

## Safeguarding Policy: Children and Young People

### 1. Introduction

#### 1.1 Purpose of the Policy

The purpose of this policy is to provide a framework for all staff and volunteers within Nottingham Castle Trust when dealing with safeguarding issues. It should be used in conjunction with Safeguarding Procedures: Children and Young People to prevent and reduce the risk of abuse to all children who visit and engage with Nottingham Castle Trust onsite, offsite, online or who come into contact with staff or volunteers.

Section 11 of The Children Act 2004 requires organisations make arrangements for ensuring that their functions and services provided on their behalf are discharged with regard to the need to safeguard and promote the welfare of children.

This includes:

- A clear line of accountability for the commissioning and/or provision of services designed to safeguard and promote the welfare of children;
- A senior lead with the required knowledge, skills and expertise or sufficiently qualified and experienced to take leadership responsibility for the organisation's/agency's safeguarding arrangements;
- A culture of listening to children and taking account of their wishes and feelings, both in individual decisions and the development of services;
- Clear whistleblowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed;
- Clear escalation policies for staff to follow when their child safeguarding concerns are not being addressed within their organisation or by other agencies;
- Arrangements which set out clearly the processes for sharing information, with other practitioners and with safeguarding partners;
- A designated practitioner for child safeguarding. Their role is to support other practitioners in their organisations and agencies to recognise the needs of children, including protection from possible abuse or neglect. Designated practitioner roles should always be explicitly defined in job descriptions. Practitioners should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively;
- Safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check;
- Appropriate supervision and support for staff, including undertaking safeguarding training;
- Creating a culture of safety, equality and protection within the services they provide.

#### 1.2 Scope

Safeguarding and protecting children and young people from abuse is everyone's responsibility. This policy and its associated procedure are mandatory for all staff including temporary, agency, freelance and contractors (hereafter referred to as 'staff'), trustees and volunteers, as they must be aware of their individual and collective roles and responsibilities in safeguarding and protecting children and young people from abuse and neglect.



The policy and procedures are implemented within the framework of relevant national legislation and guidance which includes: Working Together to Safeguard Children: A guide to inter agency working to safeguard and promote the welfare of children (HM Government: March 2015) and Keeping Children Safe in Education: statutory guidance for schools and colleges (DfE: March 2015).

## 1.3 Link to Cause and Principles

Our aim is to inspire people with the real and imagined events that shaped democracy and human rights, especially the ever-resonant story of Robin Hood and Rebellion; to become a top attraction for people from far and wide to discover Nottingham's rich history and heritage and the creativity within our collections.

This invitation to the Castle is open to everyone and includes children, young people and vulnerable adults. We want their experience of engaging with the Castle and the stories it tells to be meaningful, enjoyable and safe. This can only be attained if children, young people and vulnerable adults are safeguarded and protected from abuse and neglect and, where appropriate, prevented from becoming at risk of abuse.

Children and young people usually visit as part of family or with an organised group, such as school, youth or community groups. While primary responsibility for the child/young person's safety and welfare lies with the supervising adult (parent/carer/teacher/group leader), Nottingham Castle Trust wishes to ensure that all children and young people are safe and protected while visiting its sites or participating in its work offsite or engaging with us digitally.

The Safeguarding Procedures: Children and Young People that accompany this policy states our responsibilities, obligations and standards.

## 1.4 Outcomes

As a result of the policy and associated procedure being followed, children will be better protected from the impact of abuse and neglect. Staff, volunteers and trustees will take the necessary steps to safeguard and protect children including, where guided to in procedures, contacting the police or other statutory agencies or/and discussing concerns with parents/carers.

## 2. Key Principles

Nottingham Castle Trust recognises that:

- The welfare of the child/young person is paramount; this is enshrined in the Children Act 1989 and should be evident in all responses to any concerns of abuse and neglect.
- Children and young people, including disabled children, have an equal right to protection from all types of harm and abuse; all staff and volunteers should advocate where necessary to ensure this principle is applied by all.
- Working in effective partnership with statutory agencies (and where possible parents/carers, children, young people) should be instigated whenever there are concerns about abuse and neglect for a child.
- All staff and volunteers have a shared and individual professional responsibility to take appropriate steps to protect and safeguard children in line with this policy and associated procedure.



- Primary responsibility for children/young people lies with their supervising adult when engaging with us onsite, offsite during an event or outreach activity and online.

### 3. The Policy Statement

- This policy and associated procedures applies to all staff, volunteers, trustees and representatives of Nottingham Castle Trust including agency staff and temporary staff, freelance facilitators and contractors.
- Nottingham Castle Trust is committed to the prevention of and protection from abuse and neglect of all children and young people who come into contact with the organisation through its staff, volunteers or representatives, in whatever capacity that contact occurs.
- Nottingham Castle Trust is committed to taking all necessary steps to stop abuse happening, whether that abuse is perpetrated by staff, volunteers, family members of children, members of the public or other children or young people.
- Nottingham Castle Trust is committed to its duty of care to the children and young people it has contact with. If there are concerns about staff or volunteers abusing a child or young person, it will initiate any action required to address this without delay. This will include actions required to address abusive behaviours and attitudes. Where a member of staff has been dismissed because of safeguarding concerns they will be referred by Nottingham Castle Trust to the Disclosure & Barring Service (DBS) and relevant professional bodies.
- All staff, trustees and volunteers should be clear on appropriate behaviour and responses with regards to working with children and young people safely. Failure to comply with safeguarding policies and 3 procedures may be treated as gross misconduct and appropriate action may be taken.
- Nottingham Castle Trust will publish online the safeguarding policy and procedure.
- Nottingham Castle Trust is committed to ensuring that the right staffing and reporting structure is in place to enable safeguarding concerns to be dealt with effectively and to ensure the correct processes are followed as detailed in the procedure. This includes the escalation of concerns posing a significant risk to senior staff within Nottingham Castle Trust.

### Roles to Support Safeguarding

The Designated Safeguarding Lead (DSL) has the lead responsibility for all safeguarding and protection matters at the site and to escalate concerns to the CEO and where appropriate make referrals to external bodies such as police. They will champion safeguarding, raise awareness and ensure safeguarding training is delivered. They work together to make recommendations to the CEO, update policies and procedures every two years, communicate changes and keep information up to date on the intranet and internet.

Within the organisation, 4 safeguarding roles will exist –

- One SLT safeguarding lead (Designated Safeguarding Lead) overseeing the strategic safeguarding for the site and acting as a central role.
- One deputy safeguarding lead (Designated Safeguarding Officer) overseeing safeguarding related to, but not exclusive to, site visitors, learning, community, volunteers, recruitment, HR and DBS.
- The CEO who will be trained and be available to act as an independent assessor if any incident occurs and is reported



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- One named Safeguarding Trustee.

In order to maintain support for the DSO as the Nottingham Castle Trust grows secondary DSOs will be added to the team. A designated Trustee has also been identified to support the DSL and DSOs and report to the board on safeguarding matters.

The DSL will not be expected to be a child protection expert but will be a channel for information. They will not be expected to deal with any child protection issues on their own. The DSL will ensure that all staff and partners of Nottingham Castle Trust receive copies of policies and procedures in relation to the safety and protection of children, young people and vulnerable adults.

The DSL will establish and manage an incident file where they will record any reported incidents or breach of Safeguarding policies and procedures. This will be kept in a secure place and its contents will be confidential.

DSL and DSOs has responsibility for responding to concerns about the abuse of children and young people when these are raised with them.

Once procedures have been followed the DSL and DSOs will escalate concerns that pose a significant risk to the CEO. The Chief Executive carries the overall responsibility for all operational safeguarding matters. the Named Safeguarding Trustee legally holds responsibility for Safeguarding for Nottingham Castle Trust as a whole. The CEO will act as an independent party should any safeguarding incidents arise.

The CEO will provide support to the DSL and DSOs when cases that pose significant risk are escalated. They meet the DSL and DSOs a minimum of twice a year to review activity, take measures to improve systems and practices where necessary, ensure training is sufficient and that all staff are aware of the policies and procedures which are easily accessible. The CEO will brief the Board of Trustees annually on safeguarding matters including volume of activity, location, trends, risks and actions taken.

- Nottingham Castle Trust is committed to ensuring all staff and volunteers, including those with designated responsibilities, have received appropriate levels of up-to-date safeguarding training. This will be a minimum of every two years for the DSL and DSOs.
- Nottingham Castle Trust will ensure staff and volunteers are carefully recruited and necessary checks are made in line with the Recruitment and Vetting Policies.
- Nottingham Castle Trust is committed to working with the police and Children's Services and their Local Authority Designated Officer (LADO) at Nottingham City Council especially if there are concerns about, or perceived risks, in respect of staff, trustees, contractors or volunteers.

## 4. Risk Assessment

Should this policy and associated procedure be ignored or disregarded, the possible outcomes are:

- For children and young people – placed at further risk of harm and neglect.



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- For staff and volunteers – potentially subjected to inquiry, investigation internally or externally for failing to take appropriate steps, which may then lead to a disciplinary process.
- For the Designated Safeguarding Lead, the Chief Executive and Board of Trustees – possible inquiry and report from the Charities Commission and regulators or recommendation from local authorities to regulators.
- For Nottingham Castle Trust – possible risk of public scrutiny and ultimately risk of prosecution. All of the above can lead to negative media attention and damage to Nottingham Castle Trust’ reputation. The visiting public may lose confidence in Nottingham Castle Trust as an organisation resulting in fewer visitors, especially children and young people and therefore failure to deliver our charitable and corporate objectives.

## 5. Definitions

Children - as in the Children Acts 1989 and 2004 respectively, a child is anyone who has not yet reached their 18th birthday. ‘Children’ therefore means ‘children and young people’ throughout.

Safeguarding and promoting the welfare of children - is defined for the purposes of this policy as:

- protecting children from maltreatment;
- preventing impairment of children’s health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

## 6. Legislation and Regulation requirements

For Nottingham Castle Trust to meet its responsibilities the following legislation and associated guidance are of significance.

### Legislation

[The Children Act 1989.](#)

[The Children Act 2004.](#)

[Safeguarding Vulnerable Groups Act 2006.](#)

### Guidance

[Keeping Children Safe in Education, 2018.](#)

[Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children, 2018.](#)

[UK Council for Internet Safety Children’s Safety Online and Youth Produced Sexual Imagery reports Prevent Duty Guidance](#)

Policy Owner	Director of Programmes
Approved By	CEO
Date policy reviewed	19th August 2021
Date policy to be reviewed	October 2022



## Safeguarding Procedures: Children and Young People

### Introduction

#### Purpose of the Procedure

The purpose of this procedure is to provide a framework for all staff and volunteers within Nottingham Castle Trust.

It should be used in conjunction with Safeguarding Policy: Children and Young People to prevent and reduce the risk of abuse to all children who use Nottingham Castle Trust's services at our sites, at an event or outreach activity off site, online/digitally or come into contact with staff or volunteers. The procedure details the steps the individuals and key persons are expected to take.

#### Areas of Responsibility

- **Everyone's Responsibility:** safeguarding and protecting children from abuse and neglect is the responsibility of all staff including temporary and agency, freelance and contractors, hereafter referred to as staff, volunteers, and trustees who work for or represent Nottingham Castle Trust. This includes a responsibility to ensure they are informed and trained to an appropriate level.
- All staff, volunteers, and trustees are expected to report and discuss any concerns to the Designated Safeguarding Lead (DSL) without delay. The seniority of the DSL or Chief Executive should never be a block to anyone raising a concern.

The Designated Safeguarding Lead and Officers are listed here

- Designated Safeguarding Lead – Director of Programmes
- Deputy Designated Safeguarding Lead and Designated Safeguarding Officer: Learning and Visitor Experience Manager
- CEO – Sara Blair-Manning, Chief Executive
- Named Safeguarding Trustee – Cllr Angharad Roberts

#### For specific departments

- Designated Safeguarding Officer: Volunteers – Volunteer Manager
- Designated Safeguarding Officer: Communities – Engagement and Participation Officer

To contact safeguarding please email [safeguarding@nottinghamcastletrust.org](mailto:safeguarding@nottinghamcastletrust.org)

If you are uncomfortable reporting a concern to the safeguarding inbox for any reason, including the concern being about one of the name safeguarding team, you can approach any of the above officers in confidence either in person or electronically to raise your concern.

The DSL/DSOs outlined above have responsibility for all matters relating to safeguarding within their area. This includes the expectation that they will be aware of any concerns and ensure these procedures are implemented. The HR and DBS Safeguarding Lead will work with colleagues to ensure safer recruitment processes are followed and provide support regarding safeguarding concerns relating to staff, trustees and volunteers. The DSL and DSOs will brief the CEO on all



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concerns and intended actions who will then, dependent on the level of seriousness of the concern, brief the Chair of the Board of Trustees.

The Chief Executive carries the overall responsibility for all operational safeguarding matters. The Named Trustee legally holds responsibility for Safeguarding for Nottingham Castle Trust as a whole.

All named Safeguarding Leads have responsibility to know who the LADO is within Children's Services in the local authority. To keep up to date with guidance relating to safeguarding: Keeping Children Safe in Education, statutory guidance for schools and colleges, March 2015 and in Working Together to Safeguard Children, a guide to inter-agency working to safeguard and promote the welfare of children, March 2015. To ensure the Safeguarding Policy and Procedures: Children and Young People are updated every two years and are published online.

The Chief Executive has overall responsibility for all operational safeguarding matters. They will also be required to offer consultation to the DSL and DSOs on any matters which are seen as complex or challenging. The Chief Executive will brief the Chair of Trustees, dependent on the level of seriousness of the concern.

The Chief Executive, Designated Safeguarding Lead and Deputy Designated Safeguarding Lead have responsibility for ensuring all appropriate actions have been taken and for providing staff, volunteers, the executive board and trustees with the guidance required. The only occasion when one of them should not be informed of a concern is if they are themselves implicated in abuse; in such circumstances staff will always go to the other above-named senior member of staff and then to the named Safeguarding Trustee.



## Procedure Details

The procedures detailed here are mandatory and must be followed. The flow charts that accompany these procedures constitute the basic outline of the processes that need to be considered. Procedures cannot predict every set of circumstances and if any member of staff/volunteer is dealing with a safeguarding matter, then they should raise concerns without delay with the DSL, who will seek support through supervision and debrief with a senior manager at each stage in the process.

## Recruitment of Staff

The Safeguarding Vulnerable Groups Act 2006 provides the legislative framework for ensuring that staff who work within the children and adult workforces are suitable to do so. The Nottingham City Safeguarding Children Board dictates that all organisations must ensure they have in place safe recruitment policies and practices, including enhanced Disclosure and Barring Service (DBS) checks for all staff, including agency staff, students, freelance workers and volunteers, working with children. It is an offence knowingly to employ a person who has been barred by the DBS from working in posts which involve some activities children.

The Designated Safeguarding Lead – HR & DBS will ensure that anyone employed or contracted by Nottingham Castle Trust (including volunteers) who maintains frequent and intensive contact with children or young people as part of their work for Nottingham Castle Trust will be expected to agree to an enhanced level DBS disclosure; and provide two relevant references as part of adhering to the Nottingham Castle Trust Safeguarding Policy. As part of the recruitment process all applicants are requested to declare if they have been subject to any disciplinary procedures.

All roles within Nottingham Castle Trust are considered exempt from the Rehabilitation of Offenders Act 1974; this does not mean necessarily that those with previous convictions cannot legally be offered roles working with people under 18. When considering recruiting an individual with a criminal record a fair risk assessment will be carried out taking into account all the factors relating to the role, the criminal record and the level of risk associated with recruiting the individual concerned.

## Disqualification by Association

Anyone who works with children under the age of 8 can be disqualified from their role if they share an address with someone who is on the Sex Offenders Register. Any member of the Nottingham Castle Trust team affected by this must make it known, discreetly, to the DSL – HR & DBS. As with the above, a fair risk assessment will be carried out taking into account all the factors relating to the role and the level of risk associated with the individual's circumstances.

## Dissemination of Information to Staff

The Designated Safeguarding Lead will ensure that anyone employed or contracted by Nottingham Castle Trust (including volunteers) will be informed of the Safeguarding Policy adopted by Nottingham Castle Trust and agree to undertake procedures within it.

Staff will initially be made aware at interview and consequently be informed of any changes or additions to said policy and will be expected to fulfil any requirements (including participating in training where available and appropriate) made of them to ensure full compliance with the policy and related legislation.





Nottingham Castle Trust understands that individual staff have a responsibility (commensurate with the role of their organisation) to:

- Keep up to date with current research and evidence-based practice
- Be alert to concerns for the welfare of children and signs of abuse
- Provide appropriate services within their own agencies
- Refer children for appropriate service to meet their needs.

The Nottingham City Safeguarding Children Board states that all agencies are responsible for ensuring that their staff have access to and undergo appropriate child protection / safeguarding children training. It is essential that everyone recognises their responsibility within the process and are committed and able to undertake this.

## Disclosure and Barring

In line with guidance from the Disclosure and Barring Service, Enhanced DBS disclosures will be obtained for all new starters (trustees, staff, and volunteers) who have regular or unsupervised contact with children and young people. Basic DBS disclosures will be obtained for all new starters to Nottingham Castle Trust; all DBS disclosures will be updated every 3 years.

All roles within Nottingham Castle Trust are considered exempt from the Rehabilitation of Offenders Act 1974; this does not mean necessarily that those with previous convictions cannot legally be offered roles working with people under 18. When considering recruiting an individual with a criminal record a fair risk assessment will be carried out taking into account all the factors relating to the role, the criminal record and the level of risk associated with recruiting the individual concerned.

You are only legally entitled to carry out an enhanced or enhanced with barred lists DBS check if someone's position is one of those listed in the 'exceptions order' of the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 **and** in the Police Act regulations **and** (for the barred list check) meets the definition of regulated activity.

There are two levels of enhanced checks:

**1. Enhanced:** To be eligible for an enhanced DBS check the position must be included in the Rehabilitation of Offenders Act (ROA) 174 (exceptions) Order 1975 and in Police Act Regulations. If the answer is yes to the two questions below then you are entitled to undertake an enhanced DBS check.

Does the role involve one of the following activities?	Will the work take place regularly?
<ul style="list-style-type: none"> <li>• Teaching</li> <li>• Training</li> <li>• Care</li> <li>• Supervision</li> <li>• Advice</li> <li>• Treatment</li> <li>• Transportation</li> </ul>	<p>This is defined as:</p> <p><b>Frequently</b> – once a week or more</p> <p>Or <b>Intensively</b> - takes place on four or more days in a 30-day period.</p>



<ul style="list-style-type: none"><li>• Being in sole charge</li></ul>	Or <b>Overnight</b> – defined as between 2am and 6am
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**2. Enhanced with adults and or children’s barred lists check(s):** To be eligible to request a check of the children’s or adults’ barred lists the position must meet the DBS definition of ‘regulated activity’- See **Appendix 8** for a comprehensive definition of ‘regulated activity’. It is important to understand this definition. It is expected that extremely few Nottingham Castle Trust roles would fall into this category.

Everyone working at Nottingham Castle Trust who is eligible is required to undertake an enhanced DBS check, or, if they are involved in a regulated activity must have an enhanced with barred list check. This is a requirement of Nottingham Castle Trust as part of their safeguarding responsibilities. If in any doubt at all the HR Manager should be contacted immediately.

Nottingham Castle Trust will accept a certificate previously issued by another organisation provided that the individual is a member of the update service and Nottingham Castle Trust can carry out an instant update check.

## Prospective Employees

The need for an enhanced DBS, or enhanced DBS check and barred list check, must be made evident by the HR Manager. Once an individual has been selected for a vacancy requiring an enhanced DBS check their status will be checked by Human Resources as part of the recruitment procedure. The individual will not be permitted to commence work until their disclosure has been approved by HR. The individual should show their enhanced DBS certificate to the HR Manager as soon as they have received it.

## Existing Employees

Individuals who are currently employed by Nottingham Castle Trust whose roles are deemed by the HR Manager to require an enhanced DBS check, or enhanced with barred list check, will be checked every 3 years.

Where an employed individual is about to commence in an activity which is not part of their regular duties (i.e. supervising a work experience placement or volunteering for a Night at the Castle sleepover) they will also need to apply for an enhanced DBS check, or enhanced with barred list check, and have it cleared before they commence this activity.

## Contractors and Freelancers

The need for an enhanced DBS check, or enhanced with barred list check, must be made evident by the member of staff contracting services from a freelancer. The staff member needs to consider carefully the question whether they are eligible for either check. The individual will not be permitted to commence work until their disclosure is returned and has been approved by both the HR Manager and the contracting member of staff.



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For contractors employed through a contract for services, the requirement to hold an enhanced DBS check, or enhanced with barred list check, must be included on the contract. This must be a portable DBS, held by the contractor, and subscribed to the updates service. Their status will then be checked by the HR Manager as part of their procedure. The individual will not be permitted to commence work until their disclosure has been approved.

## Volunteers

The need for an enhanced DBS check, or enhanced with barred list check, must be made evident when the volunteer role is created and to the volunteer before they agree to undertake that role/task. Volunteers, who are eligible for an enhanced DBS check, or enhanced with barred list check, will be required to undertake one. Once an individual has been selected for a volunteer role requiring either check, their status will be checked by the Volunteer Manager and the relevant paperwork completed where necessary. The individual will not be permitted to commence volunteering until their disclosure has been approved by the Volunteer Manager.

## Update Service

Checks carried out by other organisations can now be accepted by Nottingham Castle in certain circumstances, using the update service. The update service enables organisations to carry out an instant online check on an individual's enhanced DBS certificate, providing that the individual is registered with this service. Nottingham Castle will seek to use the online update service wherever possible. If the postholder is eligible for an enhanced DBS check, they will be asked if they are a member of the update service and in addition asked for their permission to allow Nottingham Castle Trust to check their enhanced DBS certificate. If the answer is yes to both questions, Nottingham Castle Trust will check their enhanced DBS certificate using the online update service.

Nottingham Castle Trust takes the refusal of permission very seriously as this may impact on the ability of the postholder to carry out the role., and therefore their ability to work or volunteer at the Trust.

## Ongoing Duty to Disclose Criminal Activity

Although enhanced DBS disclosures will be obtained every three years, as above, all staff will be required to immediately disclose any criminal activity to their line manager (or, in the case of trustees, to the chief executive) notwithstanding that that activity may fall in between DBS checks. Further, all staff will be required to confirm on an annual basis and in writing, that they have not been involved in any criminal activity over the preceding year.

## Health and Safety

Nottingham Castle Trust believes that all activities should take place in a safe environment and that it is their responsibility to ensure that the rooms and equipment being used are appropriate. This includes safety, health and hygiene issues, fire evacuation and transport.

Nottingham Castle Trust will ensure that a correctly stocked first aid box will be available at all times and staff will be trained to use it. The names of the first-aider will, where possible, be displayed prominently and all staff will be aware of who this is. An accident book will be kept by Nottingham Castle Trust. Where appropriate and relevant Nottingham Castle Trust will also



support staff in gaining first aid qualifications as part of their commitment to providing Continuing Professional Development for all staff.

## Risk Assessment

A full risk assessment will be carried out for each activity. This will cover health and safety and safeguarding issues and clearly identify responsibility. All staff and volunteers involved in the project will be given copies of the risk assessment and made aware of any issues and their own responsibility.

## Safeguarding Incidents

### Recognition of Signs and Indicators of Abuse

Recognition of the signs and indicators of abuse poses considerable challenges for most professional staff who work with children and do not deal with protection and safeguarding issue on a day to day basis. This includes children who haven't disclosed any abuse to you, but you may be concerned about their behaviour. If you are unsure always speak to a member of the safeguarding team.

Identifying abuse of children with disabilities who may also present with a range of challenging behaviours is not straightforward. It is crucial to effective safeguarding that all staff and volunteers are able to recognise signs and indicators of abuse and this requires acceptance that disabled children are more likely to be abused than children without disabilities.

**Appendix 3** offers a range of indicators and signs of abuse as well as examining some of the potential blocks to recognition and factors which can inhibit the taking of appropriate steps.

**If the member of staff or volunteer believes that a child is at immediate risk of harm or abuse, they will take immediate and reasonable steps to protect the child;** however, such situations are very rare and, in most circumstances, staff will raise a concern following the process below.

Guidance on listening to children who may have raised their concerns with you can be also be found in **Appendix 3**.

## Raising a Concern

### Refer to flow chart Appendix 1

Staff will raise a concern by reporting directly and without delay to the Designated Safeguarding Lead (DSL) for their area. If no DSL is available, then the CEO should be reported to directly. Immediately after raising a concern, staff will also make a detailed written account of what they have seen, observed or heard using the Safeguarding Report Form. Please see **Appendix 4**. The Safeguarding Reporting Form requires the staff or volunteer member to provide a detailed written account of what they have seen, observed or heard. The member of staff or volunteer who noted and raised the concern is known as the alerter; adult social care or the police may wish to speak to the alerter at some point.

Guidance on listening to children can also be found in **Appendix 3**.



## Recording

The keeping of accurate and prompt recording is fundamental to effective safeguarding and all staff and volunteers have a responsibility to ensure all concerns are recorded appropriately. This requires those who raise concerns to make a written record using the Safeguarding Report Form (**Appendix 4**) as soon as possible after raising the concern (a maximum of 2 hours) with the DSL, the DSL can provide support in completing the form.

Records should be factual and clear and, where opinion is expressed, it should be recorded as such and distinguished from fact.

When reporting a concern to the local authority, the DSL will inform the local authority that a written record of the concern is available and will e-mail details of the concerns to the local authority.

If at any stage Nottingham Castle Trust or the local authority decide that no further action is to be taken, then the reason for this and who made the decision will be recorded.

All subsequent actions/ events following the reporting of a concern should be recorded and attached to the original concern in chronological order as should any documentation received from the local authority, police or other agencies.

## Reporting of Safeguarding “Serious Incidents” to the Charity Commission

The Charity Commission requires **trustees of charities** to report serious incidents. If a serious incident takes place, it is important that there is prompt, full and frank disclosure to the Commission, even if it has already been reported to the police, donors or another regulator.

### What is a serious incident?

A serious incident is an adverse event, whether actual or alleged, which results in or risks significant harm to your charity’s beneficiaries, staff, volunteers or others who come into contact with your charity through its work (who are collectively referred to throughout this guidance as people who come into contact with your charity through its work)

- loss of your charity’s money or assets
- damage to your charity’s property
- harm to your charity’s work or reputation

For the purposes of this guidance, “significant” means significant in the context of your charity, taking account of its staff, operations, finances and/or reputation.

### Who should report?

The responsibility for reporting serious incidents rests with **the charity’s trustees**. In practice, this may be delegated to someone else within the charity, such as an employee or the charity’s professional advisers.

However, all trustees bear ultimate responsibility for ensuring their charity makes a report, and does so in a timely manner.



If you decide not to make a report about something serious that has happened in your charity and the Commission later becomes involved, you will need to be able to explain why you decided not to report it at the time.

## Confidentiality and Storage of Safeguarding Concerns

For Nottingham Castle Trust the DSL has responsibility to ensure all concerns are recorded, monitored and secured. Electronic records including email will be saved to the secure folder on the NCT01 shared drive. Paper records will be scanned and kept within the secure folder on the NCT01 shared drive.

Access to these records will be strictly limited on a need to know basis and controlled by the DSL and the Chief Executive, supported by the Marketing Manager, appointed NCT Data Controller.

These records will be held in compliance with the Nottingham Castle Trust Data Protection Policy and legal requirements around the storing of safeguarding incidents. All safeguarding paperwork will be retained at least until any adult implicated reaches normal retirement age, or for 10 years if that is longer.

## Responding to Concerns that a Child has been Harmed or is at Risk of Harm by a Stranger or Member of the Public, including Abuse and Neglect

All staff and volunteers are responsible for raising concerns about the behaviour, actions or attitude of a member of the public towards a child.

The procedures for raising a concern, recording, storage and initial fact-finding must be followed. If the initial fact-finding suggests that the concerns relate to a member of the public or a stranger, then the DSL or the Chief Executive (as appropriate) should report the matter to Children's Services and the Police without delay. It is essential that the Police are informed at the time of raising the concern and the agreed actions recorded. In such circumstances the Police lead investigations and may need to interview staff or volunteers as witnesses.

### **Refer to flow chart Appendix 1**

*If a child is making a disclosure to you always remember to:*

1. Stay calm and listen
2. Go slowly
3. Reassure them that they have not done anything wrong
4. Be supportive
5. Gather essential facts
6. Tell what will happen next
7. Report
8. Make notes

### 1. Stay calm

- An abused or neglected child or young person needs to know that you are available to help them.



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- Reactions of shock, outrage, or fear might make them feel more anxious or ashamed.
- A calm response reassures that what has happened is not so bad and can be worked through.

## 2. Go slowly

It is normal to feel inadequate or unsure about what to do or say when a child or young person tells you about their abuse.

- Proceed slowly.
- Gentle and open-ended questions such as: "Can you tell me more about what happened?" are helpful.
- Avoid questions that begin with "why".

## 3. Be reassuring

- Reassure the child or young person that they have not done anything wrong.
- Avoid questions that are usually associated with getting into trouble.
- Avoid using "why" questions.

## 4. Be supportive

Let the child or young person know:

- they are not in trouble
- they are safe with you
- you are glad that they have chosen to tell you about this
- they have done the right thing telling about this
- you are sorry that they have been hurt or that this has happened to them
- you will do everything you can to make sure they are not hurt again
- you know others who can be trusted to help solve this problem

## 5. Get only the essential facts

**Be brief – this is a very difficult thing for a young person to confide in you.**

- Limit your discussion to finding out generally what took place.
- When you have sufficient information and reason to believe that abuse and/or neglect has occurred, gently stop gathering facts and be supportive.

## 6. Tell what will happen next

- Don't make promises to the child about what may or may not happen next.
- Provide only reassurance that is realistic and achievable.
- Discuss with the child what you think will happen next and who will be involved.

## 7. Report to the Designated Safeguarding Officer

- Report disclosures of abuse or neglect immediately to the DSO for follow-up and referral.
- Express your willingness to help the child through the steps which will follow, if appropriate.

## 8. Make notes

- Make notes of all comments. Use the child's or young person's exact words where possible.



- Save all drawings and artwork. This information may need to be shared with Children's Social Services and the police.

## Responding to Concerns that a Member of Staff or Volunteer may have Abused a Child

As above

### Refer to flow chart Appendix 1

All staff and volunteers are responsible for raising concerns about colleagues; these concerns could be about: the behaviour, actions or attitude of a member of staff towards a child; inappropriate use of restraint; actions or behaviour towards a child outside of Nottingham Castle Trust, accessing or making use of inappropriate online data including child pornography. The concern could in fact be any that raise significant questions about their suitability to work with children.

The procedures outlined for raising a concern, recording, storage and initial fact-finding should be followed.

## Raising a Concern

Concerns should be reported without delay directly to the DSL.

There are likely to be tensions and anxieties for any member of staff who notes signs and indicators that suggest a colleague poses a concern. Nottingham Castle Trust will support any member of staff or volunteer if they do so appropriately, in good faith and in a timely fashion.

If the concerns relate to a DSL then the Chief Executive and the Chair of Trustees should be informed. If the concerns are related to the Chief Executive, then DSL – Learning & Engagement and the Chair of the Board of Trustees must be informed in these circumstances.

## Initial Fact-Finding

Initial fact-finding when there are concerns about a member of staff requires a high level of confidentiality. It is still reasonable to check some basic facts prior to alerting other professionals. The DSL or as necessary the Chief Executive will lead on initial fact-finding and, in these circumstances, they will not delegate to other staff. In these circumstances initial fact-finding should involve checking files and recent records and clarifying basic facts with key staff.

Initial fact-finding should never involve asking a child to discuss the concerns or repeat a disclosure or allegation that has been made.

Initial fact-finding can lead to the DSL or Chief Executive deciding that there are no protection concerns which warrant a referral to the Local Authority Designated Officer (LADO). In such circumstances, when no further action is being taken, then the decision needs to be recorded on the Safeguarding Report Form and conveyed to the Chief Executive.





## Contacting the Local Authority Designated Officer (LADO) of Concerns that a Member of Staff may have Harmed a Child or has Harmed a Child or has Possibly Committed an Offence against a Child

If the concerns/ initial fact-finding conclude that a member of staff may have harmed a child or has harmed a child or has possibly committed an offence against or related to a child, the Local Authority Designated Officer (LADO) for the local authority must be informed without delay. See **Appendix 5** for contact details of Children's Services, LADOs and Police. The Chief Executive and the relevant Chair of Trustees must be informed of the referral to the LADO; informing them will include agreement on next steps to be taken and how all risks are to be managed as appropriate to the circumstances. It is expected that they will be kept updated as the situation develops.

Discussions with the LADO should include taking advice on and ideally reaching agreement on a decision about suspension or not, as well as an agreement about informing parents or not (if known). It is essential that a shared understanding is established about next steps to be taken.

Following these discussions, it is essential that confirmation is made in writing to the LADO detailing the concern and the discussions with the LADO. It is also essential that at all stages a full record is kept.

## Initiating Allegation Procedures

The LADO will decide whether the incident fits the criteria of an allegation against staff. In other words: Did the alleged incident potentially cause harm to the child? Does the alleged incident potentially constitute a criminal offence? Does the alleged incident suggest that this person is potentially unsuitable to work with children? National allegations procedures are outlined in part 4 of Keeping Children Safe in Education 2015 and local procedures will be set out by the LSCB (local safeguarding children board) on the relevant local authority website.

Senior managers from Nottingham Castle Trust will need to provide the LADO, and if necessary, the police, with access to all available evidence and a full written account of the concerns and any responses to those concerns to date.

## S47 Enquiries

Following a Child Protection referral to Social Care the Designated Safeguarding Lead should be advised as to whether S47 enquiries are to be initiated. Dependent on the outcome of these, a decision to convene on Initial Child Protection Conference (ICPC) might result.

S47 Children's Act 1989 - Significant Harm – S47 requires Local Authorities to make Child Protection enquiries if they have reasonable cause to suspect a child in their area is suffering or likely to suffer significant harm and for Local Authorities and other organisations to assist them with those enquiries if asked to do so.

## Initial Child Protection Conference

Once Children's Social Care decide to convene a Conference, this must take place within 15 days.



The witness, together with the Designated Safeguarding Lead will be expected to attend and to provide a written report for the Conference of their involvement. It is important that the report contains factual statements and not opinions.

A Police check will be conducted prior to the strategy meeting to determine whether any previous incidents involving that member of staff are known. Unless the concerns relate to a senior member of staff, then senior managers should be invited to attend the strategy meeting. It is essential that preparation for the strategy meeting includes checking the member of staff concerned personnel file; training record; supervision record and last annual appraisal.

## Action After the Conference

(Conference regulations should be distributed within 48 hours). On receipt of the conference minutes, check them for accuracy immediately and inform the Children's Social Care of any amendments required. If you are dissatisfied with the outcome of the Conference, discuss the matter with the Designated Safeguarding Lead who may consult the Chair of the Conference.

## Workplace Arrangements

The LADO will advise whether the member of staff should remain in the workplace or whether they should be suspended until the investigation is resolved. If the member of staff remains in the workplace, safeguards will be put in place to protect the member of staff and the child/children involved. The member of staff will be advised to contact their union representative, if relevant, and Nottingham Castle Trust will provide support as appropriate. The senior member of staff will keep the member of staff up to date regarding timescales of meetings and the procedures being put in place.

If Nottingham Castle Trust decides that suspension is necessary, then this will be done without prejudice. Suspension should be considered without delay if it is indicated that:

- A staff member has behaved in a way that may have or has harmed a child.
- A staff member has possibly committed an offence against or related to a child
- A staff member has behaved towards a child in a way which indicates she/he is now unsuitable to work with children.
- The Children Services, police or the Local Authority Designated Officer LADO is advising suspension.
- It is likely to be impossible to undertake the necessary investigation properly if they remain in the workplace.

No formal internal inquiry can start until the LADO and the police have concluded their processes. Agreement should be obtained in writing from the LADO that an internal inquiry can commence. At each stage the DSL and DSOs will need to take HR advice, keep the staff member updated (following agreement with the LADO) and keep the family of the child updated (following agreement with the LADO).

## Decisions and Next Steps

Professionals at the strategy meeting will decide what next steps to take: these may include criminal proceedings, child protection procedures, disciplinary procedures, training needs, or no further action.



'No Further Action' by police and the local authority does not mean there is 'no case to answer' internally and HR advice should be considered.

The decision to take disciplinary procedures lies with Nottingham Castle Trust and may require an internal inquiry; this can only take place once the Police and LADO have concluded their processes. However, the LADO may inquire what actions were taken. Once an internal inquiry is complete, then the disciplinary procedures can be invoked. If there is a disciplinary that does not lead to a dismissal, then 'lessons learnt' should be incorporated into safeguarding training.

### Notifying the Disclosure & Barring Service and/or Professional Bodies

If a staff member is dismissed because of abuse concerns, then Nottingham Castle Trust has a legal duty to formally notify the Disclosure & Barring Service. This also applies if a member of staff resigns as a result of safeguarding concerns being raised. The referral process is fully detailed on the DBS website.

If a staff member is dismissed or resigns because of abuse/ neglect concerns, then Nottingham Castle Trust has a duty to formally notify relevant professional bodies the member of staff belonged to; for example, the National College of Teaching & Leadership (NCTL).

### Support for Nottingham Castle Trust Staff

Being involved in a child protection case can be a stressful experience. Make sure that you talk to someone in the Trust about your feelings as soon as possible - this can be the Designated Safeguarding Lead or your line manager.

### Training and Implementing Safeguarding Policy and Procedures

The DSL will ensure that the staff, volunteers and the public has access to the policy and procedures and an understanding that the Trust has a duty to inform Children's Services or the Police if there are concerns about abuse. This will be achieved by publishing the policy and procedures on the intranet and Nottingham Castle Trust's website.

Nottingham Castle Trust will ensure that all staff and volunteers have access to training and/or awareness sessions as appropriate to their role and responsibilities. This will include training on the recognition of abuse and neglect and how to respond to such concerns.

Line managers will ensure that all new staff, as part of their induction, will be asked to read and understand the procedures this will include an explanation of roles and responsibilities of the individual, the DSL and the CEO. Line managers will put in place a process for ensuring all temporary members of staff and volunteers are briefed on the safeguarding procedures as they start in post.

### Safeguarding Standards of Behaviour for Staff and Volunteers

All Nottingham Castle Trust staff are required to uphold the Staff Code of Conduct, which include the Nolan Principals, within the Staff Handbook. This will be reviewed on an annual basis and staff will be asked to re-sign the document in event of any changes.



This will form part of Nottingham Castle Trust's on-going safeguarding assessment and review. As part of the new regulations for Keeping Children Safe in Education, all staff must read and understand the Safeguarding Policy, the Safeguarding Procedure introduction section and the appendixes of this document. Records must be kept of when staff have done so. All staff must also have an annual safeguarding briefing to ensure they are aware of any changes in the law or practice. This is usually done in as part of the annual team CPD day.

Pursuant of safeguarding children, the following are expected behaviours of Nottingham Castle Trust staff, volunteers, and trustees:

## Do

- Approach any child or young person who appears to be in distress and ask if you can help.
- Seek assistance from colleagues where appropriate.
- Question situations that you find suspicious.
- Look out for unaccompanied children/young people and follow the Lost/Found Children procedure
- Avoid situations where you are likely to be in a one-to-one situation with a child/young person by remaining in a public area.
- Remember that the primary responsibility for care, safety and welfare rests with the child/young person's supervising adult.
- Report any allegation (even if it is just a suspicion) of abuse or inappropriate conduct immediately to your line manager or Nottingham Castle Trust contact who will then be responsible for implementing Nottingham Castle Trust's Safeguarding Children policy and procedures and reporting the allegation to the designated safeguarding lead. If you are unable to report the allegation to your line manager or Nottingham Castle Trust contact, the designated safeguarding lead or a Nottingham Castle Trust Safeguarding Children advisor you can go directly to the local authority children's social care department or the police or call the NSPCC for advice.
- Always act appropriately, professionally and consider, 'How would my behaviour look to anyone else and can I justify my actions?'

## Do not

- Physically restrain a child or young person except in exceptional circumstances, e.g. to prevent injury, damage to property or collections or to prevent theft. In these circumstances minimum restraint should be used.
- Commit or attempt to commit any act which may endanger persons or property, or which breaches any safety rule, organisation policy or legislation.
- Engage in any form of physical or verbal abuse, threatening behaviour or harassment on the organisation's premises or when working on the organisation's business off site.
- Provide personal telephone numbers/ contact details to any child/young person encountered through work.
- Communicate with any child encountered through work through social networking sites (except for official or approved social network channels, e.g. Nottingham Castle Trust's Facebook page).
- Provide lifts in a personal vehicle to children.



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- Put yourself in a position where you take on the role of being the individual with primary responsibility for the care, safety or welfare of a child.
- Do things of a personal nature for children/young people that they can do for themselves or their supervising adult can do for them, e.g. taking them to the toilet.
- Allow or engage in inappropriate touching of any kind. The main principles of touch are:
  - The desired touch should always be initiated by the child
  - Touch should always be appropriate to the age and stage of development of the child

## Safeguarding Children Online and Social Media

Nottingham Castle Trust is committed to the safety of children and young people engaging in online and digital activities with Nottingham Castle Trust and online activity.

Mobile devices, social networking sites and the internet are great tools to help organisations and groups engage with children and young people. However, if used inappropriately, they can also pose potential safeguarding risks and this may lead to abuse, both online and offline.

All staff should:

- Demonstrate honesty and integrity, and uphold public trust and confidence in respect of anything placed on social media;
- Use organisational accounts to communicate with children and young people via email or social media, never personal accounts;
- Use an organisational mobile or tablet to communicate with young people, where possible;
- Ensure that any content shared on any social media, at any time, would be deemed as appropriate i.e. staff are personally responsible for ensuring that any privacy settings meet this requirement;
- Always use age-appropriate language in your communications and make sure all your communications are relevant to the work of the project you're involved in;
- Ensure that any comments and/or images, at any time, could not be deemed as defamatory or in breach of any relevant legislation;
- Understand how different social media platforms work and what their age limits are;
- Always ask children and parents if you want to take and/or share photos of a child for any purpose – please also see Photography & Filming (below) and **Appendix 6: Photography & Filming Consent Form (General)** which should be completed when taking authorised photographs or filming of the public, including children.

Staff must not

- Have contact with children or young people where there is a relationship developed as part of their 'professional' role on any social media;
- Use social media as forum to make derogatory comments which could bring the organisation into disrepute, including making comments about children and young people, parents, other staff members or the wider community.

Guidance appropriate to the digital activity will be available to children and their parents/carers and the CEOP internet safety link will be provided on a relevant webpage to enable members of the public to report concerns directly to CEOP (Child Exploitation and Online Protection Centre). All



digital and online activity will be developed in accordance with the following Nottingham Castle Trust policies:

- Data Protection Policy
- Staff Code of Conduct, including Safe Use of Social Media

## Photography & Filming

Nottingham Castle Trust regularly takes photographs and film of children and young people who are participating in organised activities for publicity purpose (including use online via official Nottingham Castle Trust channels).

Permission will be sought, using **Appendix 6: Photography & Filming Consent Form (General)**, from the supervising adult with parental responsibility for the child/young person who will be asked to sign a photo/filming release form, in the case of pre-booked groups (e.g. school groups) this will be done in advance of the visit. Where permission is denied the child/young person will be given a sticker and will not be photographed or filmed.

Where general photography is being taken – for example crowds gathered at an event or in an exhibition, signage should be placed alerting the public that photography is taking place.

Any visitor or member of the public who appears to be taking photographs in suspicious or inappropriate circumstances should be challenged by a member of Nottingham Castle Trust staff and asked to delete the photographs containing children. Additional support from another member of Nottingham Castle Trust staff may be appropriate in some circumstances. Volunteers are not expected to challenge a visitor or member of the public but do have a responsibility to report suspicious or inappropriate behaviour to a member of Nottingham Castle Trust staff.

## Children's Safeguarding and the GDPR

All Nottingham Castle Trust must have due regard to the relevant data protection principles which allow them to use and share personal information, as provided for in the Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

To share information effectively:

- all staff should be confident of the processing conditions under the Data Protection Act 2018 and the GDPR which allow them to store and share information for safeguarding purposes, including information which is sensitive and personal, and should be treated as 'special category personal data'
- where staff need to share special category personal data, they should be aware that the Data Protection Act 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information. This includes allowing practitioners to share information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

In any of these instances, contact the Designated Safeguarding Lead and the Marketing Manager who is the designated Data Controller for Nottingham Castle Trust.



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## Lost/Found Children

Any person on site under the age of 16 who is not accompanied by an adult should be treated as a lost/found child. Lost/found children should be escorted to the **Visitor Centre** information desk, which will act as the building's lost/found children point. Parents and/or guardians with lost/found children will be directed to this point also.

## Work Experience

Nottingham Castle Trust currently welcomes students on work experience placements, some of whom will be under the age of 18. Enquiries regarding work experience should be referred to HR. Any concerns relating to the welfare and safety of a child participating in a work experience activity should be referred to the DSL.

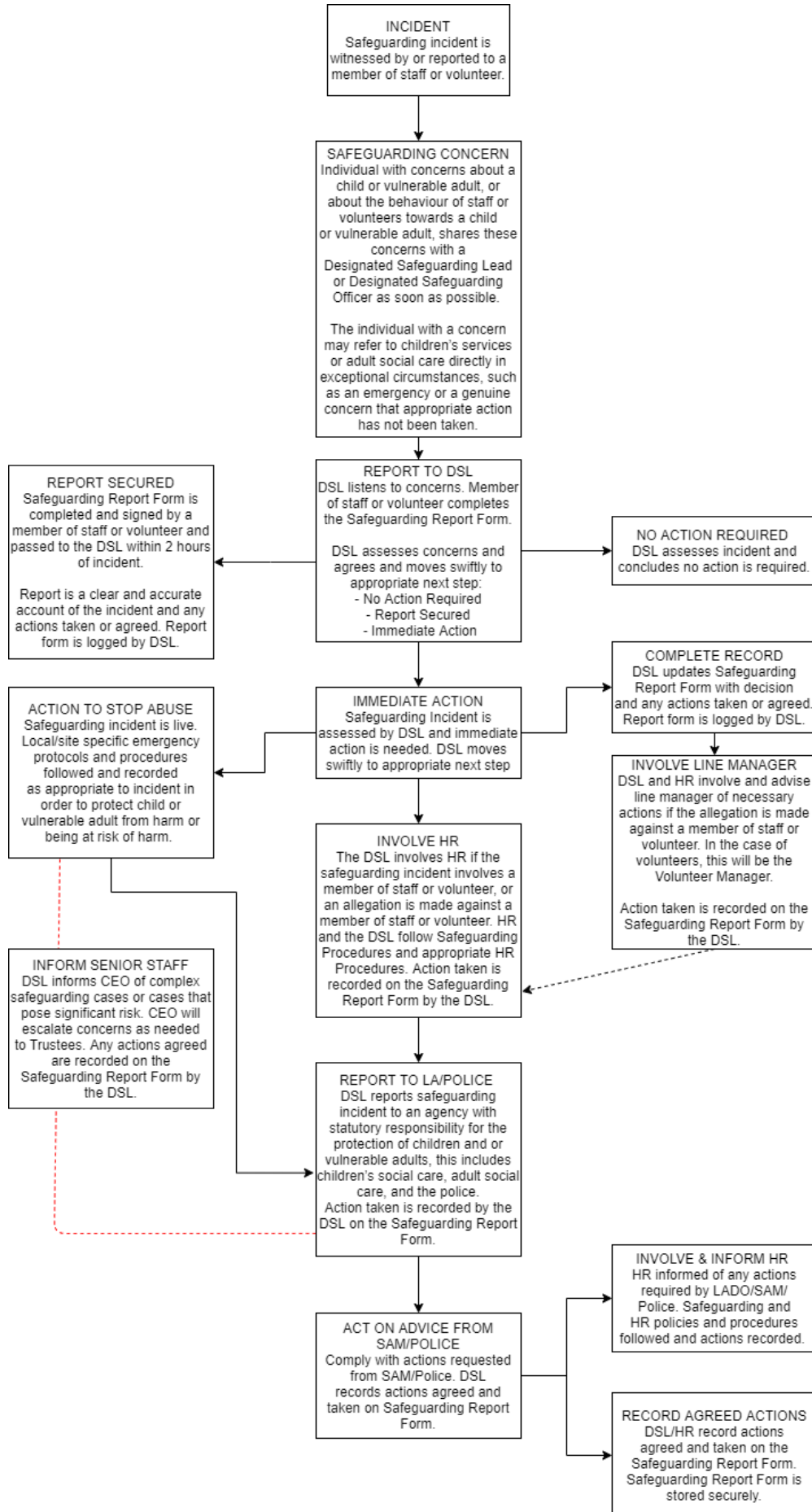
## Restraint and Physical Abuse

Unlawful or inappropriate use of restraint or physical interventions and/or deprivation of liberty is physical abuse. There is a distinction to be drawn between restraint, restriction and deprivation of liberty. A judgement as to whether a person is being deprived of liberty will depend on the particular circumstances of the case, taking into account the degree of intensity, type of restriction, duration, the effect and the manner of the implementation of the measure in question. In extreme circumstances, unlawful or inappropriate use of restraint may constitute a criminal offence. Someone is using restraint if they use force, or threaten to use force, to make someone do something they are resisting, or where a person's freedom of movement is restricted, whether they are resisting or not. Restraint can cover a wide range of actions. Appropriate use of restraint can be justified to prevent harm to a person who lacks capacity, as long as it is a proportionate response to the likelihood and seriousness of the harm.



## Appendix 1

### Safeguarding Process Flowchart





## Appendix 2

### Definition of Cases which are Complex or Pose Significant Risk

In this context 'significant' or 'complex' means that the DSL has reported a matter where the actual or suspected concern relates to an actual or suspected perpetrator who is a servant of Nottingham Castle Trust (employee, volunteer, trustee, contractor), and or where the concern relates to both a Safeguarding and a possible criminal matter, and or where the incident giving rise to the concern has attracted media interest, and or where the concern has attracted official external scrutiny such as the Health and Safety Executive or equivalent. It also refers to a reported concern where a DSL and/ or other team member (staff or volunteer) of Nottingham Castle Trust will be required to attend a formal Strategy meeting, or where the Children's Social Care Department/ Adult Safeguarding team officially request that the investigation into the concern is undertaken in house by Nottingham Castle Trust.

## Appendix 3

### Definitions of Abuse and Recognising Signs and Indicators of Abuse

Keeping Children Safe in Education 2015 para 29 sets out the following specific safeguarding issues and in the electronic version of the guidance each category has a hyperlink to a detailed definition and description:

- Child sexual exploitation
- Bullying including cyber bullying
- Domestic abuse
- Drugs
- Fabricated or induced illness
- Faith abuse
- Female genital mutilation (FGM)
- Forced marriage
- Gangs and youth violence
- Gender based violence/violence against women and girls (VAWG)
- Mental health
- Private fostering
- Preventing radicalisation
- Sexting
- Teenage relationship abuse
- Trafficking

The following define the categories of abuse most commonly encountered in more detail:

### Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.



## Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber-bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

## Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening and whether or not violence is involved. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

## Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## Recognising Signs and Indicators of Abuse

The biggest block to identifying abuse rests with assumptions many make about abuse and disabled children. Those assumptions must be overcome if staff and volunteers are going to be able to identify abuse. Studies of the prevalence of abuse of children with autism suggest that levels are comparable with children with physical disabilities. One detailed study concluded that 31% of disabled children had been abused prior to reaching adulthood compared to a prevalence rate of 9% among non-disabled children.

Evidence suggests that many working with children with a disability do so with the attitude and assumption that abuse is less likely to happen, and should it happen, it would be less likely to be



harmful. Another significant factor is the reluctance of professionals to raise concerns about parents or carers as they have a tendency to empathise with the pressures and stress of caring for a child with a autism in a manner that can exclude the need to take action to protect; this is then used as a reason for not taking the appropriate steps when signs and indicators exist.

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or already be taking place. It is acknowledged that staff and volunteers are not experts in such recognition. Therefore, any concerns should be discussed as detailed within these procedures. The guidance on the recognition of signs and indicators of abuse given below is not an exhaustive list of concerns, and the presence of one or more of the indicators is not proof abuse has taken place. Staff must however be open to the possibility that something may have occurred and may require further action.

Generally, in an abusive relationship a child may appear frightened of the abuser and act in a way that is inappropriate to his/her age and development (although full accounts need to be taken of different patterns of development and different ethnic groups).

Staff should always be sensitive to the adverse impact on children's development of parental difficulties such as domestic abuse, substance misuse or mental health problems. The presence of these factors combined should raise concerns.

Staff should be aware of the potential risk to children when individuals previously known or suspected to have abused children are moving to, or have contact with, the household in which the child lives.

## Signs and Indicators of Physical Abuse

The following may be indicators of concern:

- An explanation which is inconsistent with an injury
- Unexplained and/or suspicious injury i.e. abuse, cut or burn particularly if situated in a part of the body not normally prone to such injuries.
- Different explanations provided to different professionals for an injury.
- Unexplained delay in seeking treatment.
- Parents/carers are uninterested or undisturbed by an accident or injury.
- Parents/carers are absent without good reason when a child is presented for treatment.
- Presentation of minor injuries which may represent a "cry for help" and if ignored could lead to more serious injuries or may represent fabricated or induced illness.
- Families using different doctors, hospitals, or any minor injury units 'walk in' centres, and other direct access health provisions.
- Reluctance to give information concerning previous injuries.
- Children can have accidents or bruising, but the following must be considered as highly suspicious of a non-accidental injury unless there is an adequate explanation provided:
  - Any bruising or other soft tissue injury to a pre crawling or pre-walking infant or non-mobile disabled child
  - Bruises seen away from bony prominences.
  - Simultaneous bruises to both eyes without bruising to the forehead.
  - Bruising on sites less commonly injured accidentally.



- Clusters of bruising may indicate defensive injuries on the upper arm, outside of a thigh or adjacent limbs.
- Multiple bruising of uniform shape
- Bruises that carry the imprint of an implement i.e. belt mark, handprint, glass mark or hairbrush handle.
- Linear pink marks – pale scars caused by gripping especially at wrists, ankles, necks or male genitals.
- Bruising or tears around or behind the earlobes indicating an injury by pulling, twisting or slapping.
- Broken teeth and mouth injuries
- Bite marks showing clear impressions of the teeth
- Bite marks of 3 centimetres in diameter are more likely to be caused by an adult or older child.
- It can be difficult to establish accidental or non-accidental burns and scars and proof will always require experienced medical opinion. Any burns with a clear outline may be suspicious i.e. Circular burns from cigarettes are characteristically punched out lesions 0.6 to 0.7cm in diameter and healing usually leaves a scar.
- Friction burns result from being dragged.
- Linear burns from hot metal rods or related to coal fire elements. Burns of uniform depths over a large area
- Scars which have a line indicating immersion or poured liquid; a child getting into water of their own accord would struggle to get out and cause splash marks instead.
- Fractures may be causing pain and swelling, and discoloration over a burn or joint; the possibility of this should be considered carefully for all fractures in non-mobile children.

Fractures are grounds for concern if:

1. An unexplained fracture occurs in the first 18 month of life.
2. The history provided is not very common, non-existent or inconsistent with the fracture type.
3. They are associated with old or notable fractures.
4. Medical attention is sought after delay when the fracture has caused symptoms of swelling, pain or loss of movement.

## Signs and Indicators of Emotional Abuse

- Emotional abuse may be difficult to recognise as signs are usually behavioural rather than physical. The indicators of emotional abuse are often associated with other forms of abuse.
- Children with Autism are likely to exhibit some of these signs and indicators as a part of their condition; therefore, the recognition of abuse is much more challenging.
- Recognition of emotional abuse is usually based on observations over time and the following are some associated indicators;

## Parent/Carer and Child Relationship Factors

- Abnormal attachment between child/parent and carer e.g. anxious, indiscriminate or no attachment; although this can appear to be the case with children with Autism and therefore the attitudes and responses of the parent to this situation become more salient.



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- Parent frequently complains about/to the child or fails to provide attention or praise (high criticism/low warmth environment)
- Conveying to a child that he/she is worthless or unloved, inadequate or only valued in so far as meeting the needs of another person e.g. Persistent negative comments about the child or “scapegoating” within the family.
- Developing inappropriate or inconsistent expectation e.g. overprotection, limited exploration or learning interaction beyond child’s developmental capability. Prevention of normal social interaction.
- Causing a child to feel frightened or in danger through witnessing domestic abuse, seeing or hearing ill-treatment of another.

## Child’s Presenting Concerns

- Delay in achieving developmental cognitive and/or educational milestones.
- Failure to thrive or faltering growth.
- Behavioural problems e.g. aggression or attention seeking.
- Frozen watchfulness, particularly in preschool children.
- Low self-esteem, lack of confidence, fearful, distressed, anxious
- Poor peer relationships including withdrawn or isolated behaviour (again with children with Autism this indicator should be treated with caution and related to how the child has previously presented).

## Parent/Carer Related Issues

- Dysfunctional family relationships including domestic abuse
- Parental problems that may lead to lack of awareness of child’s needs e.g. their mental health, substance misuse, learning difficulties.
- Parental/Carer emotionally or psychologically distancing the child.

## Sexual Abuse

- Boys and girls of all ages may be sexually abused and are frequently too scared to say anything due to guilt and or fear. This abuse is particularly difficult for a child to talk about.
- Recognition can be difficult unless the child discloses and is believed. There may be no physical signs and indicators are likely to be emotional/behavioural.

## Behavioural Indicators of Sexual Abuse

- Inappropriate sexualised conduct
- Sexually explicit behaviour, play or conversation inappropriate to the child’s age
- Continual and inappropriate or excessive masturbation
- Self-harm (including eating disorder), self-mutilation and suicide attempts
- Involvement in prostitution or indiscriminate choice of sexual partners
- An anxiousness and unwillingness to remove clothing for sports events (but this may be related to cultural norms or physical difficulties).
- Running away.

## Physical Indicators of Sexual Abuse

- Pain in the genital area, vaginal discharge



- Sexually transmitted diseases
- Blood on underclothes
- Pregnancy
- Symptoms e.g. injuries to genital or anal area
- Bruising to buttocks, abdomen and thighs
- Presence of semen on vagina, anus or external genitals

## Sexting or Youth Produced Sexual Imagery

Youth produced sexual imagery best describes the practice because:

- ‘Youth produced’ includes young people sharing images that they, or another young person, have created of themselves.
- ‘Sexual’ is clearer than ‘indecent.’ A judgement of whether something is ‘decent’ is both a value judgement and dependent on context.
- ‘Imagery’ covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the document).

The types of incidents which this covers are:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18

This does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

## Vulnerability to radicalisation or extreme viewpoints – Prevent strategy

Nottingham Castle Trust recognises its duty to protect any children we work with from indoctrination into any form of extreme ideology which may lead to the harm of self or others. This is particularly important because of the open access to electronic information through the internet.

Nottingham Castle Trust vets all partners carefully and will take firm action if any individual or group is perceived to be attempting to influence members of our community, either physically or electronically, toward extremism.

Our definition of radical or extreme ideology is “a set of ideas which could justify vilification or violence against individuals, groups or self”. Staff are vigilant for spotting signs of extremist view and behaviours and to always report anything which may suggest a child, staff member or partner organisation is expressing opinions which may cause concern to Designated Safeguarding Lead – Learning and Audiences.



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Our core mission of diversity permeates all we do. We place a strong emphasis on the common values that all communities share such as self-respect, tolerance and the sanctity of life. We work hard to broaden our students' experience, to prepare them for life and work in contemporary Britain. We teach them to respect and value the diversity around them as well as understanding how to make safe, well-considered decisions.

## Signs and Indicators of Neglect

Evidence of neglect builds up over a period of time and it is the one type of abuse where early intervention is most successful.

### Child Related Indicators of Neglect

- A child who is unkempt or inadequately clothed or dirty or smells
- A child perceived to be frequently hungry
- A child who seems to be listless, apathetic and unresponsive with no apparent medical cause or displaying anxious attachment, aggression or indiscriminate friendliness (again with a child with Autism this should be considered as a factor when there is a detrimental change in a child's behaviour)
- Failure to grow or develop within normal expected patterns with accompanying weight loss or speech/ language delay.
- Recurrent/untreated infection or skin conditions. e.g. severe nappy rash, eczema, or persistent head lice/scabies
- Unmanaged/untreated health or medical conditions including poor dental health
- Frequent accident or injuries
- Child frequently absent or late at school
- Poor self-esteem
- Child thrives away from the home environment.

### Indicators of Neglect in the Care Provided

- Failure by parents or carers to meet the basic and essential needs such as food, clothing, warmth and hygiene.
- Failure by parents or carers to meet the child's health and medical needs i.e. poor dental health, failure to attend appointments with health visitors, GP or hospitals or lack a GP registration, failure to seek or comply with appropriate medical treatment.
- A dangerous or hazardous home environment including failure to use home safety equipment or risk from animals.
- Poor state of home environment e.g. unhygienic facilities, lack of appropriate sleeping arrangements, inadequate ventilation including passive smoking, lack of adequate heating.
- Lack of opportunities for a child to play and learn.
- Child left with adults who are intoxicated, misuse substances or are violent.
- Child abandoned or left alone for excessive periods.

### Non-Recent Abuse

Historical or non-recent allegations of abuse are any concerns that relate to abuse that happened more than a year ago, whether involving anyone working for or belonging to Nottingham Castle Trust or outside of it. Often victims of abuse take many years to come forward due to the shame or



a fear of being disbelieved however the alleged perpetrator may remain a risk to others. Such allegations of abuse must be taken seriously and acted upon in line with NCT safeguarding procedures, even if the victim is no longer being harmed now.

## Increased Vulnerability of Some Disabled Children

Evidence cited in Safeguarding Disabled Children Practice Guidance. (DCSF, 2009) suggests disabled children are at increased risk of abuse and the presence of multiple disability increases the risk of both abuse and neglect. A disabled child may be especially vulnerable because of:

- A need for practical assistance in daily living, including intimate care from what may be a number of carers
- Carers/Staff lacking ability to communicate adequately with her/him
- A lack of continuity in care leading to increased risk that behavioural changes may go unnoticed
- Carers working with the disabled child in isolation
- Physical dependency with consequent reduction in the ability to be able to resist abuse
- Increased likelihood that she/he is socially isolated
- Lack of access to “keep safe” structures available to others
- Communication or learning difficulties preventing disclosure
- Lack of advice e.g. due to hearing impairment
- Parent/Carers own needs and ways of coping may conflict with the needs of the child
- Bullying and intimidation
- Abuse by peers
- A fear of complaining in case services are withdrawn
- Some sex offenders may target disabled children in the belief that they are less likely to be detected.
- Some disabled children are highly adept in the use of social media and other on-line tools but lack the social awareness to be able to protect themselves from online grooming or abuse.

In addition to the universal indicators of abuse/neglect mentioned previously the following abuse behaviours must be considered:

- Force-feeding
- Unjustified or excessive physical restraint
- Rough handling
- Extreme behaviour modification ‘techniques’ including the deprivation of liquid, medication, food or clothing
- Misuse of medication, sedation, heavy tranquilization
- Invasive procedures against the child’s will
- Deliberate failure to follow medically recommended regimes
- Misapplication of programmes or regimes
- Ill-fitting equipment, which may cause injury or pain or inappropriate splinting.

## Listening to Children

One of the key indicators of abuse and neglect is a direct allegation from a child that they are being abused. The disclosure of abuse is often frightening and can awake painful memories, the strong emotions felt can be very difficult to express. If the child alleges that she/he is being abused or





information is received which causes concern that she/he may be being abused or has some knowledge of an abusive situation, the person receiving this information from the child should:

- React calmly so as to not frighten the child.
- Listen to what the child is saying and recognise difficulties; avoid interpreting what is being said by the child, he may have a speech disability and or difficulties with language.
- Keep open to the fact that the child may not have the necessary vocabulary for describing what has happened to them – remember that disclosure does not have to be verbal.
- Avoid direct questions\*, ensure a clear and accurate understanding of what is being said, use minimal prompts and where appropriate repeat back what is being said to clarify.
- Do not ask leading questions as these could jeopardise the investigation or the outcome of any criminal proceedings\*
- It is important to reassure the child but not make promises of confidentiality which might not be sustainable in the light of subsequent investigations.
- It is imperative that a full record of what is being said, heard and seen is made as soon as possible.
- Consult with managers in line with these procedures

\* unless the nature of the child's disability or preferred communication method means that this is the only way to ascertain whether the child is at risk.

## Essential Safeguards for Disabled Children

Safeguards for disabled children are essentially the same as for non-disabled children and should include enabling them to:

- Make their wishes and feelings known
- Receive appropriate personal, social and health education
- Raise concerns
- Have an effective means of communication and range of adults with whom they can communicate.



## Appendix 4

### Safeguarding Report Form (General)

Use this form to record any concern about the welfare of a child or vulnerable adult.

**Before completing the form contact Nottingham Castle Trust's Designated Safeguarding Lead.**

If you suspect a child or adult may be at risk of abuse or neglect, or you have received a disclosure of abuse from a child or adult, or you have heard about an allegation of abuse or witnessed abuse, you must report it to the Designated Safeguarding Lead as soon as possible, where possible within 1 hour.

Full name of individual you are concerned about (if known)

If you don't have details of the individual, please give any useful information you have – consider whether CCTV or colleagues may be able to help

Date and time of this record

Why are you concerned?



What have you been told, heard or observed, by who and when? Please give a detailed and clear description, distinguishing fact from opinion and outlining the following:

- anything you have personally witnessed
- information from a third-party that is relevant but as yet unsubstantiated
- anything you have been told by the child or any other person. Be clear about who has said what

If an allegation has been made, give any details.



Have you spoken to the child / vulnerable adult? Yes No

What did they say? Use their own words

Have you spoken to anyone else about your concern? Yes No

Who?

Is this the first time you have been concerned about this individual? Yes No

Further details



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Has any action already been taken in relation to this concern? (for example, first aid)

--

Name and position of the person this record was handed to

Name	
Role	

If this record has been handed to anyone other than the DSL, please explain why

--

Date and Time this form was completed

Date	
Time	

Date and Time this form was completed and handed to the DSL

Date	
Time	

Your details

Name	
Role	
Signature	















