising concerns will be reassured they will not be victimised for speaking out. Please see Speaking Up Policy, Corp 5.1, and Being Open Policy, Corp 8.1. Managers will maintain an open and transparent approach when reporting and sharing appropriate information with others. Hesley Group Children’s Homes will display the Hesley Group Speaking Up posters Corp 5.1.1 and Corp 5.1.2, and the NSPCC Whistleblowing Helpline poster, Corp 5.1.5, on staff notice boards and appropriate public areas.

Hesley Group will work to ensure every child using our services will be supported to express their concerns and will have access to an advocate or other skilled professional. Each child will have access to appropriate communication tools and assistance with these, in order to identify and alert people to distress, or to assist in describing what happened within a safe and supportive environment.

All Hesley Group employees will follow the local Safeguarding Children procedures (or Safeguarding Adults if the young person is aged 18 and over see Res 2.1A). All employees will be made aware that the ‘Safeguarding Children – South Yorkshire Child Protection Procedures’ and ‘Safeguarding Adults – South Yorkshire Adult Protection Procedures’ are regarded as integral parts of this policy.

Please see Flowchart, ReS 2.1B.2b, to support the management of incidents of concern that occur in Hesley Group services.

All employees will have a personal copy of Hesley Group Safeguarding Children and Adults – Guidance and Instructions for Employees, [ReS 2.1B.1](#), and should understand that failure to follow the correct procedures on protection, prevention and safeguarding matters may lead to disciplinary action and possible summary dismissal.

All employees will receive training, instructions and guidance in this Safeguarding policy, procedures and guidance and that required by the Level 3 Diploma in Social Care/Diploma in Children and Young People. Our employees will understand the procedures for reporting suspicions or allegations to management and if necessary to external bodies.

## **2.5 Working Together to Safeguard Children**

Hesley Group expects our employees to work closely with other agencies as and when required. The Local Authority in the area which our services are situated has the lead responsibility for safeguarding children that live in their area. This is Doncaster MBC and Doncaster Safeguarding Children's Trust. The only exception to this would be when the child is looked after by, or the subject of a child protection plan in another authority, the first authority (in this case Doncaster) must consult the authority responsible for the child. Only when the second local authority explicitly accepts responsibility (to be followed up in writing) is the first authority relieved of its responsibility to take emergency action.

The Authority must decide when considering a referral if there is reasonable cause to suspect that the child is suffering, or likely to suffer, significant harm, and whether enquires must be made and the child assessed under section 47 of the Children Act 1989. This is known as a Section 47 Enquiry. The Section 47 Enquiry will be carried out by a social worker but they may ask Hesley Group employees to support this process. We are required to cooperate fully with enquiries. Please see Doncaster Safeguarding Children Procedures and Working Together to Safeguard Children (DfE March 2015) and Keeping Children Safe in Education (2015).

## **2.6 Child Sexual Exploitation**

Child Sexual Exploitation (CSE) is a form of abuse where young people may be forced or manipulated into sexual activity. The abusers work hard to groom, often vulnerable young people, gaining their trust and then exploiting that trust for their own gain and/or gratification. This can happen in many ways including in person or online, it may also involve more than one abuser and a number of victims. Child Sexual Exploitation can take many forms and victims and perpetrators can be from any social or ethnic background.

Abusers are often very skilled in exploiting young people, using affection, attention, treats, alcohol, drugs or just a place to stay; sometimes they may manipulate the young person into believing they are in a consensual relationship and that they love them. Whatever the method of exploitation, the young person is being taken advantage of through this controlling behaviour; it

is child abuse and victims face huge risks to their physical, emotional and psychological health.

Doncaster Council and its partners including South Yorkshire Police are strongly committed to preventing child sexual exploitation, supporting victims, bringing offenders to justice and raising awareness amongst professionals and the general public. It is essential that Hesley Group work effectively in partnership with these organisations and the young person's local authority when risk is identified.

Hesley Group employees need to be aware of the signs and symptoms of sexual exploitation. Please see the link to Doncaster MBC Child Exploitation web pages for further information: [www.doncaster.gov.uk/cse](http://www.doncaster.gov.uk/cse) and "It's Not Okay" website.

## 2.7 Female Genital Mutilation (FGM)

In October 2015 the Government imposed a **duty** on professionals to report suspected FGM in young women aged under 18 years. Please see the Statutory Guidance at ReS 2.1B.17A. FGM comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons. It has no health benefits and harms girls and women in many ways. It involves removing and damaging healthy and normal female genital tissue, and hence interferes with the natural function of girls' and women's bodies. The practice causes severe pain and has several immediate and long-term health consequences, including difficulties in childbirth also causing dangers to the child. FGM is abuse. The following principles should be adopted in relation to identifying and responding to girls and women at risk of, or who have experienced FGM, and their parent(s). The safety and welfare of the child is paramount. Any action we take must be in the interests of the rights of the child.

FGM is illegal in the UK and is not a matter that can be left to be decided by personal preference – it is extremely harmful practice. Professionals should not let fears of being branded 'racist' or 'discriminatory' weaken the protection and support required by vulnerable girls and women.

It is acknowledged that some FGM practising families do not see it as an act of abuse. However, **FGM is child abuse** and has severe significant physical and mental health consequences, both in the short and long term and as such must never be excused, accepted or condoned.

For more information and guidance please see the HM Government Guidance at Res 2.1B.17. If a suspicion of existing FGM or a risk of FGM occurring the senior manager of the service (normally the Registered Manager or Head) **MUST** be informed. The Registered Manager or Head will contact the young person's social worker and the local safeguarding children team for advice and support and agreeing a strategy in the same way as they would other issues of abuse.

## 2.8 The *Prevent* Strategy

Schools have a duty to teach British Values and help children understand the issues around the risk of radicalisation; also undertake risk assessments if necessary in terms of the likelihood of pupils becoming radicalised and involved with terrorism. Please see Guidance on Extremism and Radicalisation – PREVENT, ReS 2.1B.20, and the Guidance document Revised *Prevent* Duty Guidance (HM Government July 2015), ReS 2.1B.20a. Children’s Social Care services also have a duty to refer concerns to the local safeguarding children’s teams. Employees working in Hesley Group children’s homes and schools should receive basic training in the Prevent Duty and be mindful of the potential for children to become radicalised by extreme groups and update any risk assessment as and when appropriate.

## 2.9 Keeping Children Safe in School

*Please see also policies ReS 3.10A and ReS 3.10B that relate specifically to Fullerton House School and Wilsic Hall School.*

Our schools recognise that Safeguarding is not just about protecting children from deliberate harm. It relates to aspects of school life including: pupils’ health and safety; the use of reasonable force; meeting the needs of pupils with medical conditions; providing first aid; educational visits; intimate care; internet or e-safety; appropriate arrangements to ensure school security, taking into account the local context.

Additionally, we recognise that Safeguarding can involve a range of potential issues such as: bullying, including cyber-bullying (by text message, on social networking sites, and so on), peer on peer and prejudice-based bullying; racist and homophobic or transphobic abuse; extremist behaviour; child sexual exploitation; sexting; substance misuse; issues which may be specific to a local area or population, for example gang activity and youth violence and other particular issues affecting children including domestic violence, sexual exploitation, female genital mutilation, radicalisation and forced marriage.

All our employees are required to maintain an attitude of ‘it can happen here’ and are aware of the signs and indicators of abuse. All employees have a responsibility to provide a safe environment in which children can learn.

Our employees induction process includes specific training and information on our arrangements and systems in place for safeguarding children, the employee code of conduct and details of the Designated Safeguarding Lead (DSL).

All employees receive ongoing appropriate training which is regularly updated, in order to develop their understanding of the signs and indicators of abuse and of the school’s safeguarding procedures.

In conjunction with this policy, all employees are provided with, and are required to read and understand, Department for Education statutory guidance as outlined in Part 1 of ‘Keeping Children Safe in Education 2015’. This is an integral part of both induction training and safeguarding refreshers.

## 2.10 Helping children to keep themselves safe

In school, children are taught to understand and manage risk through our personal, social, health and economic (PSHE) curriculum and through all aspects of school life.

All employees are trained in HELP (Hesley Enhancing Lives Programme) a behaviour support approach based on Therapeutic Crisis Intervention (TCI), which is accredited by the British Institute of Learning Disabilities (BILD). TCI is an internationally recognised, crisis prevention and management system that reduces the need to rely on high-risk interventions. TCI recognises that it is the actions and reactions of those around children that strongly shape and influence behaviour, as well as social and emotional development. The emphasis is on empathy, proactive support and teaching children more effective coping skills.

Our schools continually promotes an ethos of respect for others and children are encouraged to speak to an employee in confidence about any worries they may have. In addition, all children have access to an independent advocate who provides a means for students with a variety of communication difficulties to raise any concerns. Children can make contact with the advocate by phone, email or the post box situated in school.

## 2.11 Designated Safeguarding Leads (DSL) for Children

All employees follow the South Yorkshire Child Protection Procedures and take account of both national guidance issued by the Department for Education and local guidance. Our Designated Safeguarding Lead's (DSL) are the appropriate senior employees who have the status and authority within the schools to carry out the duties of the post including committing resources and, where appropriate, supporting and directing other employees.

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- 2.12 **Referral to the DBS Barring List** must be undertaken by the Registered Manager or their Deputy (or the Operations Director if necessary) when someone is dismissed or leaves before they could be dismissed when an allegation of abuse is considered to be upheld. Please note that a Flowchart has been appended to the Safeguarding Children and Safeguarding Adults policies at ReS 2.1B.8 / ReS 2.1A.8, in order to provide easier access than having to navigate the DBS website. This makes clear the DBS process and our responsibilities as an employer and referrer to undertake investigations and as much of a disciplinary process as is feasible when someone resigns before due process is complete. The DBS do not conduct investigations, they base their decisions on evidence that is provided by us as a referrer. Referrals should be sent in the first instance to Adele Spivey, Administrator Central Services. The Head of Policy and Regulation will counter-check each referral before it is processed by Central Services administration. A central record is made of all DBS referral documentation and stored securely on the server. Should mail come direct to the referrer as a result of making a referral they should scan and send a copy to Adele for the central record. People who are being referred must be informed by Hesley Group of the intention to refer at the time of their dismissal or resignation, either by letter or in person and followed up in writing. For further information please see the link to the DBS Guidance at <https://www.gov.uk/government/publications/dbs-referrals-form-and-guidance>.

[www.itsnotokay.co.uk](http://www.itsnotokay.co.uk) (Website reference CSE)