



Guidance for Safer Working Practice for Adults who work with Children and Young People.

August 2016

This guidance is for all staff and volunteers who work with children and young people in an education setting.

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Overview

Background

All adults who come into contact with children and young people in their work have a duty of care to safeguard and promote their welfare.

The Education Act 2002, places a duty on organisations to safeguard and promote the well-being of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

The vast majority of adults who work with children and young people act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children and young people in their care. However, it is recognised that in this area of work, tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children and young people. It is therefore essential that all possible steps are taken to safeguard children and young people and ensure that the adults working with them are safe to do so.

Some concerns have been raised about the potential vulnerability of adults in this area of work. It was suggested that there was a need for clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns. It was written by a team of individuals from various backgrounds who are knowledgeable about allegation procedures and the circumstances in which allegations might arise and provides practical guidance for anyone who works with, or on behalf of children and young people regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of children and young people is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances adults will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all adults who work with children and young people work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by all adults whose work brings them into contact with children and young people.

The guidance contained in this document has due regard to current legislation and statutory guidance. Keeping Children Safe in Education (2016) and Working Together to Safeguard Children (2015).

Using the Guidance

Status of Document

This guidance has been developed to represent best practice and is a sector led improvement collaboration led by the Blackburn with Darwen Local Safeguarding Children Board (LSCB).

This guidance document is an update aligned with 'Guidance for safer working practice for those working with children and young people in education settings' by the Safer Recruitment Consortium October 2015. It is intended to supplement but not replace or take priority over advice or codes of conduct produced by employers or national bodies.

This is a generic document that is NOT statutory guidance but should complement existing professional procedures, protocols and guidance which relate to specific roles, responsibilities or professional practices.

Purpose of Guidance

It is important that all adults working with children and young people understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours and professional boundaries for all adults working with children and young people in paid or unpaid capacities, in all settings and in all contexts. The guidance aims to:

- keep children and young people safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assist adults working with children and young people to work safely and responsibly and to monitor their own standards and practice;
- support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided;
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- minimise the risk of misplaced or malicious allegations made against adults who work with children and young people;
- reduce the incidence of positions of trust being abused or misused;
- support employees to understand their roles and responsibilities and what constitutes safe practice.

Employers should be familiar with, and know how to access, their Local Safeguarding Children Board's policy and procedures for managing allegations against staff.

Pan Lancashire policies and procedures can be accessed using this link:

<http://panlancshirescb.proceduresonline.com/index.htm>

Underpinning Principles

- The welfare of children and young people is paramount.¹
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.
- Adults who work with children and young people are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Adults should work and be seen to work, in an open and transparent way that is in the best interests of all children and young people
- The same professional standards should always be applied regardless of age, disability, gender, language, racial origin, religion or belief, sex or sexual orientation
- Adults should continually monitor and review their practice and ensure they follow the guidance contained in this document.

Definitions

Children and Young People: include everyone under the age of 18.

Adults: References to 'adults' or 'volunteers' refer to any adult who is employed, commissioned or contracted to work with or on behalf of, children and young people, in either a paid or unpaid capacity.

Leaders & Managers: The term 'leader and/or manager' refers to those adults who have responsibility for managing services, including the supervision of employees and/or volunteers at any level.

Employer: The term 'employer' refers to the provider which employs, or contracts to use the services of individuals in pursuit of the goals of that organisation. In the context of this document, the term 'employer' is also taken to include 'employing' the unpaid services of volunteers.

Safeguarding: Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes (Keeping Children Safe in Education, 2014)

Duty of Care: The duty which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or young person involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children and young people in any capacity is considered, both legally and morally to owe them a duty of care.

¹Children Act 1989

How to Use the Document

This document is intended only to be guidance and does not have any statutory weight. However, where statutory guidance does exist in relation to a specific topic or practice, this is noted in the text.

This document is relevant to both individuals and organisations working with or on behalf of children and young people. Where an individual works independently and does not work as part of an organisation, references made to the 'senior manager' should be taken to refer to parents or those with parenting responsibilities.

Each section provides general guidance about a particular aspect of work undertaken with children and young people, and the right hand column shows specific guidance about which behaviours should be avoided and which are recommended. Some organisations may need to adapt or add to the guidance to meet their specific practices or contexts. This document has however, been written for a generic audience and most, if not all of the content, is applicable to all adults who work with children and young people.

The diagram in Appendix 1 illustrates how the guidance could be used as a basis for developing specific agency guidance. Appendix 2 provides a visual framework for understanding how the document fits with safer recruitment, selection, procedures and those which relate to disciplinary proceedings.

It is recommended that organisations and settings who provide services for children and young people use this guidance to develop and promote safer working practice by ensuring that all employees and volunteers are made aware of its contents and have access to it.

Incorporating the use of this document in recruitment and selection processes will help to prevent and deter unsuitable people from working with children and young people. Providing employees and volunteers with clear guidance on appointment and revisiting this through induction, supervision, performance management, training programmes etc., will also help to ensure a safer children and young people's workforce. Leaders, Managers and Governing Bodies will be better placed to deal with unsuitable or inappropriate behaviour if requirements and expectations have been made clear and reinforced throughout a person's employment and there is evidence that this has been done.

Individuals should follow this guidance in their day to day practice. It should also be referred to when taking on new work, different duties or additional responsibilities.

Guidance for Safer Working Practice

1. Context

All adults who work with children and young people have a crucial role to play in shaping their lives. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help adults working in all settings to establish safe and responsive environments which safeguard young people and reduce the risk of adults being unjustly accused of improper or unprofessional conduct.

This means that these guidelines:

- Apply to **all** adults working in all settings whatever their position, role, or responsibilities
- May provide guidance where an individual's suitability to work with children and young people has been called into question.

2. 'Unsuitability'²

The guidance contained in this document is an attempt to identify what behaviours are expected of adults who work with children and young people. Adults whose practice deviates from this guidance and/or their professional or employment-related code of conduct may bring into question their suitability to work with children and young people.

This means that adults should:

- Have a clear understanding about the nature and content of this document
- Discuss any uncertainties or confusion with their leader or line manager
- Understand what behaviours may call into question their suitability to continue to work with children and young people.

3. Duty of Care/Responsibilities

Everybody working with or on behalf of children and young people is accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

Whether working in a paid or voluntary capacity, these adults have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm and neglect. Children and young people have a right to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect.

The duty of care is in part, exercised through the development of respectful and caring relationships/boundaries between adults and children and young people. It is also exercised through the behaviour of the adult, which at all times should demonstrate

This means that adults should:

- Understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- Always act, and be seen to act, in the child or young person's best interests
- Avoid any conduct which would lead any reasonable person to question their motivation and intentions
- Take responsibility for their own actions and behaviour.

This means that employers should:

- Ensure that appropriate

² WT 2013 Chapter 6, page 153.

integrity, maturity and good judgement.

Everyone expects high standards of behaviour from adults who work with children and young people. When individuals accept such work, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers also have a duty of care towards their employees, both paid and unpaid, under the Health and Safety at Work Act 1974³. This requires them to provide a safe working environment for adults and provide guidance about safe working practices. Employers also have a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. Adults who are subject to an allegation should therefore be supported and the principles of natural justice applied.

The Health and Safety Act 1974 also imposes a duty on employees⁴ to take care of themselves and anyone else who may be affected by their actions or failings. An employer's duty of care and the adult's duty of care towards children and young people should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines.

4. Confidentiality and Information Sharing

Adults may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in the interests of the child and young person to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young person concerned.

If an adult who works with children and young people is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff or nominated children and young people protection officer. Any actions should be in line with locally agreed information sharing protocols.

Confidential information about a child or young person should never be used casually in conversation or shared with another person other than on a need-to-know basis. However in

safeguarding children and young people protection policies and procedures are adopted, implemented and monitored

- *Ensure that codes of conduct/practices are continually monitored and reviewed*
- *Ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures*
- *Foster a culture of openness and support*
- *Ensure that systems are in place for concerns to be raised*
- *Ensure that adults are not placed in situations which render them particularly vulnerable*
- *Ensure all adults have access to and understand this guidance and related, policies and procedures*
- *Ensure that all job descriptions and person specifications clearly identify the competences necessary to fulfil the duty of care.*

This means that adults:

- *Should be clear about when information can be shared and in what circumstances it is appropriate to do so*
- *Are expected to treat information they receive about children and young people in a discreet and confidential manner*
- *Should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them*
- *Need to know to whom any concerns or allegations should be reported*
- *Be familiar with LSCB child protection procedures and guidance.*

³ Health and Safety at Work Act 1974 Part I, Section. 2 (1) and (2)

⁴ Health and Safety at Work Act 1974 Part I, Section.7

circumstances where the child or young person's identity does need to be disclosed, the information should be used anonymously. This includes information through electronic devices.

Whilst adults need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising to keep secrets. Neither should they request this of a child or young person under any circumstances.

Additionally, concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay.

Further information regarding information sharing can be accessed through the Pan Lancashire Policies and Procedures using the link below:

<http://panlancashirescb.proceduresonline.com/index.htm>

5. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not inappropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of children and young people which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of children and young people in their charge. Such judgements, in these circumstances, should always be recorded and shared with a senior manager or if the adult does not work for an organisation, with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

Adults should always consider whether their actions are appropriate, necessary and in the best interests of the child or young person.

6. Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of

This means that where no specific guidance exists adults should:

- *Discuss the circumstances that informed their action, or their proposed action, with a designated senior person/designated safeguarding lead, or with the parent/carer if not working for an organisation*
- *Report any actions which could be mis-interpreted to their senior manager and designated senior person*
- *Always discuss any misunderstanding, accidents or threats with a senior manager*
- *Always record discussions and reasons why actions were taken*
- *Record any areas of disagreement about course of action taken and if necessary refer to a higher authority.*

This means that adults should not:

- *Use their position to gain access to information for their own or others' advantage*
- *Use their position to intimidate, bully, humiliate, threaten, coerce*

their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.⁵

A relationship between an adult and a child or young person cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a specified position of trust⁶ with a child or young person under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child and young person, or to cause or incite that child or young person to engage in or watch sexual activity.

7. Standards of Behaviour

All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicate an unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Adults in contact with children and young people should therefore understand and be aware, that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. This includes online and through communication technology.

In this ever increasingly technological world, adults working with

or undermine children and young people

- *Use their status and standing to form or promote relationships which are of a sexual nature, or which may become so.*

This means that adults should not:

- *Behave in a manner which would lead any reasonable person to question their suitability to work with children and young people or act as a role model.*
- *Make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such*
- *Use inappropriate language to or in the presence of pupils*
- *Discuss their personal or sexual relationships with or in the presence of pupils*
- *Make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such.*

This means that adults should:

- *Be aware that behaviour in their personal lives may impact upon*

⁵ Caring for Young People and the Vulnerable. Guidance for Preventing Abuse of Trust Home Office

⁶ Sexual Offences Act 2003. Sect 16-19 re-enacts and amends offence of abuse of position of trust

children and young people should be aware that the posting of online images, videos and comments relating to their behaviour in places other than work, may also raise concerns about their suitability to work with children and young people.

The behaviour of an adult's partner or other family members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to children and young people in the workplace.

their work with children and young people

- *Follow any codes of conduct deemed appropriate by their organisation*
- *Understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with children and young people.*

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However adults should dress in a way which is appropriate to their role and this may need to be different to how they dress when not at work.

Adults who work with children and young people should take care to ensure they are dressed appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

Staff and volunteers must remain professional and identifiable as practitioners.

This means that adults should wear clothing which:

- *Promotes a positive professional image*
- *Is appropriate to their role*
- *Is not likely to be viewed as offensive, revealing, or sexually provocative*
- *Does not distract, cause embarrassment or give rise to misunderstanding*
- *Is absent of any political or otherwise contentious slogans*
- *Is not considered to be discriminatory and is culturally sensitive*
- *Is compliant with professional standards.*

9. Personal Living Space

No child or young person should be in or invited into, the home⁷ of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and senior managers or the home has been designated by the organisation or regulatory body as a work place e.g. child minders, foster carers.

It is not appropriate for any other organisations to expect or request that private living space be used for work with children and young people.

This means that adults should:

- *Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*
- *Refuse any request for their accommodation to be used as an additional resource for the organisation*
- *Be mindful of the need to maintain professional boundaries*
- *Not ask children or young people to undertake jobs or errands for their personal benefit.*

⁷ This includes any home or domestic settings used or frequented by the adult

10. Gifts, Rewards and Favouritism

The giving of gifts or rewards to children and young people should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of children or young people, whilst in other situations the giving of a gift to an individual will be part of an agreed plan, recorded and discussed with senior managers and the parent or carer.

It is acknowledged that there are specific occasions when adults may wish to give a child or young person a personal gift. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it, with the senior manager and/or parent or carer and the action is recorded. Any gifts should be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom⁸ a young person.

Adults should exercise care when selecting children and young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny.

Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

11. Infatuations and Crushes

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with the designated senior person and parent/carer

This means that adults should:

- Be aware of their organisation's policy on the giving and receiving of gifts
- Ensure that gifts received or given in situations which may be misconstrued are declared
- Generally, only give gifts to an individual young person as part of an agreed reward system
- Where giving gifts other than as above, ensure that these are of insignificant value
- Ensure that all selection processes which concern children and young people are fair and that wherever practicable these are undertaken and agreed by more than one member of staff.

This means that adults should:

- Report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with an adult in the workplace
- Always acknowledge and maintain professional boundaries.

Senior Management should:

- Put action plans in place where

⁸ grooming' – the act of gaining the trust of a child or young person so that sexual abuse can take place.

so appropriate action can be taken to avoid any hurt, distress or embarrassment.

concerns are brought to their attention.

12. Communication with Children and Young People (including the use of technology)

Communication between children and young people and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, apps, web-cams, websites (including social media sites) and blogs. Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from children or young people, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should also be circumspect in their communications with children and young people so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to children and young people including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers. E-mail, messaging, video chat or text communications between an adult and a child or young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites and apps.

Internal e-mail systems and messaging should only be used in accordance with the organisation's policy.

Further information can be obtained from:

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

This means that the organisation should:

- *Have a communication policy which specifies acceptable and permissible modes of communication.*

This means that adults should:

- *Not give their personal contact details to children and young people, including their mobile telephone number and details of any blogs or personal websites*
- *Only use equipment e.g. mobile phones, provided by their organisation to communicate with children and young people, making sure that parents have given permission for this form of communication to be used*
- *Only make contact with children and young people for professional reasons and in accordance with any organisation policy*
- *Recognise that text messaging is rarely an appropriate response to a child or young person in a crisis situation or at risk of harm. It should only be used as a last resort when other forms of communication are not possible. Messaging, video chat and other forms of electronic communication should only be used as part of an agreed protocol either when other forms of communication are not possible or a valid educational reason has been established*
- *Be aware that where parents or children and young people are legitimately part of their social media circle, other members of the organisation and of the local community may access their content and be extra vigilant about what they and others post*
- *Not use internet or web-based*

communication channels to send personal messages to a child or young person

- *Ensure that if a social networking site is used, details are not shared with children and young people and privacy settings are set at maximum. Please note that once shared, liked or tagged a post is no longer only visible to friends.*

13. Social Contact

It is acknowledged that staff may have genuine friendships and social contact with parents of pupils, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse. It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Where social contact is an integral part of work duties, e.g. pastoral work in the community, care should be taken to maintain appropriate personal and professional boundaries. This also applies to social contacts made through interests outside of work or through the adult's own family or personal networks.

It is recognised that some adults may support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the adult for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.

14. Sexual Contact

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children and young people. Intimate or sexual relationships between a child or young person and the adult who works with them will be regarded as a grave breach of trust and is unacceptable and sometimes abusive. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age and sexual activity with a child could be a matter for criminal

This means that adults should:

- *Always approve any planned social contact with pupils or parents with senior colleagues, for example when it is part of a reward scheme*
- *Advise senior management of any regular social contact they have with a pupil which could give rise to concern*
- *Refrain from sending personal communication to pupils or parents unless agreed with senior managers*
- *Inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship*
- *Be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with a line manager.*
- *Understand that some communications may be called into question and need to be justified.*

This means that adults should not:

- *Have sexual relationships with children and young people*
- *Avoid any form of touch or comment which is, or may be considered to be, indecent*
- *Have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact*
- *Make sexual remarks to, or about, a*

and/or disciplinary procedures.

Children and young people are protected by specific legal provisions regardless of whether the child or young person consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children and young people to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children'⁹ defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child or young person is aware of what is happening".

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so sexual abuse can take place. Adults should be aware that consistently conferring inappropriate special attention and favour upon a child or young person might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

All staff should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed.

15. Physical Contact

Many jobs within the children and young people's workforce require physical contact with children and young people as part of their role. There are also occasions when it is entirely appropriate for other adults to have some physical contact with the child or young person with whom they are working. However, it is crucial that in all circumstances, adults should only touch children and young people in ways which are appropriate to their professional or agreed role and responsibilities.

Not all children and young people feel comfortable about physical contact, and adults should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a child or young person before physical contact is made. Where the child is very young, there should be a discussion with the parent or carer about what physical contact is acceptable and/or necessary.

When physical contact is made with a child or young person this

child/young person

- *Discuss their own sexual relationships with or in the presence of children and young people.*

This means that adults should:

- *Ensure that their relationships with children and young people clearly take place within the boundaries of a respectful professional relationship*
- *Take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.*

This means that adults should:

- *Be aware that even well intentioned physical contact may be misconstrued by the children and young people, an observer or by anyone to whom this action is described*
- *Never touch a child or young person in a way which may be considered indecent*
- *Always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*
- *Not indulge in 'horseplay'*
- *Always encourage children and young people, where possible, to undertake self-care tasks independently*
- *Work within Health and Safety regulations*

⁹ Working Together to Safeguard Children. (2013)

should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child or young person in one set of circumstances may be inappropriate in another, or with a different child or young person. Adults, nevertheless, should use their professional judgement at all times, observe and take note of the child or young person's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child or young person for the minimum time necessary.

Physical contact which occurs regularly with an individual child or young person is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a formally agreed plan or within the parameters of established, agreed and legal professional protocols on physical contact e.g. sport activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child or young person's needs, consistently applied and open to scrutiny.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If an adult believes that their action could be misinterpreted, or if an action is observed by another as being inappropriate or possibly abusive, the incident and circumstances should be reported to the senior manager outlined in the procedures for handling allegations and an appropriate record made. Parents/carers should also be informed in such circumstances.

Where a child or young person seeks or initiates inappropriate physical contact with an adult, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the child or young person and advice and support given to the adult concerned.

It is recognised that some children and young people who have experienced abuse may seek inappropriate physical contact. Adults should be particularly aware of this when it is known that a child or young person has suffered previous abuse or neglect. In the child and young person's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child or young person and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a leader/manager and the parent/carer.

- *Be aware of cultural or religious views about touching and always be sensitive to issues of gender*
- *Understand that physical contact in some circumstances can be easily misinterpreted.*

This means that organisations should:

- *Ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management*
- *Make adults aware of relevant professional or organisational guidance in respect of physical contact with children and young people in meeting their medical needs where appropriate*
- *Be explicit about what physical contact is appropriate for adults working in their setting.*

A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child. Pupils with disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

16. Other Activities that require Physical Contact

Adults who work in certain settings, for example sports drama or outdoor activities will have to initiate some physical contact with children and young people, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child or young person so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear to the parent/carer and once agreed, should be undertaken with the permission of the child/young person. Contact should be relevant to their age or understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the child or young person.

Guidance and protocols around safe and appropriate physical contact are provided by national organisations, for example sports governing bodies, major arts organisations, or the employing organisation and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent or carer.

It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, children and young people informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

17. Behaviour Management

All children and young people have a right to be treated with respect and dignity even in those circumstances where they

This means that adults should:

- *Treat children and young people with dignity and respect and avoid contact with intimate parts of the body*
- *Always explain to a child or young person the reason why contact is necessary and what form that contact will take*
- *Seek consent from parents where a child or young person is unable to do so because of a disability*
- *consider alternatives, where it is anticipated that a child or young person may misinterpret any such contact*
- *Be familiar with and follow recommended guidance and protocols*
- *Conduct activities where they can be seen by others*
- *Be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact.*

This means that organisations should:

- *Have up to date guidance and protocols on appropriate physical contact in place that promote safe practice and include clear expectations of behaviour and conduct.*
- *Ensure that staff are made aware of this guidance and that safe practice is continually promoted through supervision and training.*

This means that adults should:

- *Not use force as a form of*

display difficult or challenging behaviour.

Adults should not use any form of degrading treatment to punish a child or young person. The use of sarcasm, demeaning or insensitive comments towards children and young people is not acceptable in any situation. Any sanctions or rewards used should be part of a behaviour management policy which is widely publicised and regularly reviewed.

The use of corporal punishment is and smacking is unlawful in schools and early year's settings. Whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those adults who work with or on behalf of children and young people.

Where children and young people display difficult or challenging behaviour, adults must follow the behaviour policy outlined by their place of work, and use strategies appropriate to the circumstance and situation.

Where a child or young person has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the behaviour management policy of the organisation.

18. Use of Control and Physical Intervention

The circumstances in which adults working with children and young people can legitimately intervene by using either non-restrictive or restrictive physical interventions is a complex area. Adults and organisations must have regard to government guidance and legislation and the policies and practice of their specific organisation.

The use of physical intervention should be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child or young person, other children and young people or an adult, to prevent serious damage to property, or committing a criminal offense. When physical intervention is used it should be undertaken in such a way as to maintain the safety and dignity of all concerned.

Care staff in residential special schools which are also registered as children's homes are not permitted to use physical intervention to maintain good order or discipline and should refer to the Children's Homes Regulations (England) 2015 for information.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful.

punishment

- *Try to defuse situations before they escalate*
- *Inform parents of any behaviour management techniques used*
- *Adhere to the organisation's behaviour management policy*
- *Be mindful of factors which may impact upon a child or young person's behaviour e.g. bullying or abuse and where necessary take appropriate action*
- *Refer to national and local policy and guidance regarding Restrictive Physical Intervention (RPI)*
- *Be aware of the legislation and potential risks associated with the use of isolation and seclusion*
- *Comply with legislation and guidance in relation to human rights and restriction of liberty.*

This means that organisations should:

- *Have in place appropriate behaviour management policies*
- *Where appropriate, develop positive handling plans in respect of an individual child or young person.*

This means that adults should:

- *Adhere to the organisation's physical intervention policy*
- *Always seek to defuse situations*
- *Always use minimum force for the shortest period necessary*
- *Record and report as soon as possible after the event, any incident where physical intervention has been used.*

This means that organisations should:

- *Have a policy on the use of lawful physical intervention in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention*
- *Ensure that an effective recording system is in place which allows for incidents to be tracked and monitored*
- *Ensure adults are familiar with the*

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. Where the school or setting judges that a child's behaviour presents a serious risk to themselves or others, they must always put in place a robust risk assessment which is reviewed regularly and, where relevant, a physical intervention plan.

In all cases where physical intervention has taken place, it would be good practice to record the incident and subsequent actions and report these to a manager and the child's parents. (In a children's home it is a legal requirement to record such incidents.) Similarly, where it can be anticipated that physical intervention is likely to be required, a plan should be put in place which the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit settings to use unlawful physical intervention or deprive a pupil of their liberty

19. Children and young people in distress

For all adults working with children and young people there will be occasions when a distressed child or young person needs comfort and reassurance and this may involve physical contact. Young children in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child or young person in an age-appropriate way whilst maintaining clear professional boundaries.

Where adults are involved in managing significant or regular occurrences of distress and emotional upset, professional guidance should be followed. Adults should be aware of what is and what is not acceptable behaviour when comforting a child or young person or diffusing a situation. This is particularly important when working on a one-to-one basis.

Where an adult has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager and parents/carers.

20. Intimate Care

Some job responsibilities necessitate intimate physical contact with children and young people on a regular basis, for example assisting young children with toileting, providing intimate care for children and young people with disabilities or in the provision of medical care. The nature, circumstances and context of such

above

- *Ensure that staff are appropriately trained.*

This means the adult should:

- *Consider the way in which they offer comfort and reassurance to a distressed child or young person and do it in an age-appropriate way*
- *Be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances*
- *Follow professional guidance or code of practice where available*
- *Never touch a child or young person in a way which may be considered indecent*
- *Record and report situations which may give rise to concern from either party*
- *Not assume that all children and young people seek physical comfort if they are distressed.*

This means that adults should:

- *Adhere to the organisation's intimate care guidelines or code of practice*
- *Make other staff aware of the task being undertaken*

contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child or young person to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to senior managers and/or parents/carers.

All children and young people have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

The views of the child or young person should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child or young person, parents/carers and the organisation must be negotiated and recorded.

21. Personal Care and Supervision of Children and Young People (e.g. changing rooms)

Children and young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children and young people with whom they work.

22. First Aid and Administration of Medication

It is expected that adults working with children and young people should be aware of basic first aid techniques. It is not however, a contractual requirement and whilst adults may volunteer to undertake such tasks, they should be suitably trained and qualified before administering first aid and/or any agreed medication.

When administering first aid, wherever possible, adults should

- *Explain to the child or young person what is happening*
- *Consult with senior managers and parents/carers where any variation from agreed procedure/care plan is necessary*
- *Record the justification for any variations to the agreed procedure/care plan and share this information with parents/carers*
- *Ensure that any changes to the agreed care plan are discussed, agreed and recorded.*

This means that adults should:

- *Avoid any physical contact when children or young people are in a state of undress*
- *Avoid any visually intrusive behaviour*
- *Where there are changing rooms announce their intention to enter.*

This means that adults should not:

- *Change in the same place as children and young people*
- *Shower or bathe with children and young people*
- *Assist with any personal care task which a child or young person can undertake by themselves.*

This means that organisations should:

- *Ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced*

ensure that another adult is aware of the action being taken. Parents should always be informed when first aid has been administered.

In circumstances where children and young people need medication regularly a health care plan should have been established to ensure the safety and protection of children and young people and the adults who are working with them. Depending upon the age and understanding of the children and young people, they should where appropriate, be encouraged to self administer medication or treatment including, for example any ointment and inhalers.

intervention

- *Ensure there are trained and named individuals to undertake first aid responsibilities*
- *Ensure training is regularly monitored and updated*
- *Always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication.*

This means that adults should:

- *Adhere to the organisation's policy for administering first aid or medication*
- *Comply with the necessary reporting requirements*
- *Make other adults aware of the task being undertaken*
- *Explain to the child or young person what is happening.*
- *Always act and be seen to act in the child or young person's best interests*
- *Report and record any administration of first aid or medication*
- *Have regard to any health care plan which is in place*
- *Always ensure that an appropriate health/risk assessment is carried out prior to undertaking certain activities.*

23. One to One Situations

All organisations working with or on behalf of children and young people should consider one to one situations when drawing up their policies.

It is not realistic to state that one to one situations should never take place. It is however, appropriate to state that where there is a need, agreed with a leader/manager and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. This also applies to those adults who do not work as part of an agency or organisation but owe a duty of care to the children and young people because of the nature of their work.

Adults should be offered training and guidance for the use of any areas of the workplace which may place themselves or children and young people in vulnerable situations. This would include those situations where adults work directly with children and young people in unsupervised settings and/or isolated areas

This means that adults should:

- *Ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed*
- *Avoid meetings with a child or young person in remote, secluded areas*
- *Always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by*
- *Avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *Always report any situation where a child or young person becomes distressed or angry to a senior*

within community settings or in street-based projects for example.

One to one situations have the potential to make children and young people more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with children and young people may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of children and young people and the adults who work with them.

There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child or young person and the individual worker and any arrangements should be reviewed on a regular basis.

Meetings with a child or young person outside agreed working arrangements should not take place without the agreement of senior managers and parents or carers.

24. Home Visits

There are workers for whom home visits are an integral part of their work. In these circumstances it is essential that appropriate policies and related risk assessments are in place to safeguard children and young people and the adults who work with them.

A risk assessment should include an evaluation of any known factors regarding the child/young person, parents and others living in the household. Risk factors such as hostility, child protection concerns, complaints or grievances can make adults more vulnerable to an allegation. Specific consideration should be given to visits outside of 'office hours' or in remote or secluded locations. Following an assessment, appropriate risk management measures should be in place before visits are agreed. Where little or no information is available, visits should not be made alone. There will be occasions where risk assessments are not possible or not available, e.g. when emergency services are used. In these circumstances, a record must always be made of the circumstances and outcome of the home visit. Such records must always be available for scrutiny.

Under no circumstances should an adult visit children and young people in their home outside agreed work arrangements or invite a child or young person to their own home or that of a family member, colleague or friend. If in an emergency, such a one -off

colleague

- *Carefully consider the needs and circumstances of the child or young person when in one to one situations.*

This means that adults should:

- *Agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role e.g. social workers*
- *Adhere to agreed risk management strategies*
- *Always make detailed records including times of arrival and departure and work undertaken*
- *Ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate action is taken.*

This means that employers should:

- *Ensure that they have home visit and lone-working policies of which all adults are made aware. These should include arrangements for risk assessment and management*
- *Ensure that all visits are justified and recorded*
- *Ensure that adults are not exposed*

arrangement is required, the adult must have a prior discussion with a leader/manager and the parents or carers and a clear justification for such arrangement is agreed and recorded.

25. Transporting Children and Young People

There will be occasions when adults are expected or asked to transport children and young people as part of their duties. Adults, who are expected to use their own vehicles for transporting children and young people should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Adults should also be aware of current legislation and adhere to the use of car seats for younger children. Where adults transport children and young people in a vehicle which requires a specialist license/insurance e.g. PCV or LGV¹⁰- staff should ensure that they have an appropriate licence and insurance to drive such a vehicle.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child or young person at risk. Such circumstances must always be recorded and reported to a leader/manager and parents/carers.

26. Trips and Outings/Educational Visits

Adults should take particular care when supervising children and young people on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and

to unacceptable risk

- *Ensure that adults have access to a mobile telephone and an emergency contact person.*

This means that all organisations:

- *Should have appropriate policies for transporting children and young people.*

This means that adults should:

- *Plan and agree arrangements with all parties in advance*
- *Respond sensitively and flexibly where any concerns arise*
- *Take into account any specific or additional needs of the pupil*
- *Have an appropriate licence/permit for the vehicle*
- *Ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/or ability to drive*
- *Ensure that if they need to be alone with a pupil this is for the minimum time*
- *Be aware that the safety and welfare of the pupil is their responsibility until this is safely passed over to a parent/carer*
- *Report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures*
- *Ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven*
- *Ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified.*

This means that adults should:

- *Always have another adult present*

¹⁰ For further information see www.dvla.gov.uk

need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. .

Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/children and young people ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace.

Staff responsible for organising educational visits should be familiar with the Department for Education's advice on Health and Safety available at:

<https://www.gov.uk/government/publications/health-and-safety-advice-for-schools>

27. Photography and Videos

Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and wellbeing of children and young people. Informed written consent from parents or carers and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults need to remain sensitive to any child/ren or young people who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for adults to take photographs of children and

in out of workplace activities, unless otherwise agreed with a senior manager

- *Undertake risk assessments in line with their organisation's policy where applicable*
- *Have parental consent to the activity*
- *Ensure that their behaviour remains professional at all times(see section 7)*
- *Never share beds with a child/children and young people*
- *Not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with a senior manager, parents and children and young people*
- *Refer to local and national guidance for Educational visits, including exchange visits (both to the UK and abroad).*

This means that staff should:

- *Adhere to your establishment's policy*
- *Only publish images of pupils where they and their parent/carer have given explicit written consent to do so*
- *Only take images where the pupil is happy for them to do so*
- *Only retain images when there is a clear and agreed purpose for doing so*
- *Store images in an appropriate secure place in the school or setting*
- *Ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose*
- *Be able to justify images of pupils in their possession*
- *Avoid making images in one to one situations.*

This means that adults should not:

- *Take images of pupils for their personal use*
- *Display or distribute images of pupils unless they are sure that*

young people for their personal use.

For the protection of children, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- schools and settings should establish whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

they have parental consent to do so (and, where appropriate, consent from the child)

- *Take images of children using personal equipment*
- *Take images of children in a state of undress or semi-undress*
- *Take images of children which could be considered as indecent or sexual.*

28. Access to Inappropriate Images/video and Internet Usage

There are no circumstances that will justify adults possessing indecent images of children and young people. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children and young people. Accessing, making and storing indecent images/video of children and young people on the internet is illegal. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven.

This means that organisations should:

- *Have clear e-safety policies in place about access to and use of the internet*
- *Make guidance available to both adults and children about appropriate usage.*

Adults should not use equipment belonging to their organisation to access adult pornography. Neither should personal equipment containing these images/videos or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children and young people.

This means that adults should:

- *Follow their organisation's guidance on the use of IT equipment*
- *Report an accidental access to inappropriate sites*
- *Ensure that children and young people are not exposed to unsuitable material on the internet*
- *Ensure that any films or material shown to children and young people are age appropriate.*

Adults should take all reasonable precautions to ensure that children and young people are not exposed to any inappropriate images or web links. Organisations and adults need to ensure that internet equipment used by children and young people have the appropriate controls with regards to access. e.g. personal passwords should be kept confidential and appropriate filtering in place.

Where indecent images of children and young people or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Adults should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

Where indecent images or video are found in the possession of a child or young person this should be reported to the designated senior person. Staff should not attempt to investigate the matter further as this may place them in a vulnerable position. School

staff do have the right to delete files from a pupil's personal device but this could result in evidence being deleted. Instead they should inform their Headteacher.

29. Whistle blowing

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Adults who use whistleblowing procedure should be made aware that their employment rights are protected.

Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children and young people may be at risk.

This means that organisations should:

- *Ensure they have appropriate whistle-blowing policies in place*
- *Ensure that they have clear procedures for dealing with allegations against staff which are in line with their Local Safeguarding Children Board's procedures.*

This means that adults should:

- *Report any behaviour by colleagues that raises concern regardless of source.*

30. Sharing Concerns and Recording Incidents

Individuals should be aware of their organisation's children and young people protection procedures, including procedures for dealing with allegations against adults. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Adults who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a designated senior person, information should be clearly and promptly recorded and reported to the designated senior person immediately.

Adults should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children and young people so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children and young people.

This means that adults:

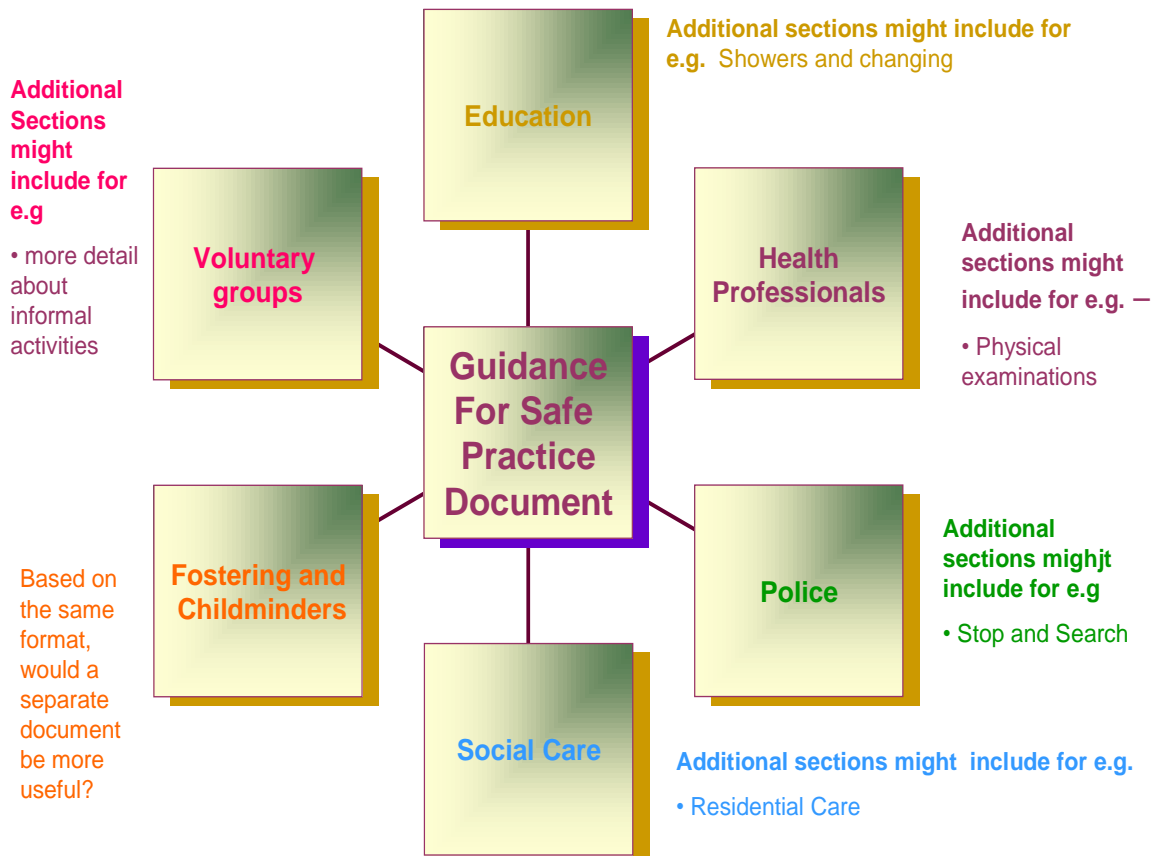
- *Should be familiar with their organisation's system for recording concerns*
- *Should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace*
- *Know how to contact the LADO and Ofsted/regulatory body directly if required.*

This means that organisations:

- *Should have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace.*

APPENDIX 1

This generic document can be used as a base upon which other disciplines/agencies develop specific guidance for adults working in specialised areas.



APPENDIX 2

This generic document can be used to support safer recruitment and selection practices, induction and on-going training programmes and where necessary, disciplinary and children and young people protection procedures.

