



The Moray Community Planning Partnership

CHILD PROTECTION and WELLBEING – REPORTING CONCERNS PROCEDURE

This procedure is available in different formats and languages on request.

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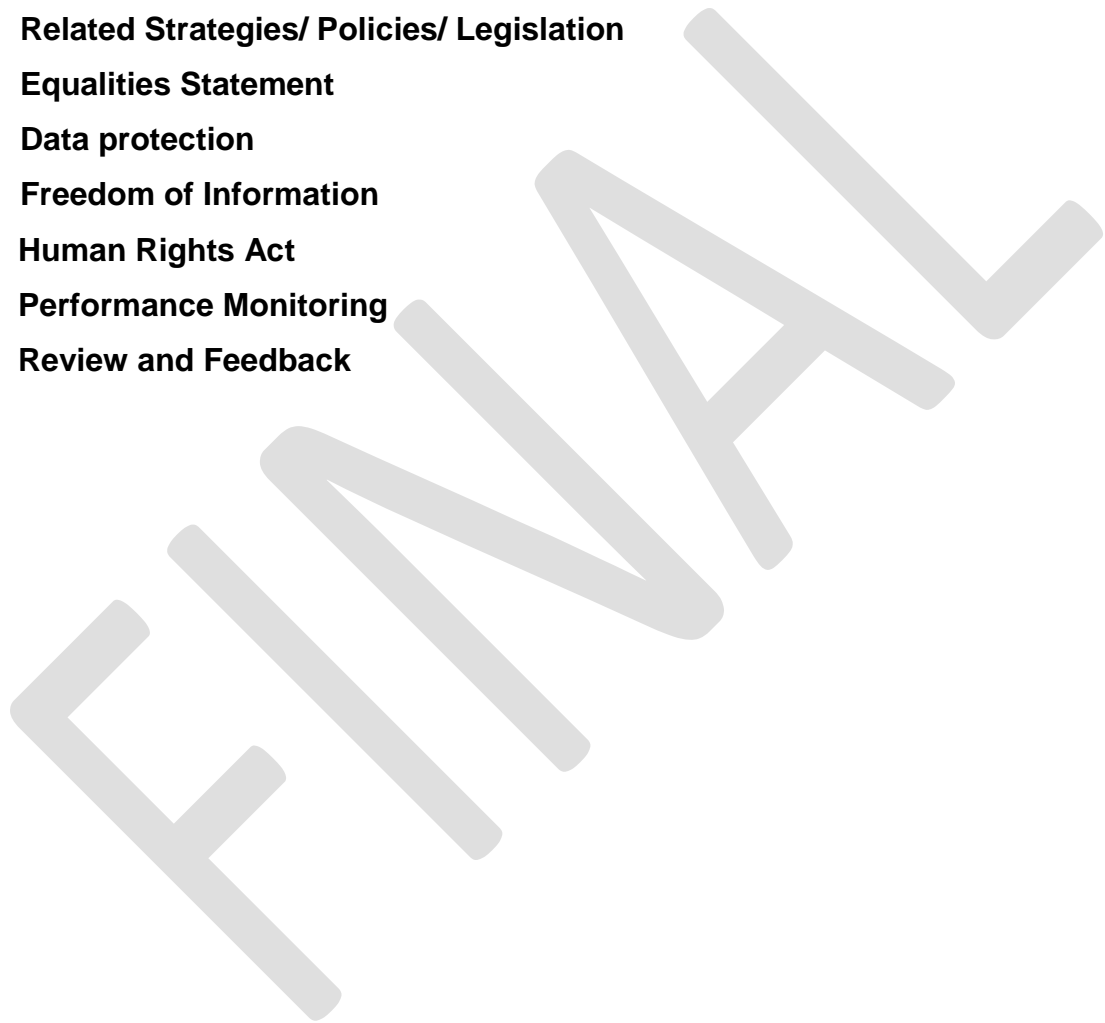
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1.0 Purpose

This procedure will ensure that all staff, elected members and volunteers are aware of the need to protect children from abuse and know how to respond should they have child protection or wellbeing concerns.

2.0 Who and Where this Procedure applies

This procedure is for all staff, elected members and volunteers within the Moray Community Planning Partnership in all settings.

3.0 Child Protection and Wellbeing Procedure

3.1 Child Protection Training

All staff, elected members and volunteers within the partner agencies of the Community Planning Partnership must have Child Protection Training. Service Managers must ensure that all those within their area of responsibility attend a level of training appropriate to their role.

Training can be accessed via [The Child Protection Partnership](#) or the Moray Learning and Development Group.

If support is required to identify the appropriate level of training or to deliver bespoke training, contact can be made with the Partnership Officer for Child Protection.

3.2 Responding to a Child Protection/Wellbeing Concern

This procedure should be amended to reflect the working practices of the individual service to ensure all staff, elected members and volunteers feel able to identify and report child protection and wellbeing concerns.

3.2.1 If anyone is concerned that a child may be being abused or at risk of significant harm, contact should be made with:

- Duty Social Worker 01343 563900 (Office hours)
- Out of Hours Social Work 01343 563900 or 03457 565656 (Outwith Office hours)
- Police 101

3.2.2 If the adult believes the child is at immediate risk of significant harm or abuse, they should attempt to remain within sight of the child and call 999, but should not put themselves in danger.

3.2.3 If the adult is not sure, they may wish to talk to their immediate line manager/supervisor/Child Protection Co-ordinator to seek their advice before contacting any of the above.

3.2.4 If it is believed that the child is NOT being abused or at risk of significant harm but there is a concern for their wellbeing eg they are not safe, healthy, nurtured, active, respected, responsible, included, contact should be made with the Integrated Children’s Service educationandsocialcare@moray.gov.uk or 01343 563374.

These concerns will be passed on to the child’s Named Person.

3.2.5 Concerns should be recorded in writing, as detailed as possible, including dates and times, and kept secure until they can be passed to the appropriate agency eg police or social work.

3.3 Responding when a child makes a disclosure

There may be times when a child tells an adult that they have been abused. In these circumstances:

3.3.1 Respond calmly and make time to actively listen to what is said

3.3.2 Never promise to keep a secret but maintain necessary level of confidentiality (i.e. only inform those who need to know)

3.3.3 Only ask questions if necessary to determine if there is a child protection concern

3.3.4 Explain that this information will be passed on to professionals who can help

3.3.5 Tell the young person that they have done the right thing in coming forward

3.3.6 Provide ongoing reassurance and support if required

3.3.7 Follow the above procedure to report the concern whether a child protection concern or a wellbeing concern.

These agencies will then give guidance and take the lead from this point onwards.

4.0 Definitions

Child Abuse: Child abuse is any action by another person, adult or child, that causes significant harm to a child. It can be physical, sexual or emotional

Child abuse signs may include:

- Unexplained bruising, or bruising in an unusual place
- Appearing afraid, quiet or withdrawn (for unknown reason)
- Afraid to go home
- Appearing constantly hungry, tired or untidy
- Being left unattended or unsupervised
- Having too much responsibility for their age
- Acting in a sexually inappropriate way
- Misusing drugs or alcohol
- Making a disclosure

Child protection: protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect . (National Guidance for Child Protection 2014)

Wellbeing: eight indicators are used to assess a child's wellbeing and identify any concerns. GIRFEC highlight the need for all children to feel Safe, Healthy, Nurtured, Active, Respected, Responsible, Included.

Child: a child is defined differently depending on the legislative context, but generally speaking a child is someone who has not attained the age of 16 years.

Parent: a parent is defined differently depending on the legislative context, but generally as any person who has the parental responsibilities for a child. Aside from a mother or father these can include foster and adoptive parents and carers, including those who may have substantial care of a child.

Named Person: a Named Person is the point of contact for children, young people, families, and for practitioners or members of the public, when they have a concern about a child or young person The Named Person has a responsibility to promote, support, and safeguard children's wellbeing. Until a child starts Primary School the Named Person will be the Health Visitor, from then until they are aged 18 the Named Person Service will be provided by the Local Authority (generally a Head Teacher for Primary and Guidance Staff for Secondary).

5.0 Responsibilities

- I. **Chief Officers** are responsible for ensuring that policies are in place to support the protections of children and young people along with training for all staff, elected members and volunteers.
- II. **Elected Members** have a responsibility to attend basic Child Protection training and be aware of how to respond to child protection and wellbeing concerns.
- III. **Heads of Service/ Service Managers** are responsible for ensuring that staff, elected members and volunteers within their nominated Service Area are made aware of this policy and have access to training and procedures which reflect how staff, elected members and volunteers within their service area will address any Child Protection or wellbeing concerns.
- IV. **All staff, elected members and volunteers** will ensure that they have undertaken Child Protection Training and are aware of the action they should take should regarding Child Protection or wellbeing concerns appropriate to their roles and responsibilities relating to their employment/ capacity.

6.0 Related Strategies/ Policies /Legislation

- Children and Young People (Scotland) Act 2014
- Children's Services Plan 2013-16
- CPCC Guidance
- Data Protection Act 1998
- Freedom of Information (Scotland) Act 2002
- Initial Referral Discussion Protocol
- Integrated Children's Services Plan 2015-16
- Moray 2023
- National Information Sharing Guidance 2014
- The Community Planning Partnership Child Protection and Wellbeing Policy
- The Human Rights Act 1998 and Equality Legislation

7.0 Equalities Statement

The Equality Act 2010 imposes a duty on public authorities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between groups who share a protected characteristic and those who don't. The protected characteristics under the Act are: sex, race, disability, pregnancy and maternity, religion or belief, sexual orientation, marriage and civil partnership and gender reassignment.

The Moray Community Planning Partnership (CPP) will not and does not discriminate on any grounds. The Moray CPP advocates and is committed to equalities and recognises its

responsibilities in this connection. The Moray CPP will ensure the fair treatment of all individuals and where any individual feels that they have been unfairly discriminated against, that individual shall have recourse against the individual partner to whom the concern relates to in line with the individual partners grievance and harassment procedures.

In relation to equality of information provision, the Moray CPP will ensure that all communications with individuals are in plain English, and shall publish all information and documentation in a variety of formats and languages. Where required, the Moray CPP will use the services of its translation team to enable effective communication between the Moray CPP and the individual. Where an individual has sight, hearing or other difficulties, the Moray CPP will arrange for information to be provided in the most appropriate format to meet that individual's needs. The Moray CPP will also ensure that there are no physical barriers that could prohibit face to face communications.

8.0 Data Protection

The Data Protection Act 1998 governs the way information is obtained, recorded, stored, used and destroyed. The Moray CPP complies with all the requirements of the Act and ensures that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. The Moray CPP will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

9.0 Freedom of Information

The purpose of the Freedom of Information (Scotland) Act 2002 is to "provide a right of access by the public to information held by public authorities". In terms of section 1 of the Act, the general entitlement is that a "person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". Information which a person is entitled to is the information held by the public authority at the time that the request is made. This is a complex area of the law that can overlap with the Data Protection Act and other legislation.

All Freedom of Information requests are to be sent to the relevant partner agency

10.0 Human Rights Act

In October 2007 the three equalities commissions: Racial Equality, Disability Rights and Equal Opportunities were merged to form one Commission: The Equality & Human Rights Commission (Scotland).

The main aspects covered in the Human Rights Act 1998 are:

Right to life; protection from torture; protection from slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, belief and religion; freedom of expression; freedom of assembly and association; right to marry; protection from discrimination; protection of property; right to education and right to free elections.

Public authorities must ensure that they don't act in breach of the Human Rights Act.

All parts of this policy and associated procedures will comply with the Human Rights Act.

11.0 Performance Monitoring

In order to comply with its service commitments, the Moray CPP sets performance standards in relation to its policies' and will monitor its achievement of these standards.

12.0 Review and Feedback

This policy will be reviewed on 1 September 2017 and every 2 years after that. Feedback can be sent to Stuart Lamberton, Partnership Officer for Child Protection, and will be included in the next review.