

**Document 6.3**

**CHILDREN AND VULNERABLE ADULTS**  
**SAFEGUARDING POLICY**

**Adopted 27 March 2017**

**Review by March 2019**

## **CHILDREN AND VULNERABLE ADULTS SAFEGUARDING POLICY**

### **1 Introduction**

1.1 Hertford Town Council makes a positive contribution to a strong and safe community and recognises the right of every individual to stay safe. Hertford Town Council comes into contact with children and / or vulnerable adults through the following activities:

- Undertaking a range of public events at Hertford Castle such as open air cinema, Teddy Bears' Picnic and Castle Open days
- Hiring out Hertford Castle and the Millbridge Rooms for private hire such as for weddings, parties and use by local organisations. These private hire events may be attended by children and/or vulnerable adults.

1.2 The following legislation is pertinent to this policy:

- Working together to safeguard Children 2010
- The Children Act 1989
- The Adoption and Children Act 2002:
- The Children act 2004
- Safeguarding Vulnerable Groups Act 2006
- Care Standards Act 2000
- Public Interest Disclosure Act 1998
- The Police Act – CRB 1997
- Mental Health Act 1983
- NHS and Community Care Act 1990
- Rehabilitation of Offenders Act 1974

1.2.1 The Town Council works hard to provide a safe environment for children vulnerable adults and the wider public to enjoy our facilities. As part of our commitment to that safe environment the Town Council acknowledges that we have a duty of care to the children and vulnerable adults using our services and facilities.

1.3 The Town Council will ensure that key officers working during events and in the Town and Tourist Information Centre have been DBS checked and received necessary safeguarding training, and that volunteers are not placed in a position where they may find themselves alone with children or vulnerable adults at Hertford Town Council events.

### **1.4 Definitions**

Definition of a child:

A child is under the age of 18 (as defined in the United Nations convention on the Rights of a Child).

#### Definition of Vulnerable Adults

A vulnerable adult is a person aged 18 years or over who may be unable to take care of themselves or protect themselves from harm or from being exploited.

This may include a person who:

- Is elderly and frail
- Has a mental illness including dementia
- Has a physical or sensory disability
- Has a learning disability
- Has a severe physical illness
- Is a substance misuser
- Is homeless.

## 2. **Objectives**

Safeguarding is about embedding practices throughout the organisation to ensure the protection of children and / or vulnerable adults wherever possible. In contrast, child and adult protection is about responding to circumstances that arise.

Abuse is a selfish act of oppression and injustice, exploitation and manipulation of power by those in a position of authority. This can be caused by those inflicting harm or those who fail to act to prevent harm. Abuse is not restricted to any socio-economic group, gender or culture.

It can take a number of forms, including the following:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Bullying
- Neglect
- Financial (or material) abuse

The objectives of Hertford Town Council, in relation to this policy, are:

1. To seek to safeguard and promote the interests, feelings and well being of children and vulnerable adults.
2. To take all reasonable steps to protect children and vulnerable adults from harm, degrading treatment or discrimination and in doing so respect their rights, wishes and feelings.

## 3. **Responsibilities of the Council**

3.1 The Council's Responsible Officer for Safeguarding is the Town Clerk. The Council has the following responsibilities:

- Develop and implement an appropriate policy (Town Council)
- Ensure the policy is accessible to the general public (Town Clerk)
- Ensure the policy is implemented (Town Clerk)
- Ensure the policy is monitored and reviewed (Town Council and Town Clerk)
- Ensure sufficient resources (time and money) are allocated to ensure that the policy can be effectively implemented (Town Council)
- Ensure Councillors, staff and volunteers have access to appropriate training/information (Town Clerk)
- Ensure staff concerns about safeguarding are responded to seriously, swiftly and appropriately (Town Clerk)

3.2 To assist in safeguarding and to respond to the legislation noted in Section 1.3 above the following policies are also in place:

- Grievance and disciplinary procedures – to address breaches of procedures/policies
- Whistleblowing –ability to inform on other staff/ practices within the organisation
- Health and Safety and Risk Assessments mitigating risk to staff and customers
- Equal Opportunities policy– ensuring safeguarding procedures are in line with this policy, in particular around discriminatory abuse and ensuring that the safeguarding policy and procedures are not discriminatory
- Data protection (how records are stored and access to those records)

#### **4. Process to Report Potential Abuse**

4.1 The Council recognises the difficulty of assessing a potential abuse situation. It is accepted that council staff are not experts in this field. However, all suspicions and or allegations of abuse must be taken seriously and responded to in a speedy and appropriate manner. Staff are therefore expected to discuss any concerns they have regarding the welfare of a child with their Line Manager. The Line Manager will then discuss these matters with the Town Clerk who will decide on the most appropriate course of action.

4.2 It is not the responsibility of Town Council employees to decide if abuse has occurred, however it is their responsibility to take action regardless of how small the concern.

4.3 Staff must avoid situations that compromise the proper relationship with children or vulnerable adults. Staff must also be aware that others might misinterpret actions, no matter how well intentioned.

4.4 If a situation of suspected abuse is reported, then the following process should be followed:

- Any member of staff (paid or unpaid) is required to report any concerns in the first instance to their line manager or Town Clerk.
- In all cases of emergency call 999
- Call Children's Services at Hertfordshire County Council on 0300 123 4043 (including out of hours)
- Contact Adult Social Care at Hertfordshire County Council on 0300 123 4042 (24 hours a day)
- Follow the advice provided and contact the Police if necessary.

4.5 As soon as possible the form attached to this policy should be completed. If a member of staff (paid or unpaid) feels unsure as to whether parents may be involved in a suspected abuse they should not approach the parents on the subject as this could place the child at further risk. This is a very difficult situation to assess. Therefore, advice should be sought from any of the above under such circumstances.

## **5. Allegations of Abuse Against Members of Staff**

5.1 The Council recognises that child abuse does occur in any setting where adults have access to children. It is essential that all staff involved with children and vulnerable adults are aware that all allegations are taken seriously and appropriate action taken.

5.2 It may be that the person is unclear whether allegations that are made constitute abuse or poor practice and are therefore unsure of the action to be taken. It is essential for this reason that the person in charge (usually the Line Manager) informs the Town Clerk of the situation and where necessary obtains advice from Social Services. It is possible that this may be just one of a series of instances of which the member of staff is unaware that could constitute something more serious.

5.3 It is acknowledged that any suggestion that a member of staff is or may be abusing a child or vulnerable adult will raise concerns amongst other staff, including the inherent difficulties in reporting such matters. However, it is important that any concerns for the welfare of a child/vulnerable adult arising from abuse or harassment by a member of staff should be reported immediately.

5.4 Hertford Town Council will fully support and protect anyone who, in good faith, reports his or her concern that a colleague is or may be abusing a child or vulnerable adult.

5.5 Any concerns must be discussed with the Town Clerk where the best course of action will be decided. It is crucial that allegations are taken seriously and any appropriate action taken to protect the welfare of the child or vulnerable adult.

5.6 Where there is a complaint of abuse against a member of staff, there are three types of investigation possible.

- A disciplinary or misconduct investigation.
- A criminal investigation.
- A child protection or vulnerable persons investigation.

If, following consideration by the person in charge, the allegation is clearly one about poor practice then the person in charge will deal with this situation as a misconduct issue.

If the allegation is one of poor practice against the person in charge, then the Town Clerk will decide how the matter will be dealt with and whether or not to initiate disciplinary proceedings.

If the allegation is one of abuse and/or one against the person in charge, then the Town Clerk must contact Hertfordshire County Council Social Services team and act upon their advice.

- 5.7 The Town Clerk must be informed immediately of any allegations of abuse made against a member of staff. They will then make an immediate decision as to whether the individual should be temporarily suspended from duty, as a neutral act, pending further investigations. The Town Clerk will keep the Leader of the Council advised at all times.
- 5.8 If the Town Clerk cannot be contacted, the next senior manager should send the individual concerned home on full pay and ask them to contact the Town Clerk by 12 noon the following day.
- 5.9 Irrespective of a Social Services or Police Investigation, the Town Clerk will assess all individual cases under the appropriate misconduct and disciplinary procedure to decide whether a member of staff can be reinstated and if so, how it can be handled with sensitivity.
- 5.10 In circumstances where there is insufficient evidence to uphold any action by the Police or Social Services, the Town Clerk, in consultation with the Leader of the Council, may reach a decision based on the information that is available which could suggest that, on the balance of probability (burden of proof required for civil prosecutions), it is more likely than not that the allegation is true. The welfare of children must remain paramount. Consideration will always be given to what support can be given to children, parents and members of staff.

## **6. Taking Photographs**

- 6.1 Camera phones, digital cameras and video create the opportunity for misuse. Therefore parental consent must be obtained wherever reasonably practicable before any child is photographed or filmed.

- 6.2 Any Councillor, member of staff, or volunteer wishing to record images of children
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or vulnerable adults at a Town Council event must:-

- Gain permission from the member of staff in charge of the event;
- For events at the Skate Board Park, Youth Council and at any youth event, ensure the photographic consent form has been completed;
- In addition, if possible, always get verbal permission from the parent or guardian prior to taking and publishing a photo at public events such as those organised by the Town Council in the Castle grounds. Other than presentations of awards avoid taking pictures of individual children and vulnerable adults.
- The member of staff taking photos should wear an ID badge or uniform which identifies them as part of the official event.

If in doubt do not take the photo or ensure that all participants are facing away from the camera.



**SAFEGUARDING INCIDENT REPORT FORM**

Your Name:

Position:

Name of Child/Vulnerable Adult:		Age:	
		Date of Birth:	
Any special factors e.g., disabled or non-English speaker			
Parents/Carers Names:			
Home Address:			
Telephone number:			
Date of incident:		Time of incident:	
Your observations:			
Exactly what the child or vulnerable adult said and what you said: (Remember, do not lead the child or vulnerable adult, record the actual details. Continue on separate sheet if necessary)			
Details of any actual evidence e.g. bruising, bleeding, physical, changes in behaviour of child or parent any indirect signs. Continue on separate sheet if necessary			

Action taken so far, if any:	
If you have spoken to the parents/guardian, what was said:	
Have there been allegations against anyone? If yes, provide details:	YES / NO
Have you consulted anyone else about this? If yes, provide details:	YES / NO
Are you reporting your own concerns or passing on those of somebody else? If someone else, please provide details:	
name of the officer you are handing the report to	position of the officer you are handing the report to

Date: .....

Signature of Reporting Officer: .....

Signature of Accepting Officer: .....

**Note**

Once both parties have signed the report the person submitting the form should retain a copy for future reference. All forms, correspondence and reports related to this matter should be held in strictest confidence and stored/filed in a secure cabinet with restricted access.



## Photographic Consent Form

To be used by persons appearing in photographs, films or videos

### PARENTAL CONSENT (PHOTOGRAPHS) FORM

Dear Parent,

By signing this form, you are giving consent for you, or the child or young person for whom you are responsible, to appear in photographs, films or videos which illustrate the work of Hertford Town Council.

Uses for photo's may include: displays and exhibitions; archives; our website; annual reviews; leaflets and posters produced for fundraising; leaflets and posters produced to illustrate our work; press releases in the Town Council news letter, Hertfordshire Mercury and other local press.

Although photographs will be used no child will be identified by name unless there is a specific press release concerning your child.

The photograph will not be used in any circumstance to illustrate sensitive subjects such as domestic violence or child runaways.

By signing the form parents/carers will be confirming that the child is not in any of the special circumstances outlined above.

Name of Child: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name of parent/guardian: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signature: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

Hertford Town Council recognises that you may wish to withdraw your consent for personal reasons. You can do this at any time by writing to us.