



Wild Sparks Child Protection Policy

Updated January 2019



Child Protection Policy

WILD SPARKS OUTDOOR PLAY is committed to creating a safe environment for children, young people and adults. We recognise our moral and legal obligations to protect children and will ensure that members will take all reasonable steps to promote safe practice and to protect children from harm, abuse, and exploitation.

Our Policy is based on the following principles:

1. The welfare of children is always the paramount consideration.
2. All children have the right to be protected from abuse regardless of their age, culture, ability, gender, language, racial origin, socio-economic status, religious belief and / or sexual identity.
3. Protecting children and young people is everybody's responsibility.
4. All children have a right to express their views on matters affecting them and these views should be taken into account when making decisions in relation to children.

We will:

- Treat everyone with respect.
- Respect and promote the rights, wishes and feelings of children.
- Provide time for children to talk to us and listen to what they say.
- Encourage children to respect and care for others.
- Keep a register of every child involved with the group including relevant medical details and have a contact name and number on record in case of emergencies.
- Respect confidentiality and only share information/concerns with the people who need to know in order to protect the child having regard to the provisions of the Data Protection Legislation.
- Recruit, train and supervise those who work (paid and unpaid) using the Procedure for Safe Recruitment.
- Take action to stop any inappropriate verbal or physical behaviour including bullying.
- Take all concerns/allegations seriously and respond appropriately in line with these and Angus/Perthshire Council's Child Protection Procedures. We will refer, **not** investigate, investigation being the responsibility of other professional agencies.
- Encourage parents and carers to become involved in the organisation and, when requested, provide them with copies of all guidelines and procedures.

Review:

This Policy will be monitored and reviewed on the following occasions:

1. When there is a change in legislation or guidance on the protection of children or changes within **WILD SPARKS OUTDOOR PLAY**.
2. Following any issues or concerns raised about the protection of children in this organisation.
3. In all other circumstances, at least annually.



Code of Conduct

All staff should:

- Always put the care, welfare and safety needs of a child as paramount consideration.
- Respect a child's right to be involved in making choices and decisions which directly affect him / her.
- Respect a child's culture (e.g. faith and religious beliefs) and right to privacy.
- Respond sensitively to children who seem anxious about participating in certain activities.
- Speak to someone in charge immediately if worried about a child.
- Be aware of and sensitive to the vulnerabilities of some children taking account of minority backgrounds, including disability or social, emotional, behavioural conditions.
- Be open minded and innovative in working with disabled children and seek ways to help them be fully integrated and included.
- Avoid being in 1:1 scenarios with children. Ensure that when working with children you are at least within sight and hearing of others.
- Listen carefully to any child who 'tells you' they are being harmed and report this immediately to the person in charge / Child Protection Officer.
- Be vigilant for other signs of abuse (see page 4, signs & definitions of abuse) and share your concerns with the person in charge.
- Never dismiss what a child tells you as 'lies' or exaggeration.
- Always set an example you would wish others to follow.
- Always give constructive feedback and not negative criticism to children.
- Always ensure that people who have relevant training and qualifications in that field administer first aid.
- Remember that all behaviour, especially negative behaviour, represents a need, that may not be immediately apparent, and should be responded to sensitively.

You should not:

- Exaggerate or trivialise another member's concern about a child or ignore allegations or suspicion of abuse.
- Discuss personal issues about a child or their family with others except the Child Protection Officer where you are concerned about the child's well-being.
- Make derogatory remarks, gestures or use inappropriate language in front of children.
- Allow a child to be bullied or harmed by anyone in the organisation.
- Allow children to swear or use sexualised language unchallenged.
- Allow yourself to get wound up by children or engage in arguments with them. Remain calm and remove yourself from a situation which you find stressful.

You must never:

- Hit, push or grab a child or young person.
- Engage in sexually provocative games, including horseplay.
- Allow others or yourself to engage in touching a child in a sexually provocative way.
- Make sexually suggestive comments to a child, even in fun.
- Engage in rough physical contact with a child unless it is permitted within the rules of the game/activity or conforms to guidance on appropriate physical restraint.
- Form intimate physical or emotional relationships with children.
- Harass or intimidate a child or worker / volunteer, particularly because of their age, race, gender, sexual orientation, religious belief, socio-economic class or disability.
- Invite or allow children to stay with you at your home in the context of your role within the organisation.



Bullying

Bullying is a form of abuse. It may be seen as particularly hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. Children, young people and adults can all be responsible for bullying.

Bullying can take many forms including:

- **Physical** e.g. hitting, kicking, theft.
- **Emotional** e.g. isolating a child from the activities.
- **Verbal** e.g. threats or name-calling.
- **Harassment** e.g. using abusive or insulting behaviour in a manner intended to cause alarm or distress.

Bullying can be difficult to identify because it often happens away from others and victims do not often tell. There can be signs which indicate a child is being bullied. These signs include:

The child or young person may:

- Hesitate to come to the group or is reluctant to be with particular individuals.
- Often be the last one picked for a team or gets picked on.
- Have clothing or personal possessions go missing or damaged.
- Have bruising or some other injury, become uncharacteristically nervous / withdrawn or aggressive.

Helping the child or young person:

- Take bullying seriously. Ensure the child is safe.
- Encourage all children to speak and share their concerns.
- Reassure the victim that you can be trusted and will help, although you cannot promise to tell no one else.
- Keep records of what is said i.e. what happened, by whom and when.
- Report any concerns to the person in charge at the organisation where the bullying is occurring.

Action towards the bully:

- Try to help the bully to understand the consequences of his / her behaviour and seek an apology from the bully.
- Inform the bully's parents / guardians and impose sanctions as necessary.
- Encourage and support the bully to change behaviour.

When actions are not bullying

It is important to recognise that children will, from time to time, fall out and have arguments. This may result in some undesirable behaviour such as name calling, refusing to play together or grabbing another's toy. Such behaviour does not (in isolation) constitute bullying. It is normal amongst children who should be given the chance to sort out their own differences. All children should be aware and regularly reminded of behavioural expectations and boundaries, which should be reinforced and modelled by adult staff as standard practice.



Abuse

There are many different forms of abuse, but for ease of use by agencies these are combined into four major categories. The following is for guidance only and is not a definitive list.

Physical Abuse

Physical abuse is caused by an action which results in physical harm being done to a child or young person. The harm may be caused by an individual being:

- Hit
- Shaken
- Thrown
- Poisoned
- Burnt or scalded
- Drowned
- Suffocated

Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health in a child or young person who they are looking after. This situation is commonly described using terms such as 'factitious or fabricated illness' or 'Munchausen's Syndrome by proxy'.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not they are aware of what is happening. The sexual activities may involve:

- Physical contact, including penetrative acts, i.e. rape or buggery.
- Physical contact, including non-penetrative acts, i.e. fondling.
- Non contact activities, such as, involving a child/young person in looking at, or in the production of, pornographic material or in watching sexual activities.
- Encouraging or forcing a child or young person to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child or young person's basic physical and/or psychological needs, which is likely to result in the serious impairment of their health or development. Neglect may involve:

- A parent/carer failing to provide adequate food, shelter and clothing.
- A parent/carer failing to protect a child or young person from physical harm or danger.
- A parent/carer failing to ensure that a child or young person has access to appropriate medical care or treatment.
- A parent/carer's neglect of, or unresponsiveness to, a child or young person's basic emotional needs, e.g. nurturing, emotional security, reassurance, encouragement.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child or young person, causing severe and persistent adverse effects on their emotional development. Emotional abuse may involve:

- Conveying to a child/young person that they are worthless, inadequate, unlovable or unloved.
- Conveying to a child/young person that they have value only insofar as they meet the needs of another person and not as the person that they are.
- The imposition of inappropriate age or developmental expectations on a child/young person.
- Causing a child or young person to frequently feel frightened or in danger.
- The exploitation or corruption of a child or young person.



Parent/carer's responses or behaviour

Research and experience indicates that the following responses from parents may suggest a cause for concern across all four categories:

- An unexpected delay in seeking treatment that is obviously needed
- An unawareness or denial of any injury, pain or loss of function (for example, a fractured limb)
- Incompatible explanations offered, several different explanations or the child is said to have acted in a way that is inappropriate to her/his age and development
- Reluctance to give information or failure to mention other known relevant injuries
- Frequent presentation of minor injuries
- Unrealistic expectations or constant complaints about the child
- Alcohol misuse or other drug/substance misuse
- Parents request removal of the child from home
- Violence between adults in the household

Disabled Children

When working with children with disabilities, practitioners need to be aware that additional possible indicators of abuse and/or neglect may also include:

- A bruise in a site that might not be of concern on an ambulant child such as the shin, might be of concern on a non-mobile child
- Not getting enough help with feeding leading to malnourishment
- Poor toileting arrangements
- Lack of stimulation
- Unjustified and/or excessive use of restraint
- Rough handling, extreme behaviour modification e.g. deprivation of liquid medication, food or clothing, disabling wheelchair batteries
- Unwillingness to try to learn a child's means of communication
- Ill-fitting equipment e.g. callipers, sleep boards, inappropriate splinting;
- Misappropriation of a child's finances
- Invasive procedures



Allegations and Suspicions of Abuse

Any incident of alleged or suspected abuse must be reported firstly to the person in charge and then to the appropriate agencies to investigate (See Appendix 5 for local agency contacts)

If you receive information alleging abuse or are suspicious that abuse has occurred, follow the procedure below. **Never** actively seek cases of abuse.

If you have any concerns about how to act on allegations or suspicions of abuse, or generally about child protection issues, contact the person in charge.

Responding to Allegations of Abuse

Although false allegations do occur, it is important immediate action is taken when information is received suggesting a case of abuse might have or is occurring.

If you receive information concerning suspected abuse, **Always:**

- React calmly and quietly.
- Take the allegation seriously.
- Say little and give time for the other person to talk.
- Keep questions to an absolute minimum and only to confirm what you have been told, do not probe or lead.
- Make it clear you will have to tell someone if you feel they are at risk of harm.
- Make a full record of what has been said as soon as possible. Use the proforma in Appendix 5

You should **not:**

- Panic.
- Show shock or distaste.
- Speculate or make assumptions.
- Make negative comments.
- Approach the alleged abuser.
- Make promises to keep secrets.
- Make promises you cannot keep.

Complete a written record of the allegation and your actions, pass this to the person in charge. This information will then be passed on to the local Social Services Child Protection Team.

If the alleged 'abuser' is a WILD SPARKS member of staff the **Disciplinary Procedure** must be followed (this could involve suspension, depending on the nature of the allegation).

Responding to Suspicions of Abuse

If you suspect abuse of a child or young person, complete a written record of your suspicions and actions, pass this to the person in charge. Suspicion may result from:

- An allegation by a child, young person or adult.
- A member of staff observes a change in behaviour in a child or young person.
- A member of staff observes physical damage to a child or young person.
- A child or young person demonstrates inappropriate sexual knowledge for their age.



Appendix 1: Personal Profile Form

Organisation's Name: _____

Personal Details:

Title: _____ Forename: _____ Surname: _____

Date of Birth: _____ Tel No: _____

Address: _____

Currently Employed Yes / No Occupation: _____

PVG Scheme record number (if applicable): _____

Qualifications / Training – Please enter details of any qualifications or training courses you have attended which are relevant to caring for or working with children and young people.

Date(s)	Title of Qualification / Training	Subjects Studied	Length of Course	Name of Organisation

Experience – Please give details of experience of working with under 18's or vulnerable people.

Detail previous experience of your work with young people under the age of 18?	In what capacity?	Between which dates?
Other comments:		

Referees – Please provide the names and addresses of TWO responsible persons for reference purposes. Referees should not be related to you and, where possible, should have knowledge of your ability to care for or be in the proximity of children. All references will be taken up. You should secure prior agreement of referees before providing their names.

Referee 1:	Referee 2:
Name: _____	Name: _____
Address: _____	Address: _____
Postcode: _____	Postcode: _____

Declaration – I have read and understand the organisation's Child Protection Policy and agree to an Enhanced Disclosure Scotland check. I agree to inform the organisation of any change in my circumstances. I confirm that I am not disqualified from working with children as set out within S17 of the Protection of Children (Scotland) Act 2003. I understand that deliberately giving false information in respect of my personal profile can lead to prosecution.

Signature: _____ Date: _____



Appendix 2: Self-Declaration From

Rehabilitation of Offenders' Act 1974

The provisions of the Rehabilitation of Offenders' Act 1974 makes it unlawful for employers, or prospective employers, to take into account offences in relation to which the person concerned is deemed to be rehabilitated (for details see over page). However the provisions the rehabilitation of Children's Act (Exclusions and Exceptions) (Scotland) order 2003 apply and any positions involving working with children are excepted from the Act.

All sections of this form must be completed. The completed and signed form should be returned in a sealed in an envelope separate to the Personal Profile. The envelope shall only be opened if you are considered for interview / discussion.

Section A

First Name:

Last Name:

Date of Birth:

Place of Birth:

Section B

- (a) If you have no previous convictions and do not have a court appearance pending, please tick this box and go straight to the DECLARATION section below.

☐

- (b) If you have had a previous conviction, or if you have a court appearance pending, please supply details below.

Date	Court	Details of Offence	Sentence

DECLARATION

- I have read the advisory note overleaf.
- I have not withheld any information that may affect my application for appointment.
- I understand that false information or omissions may lead to my dismissal / withdrawal of offer.
- The information supplied above may be verified by **WILD SPARKS OUTDOOR PLAY**.
- I am not listed on the Disqualified from Working with Children List specified in the Protection of Children (Scotland) Act 2003.

Signature:

Date:



How long is a Rehabilitation Period?

This depends on the sentence given. For a custodial sentence, the length of time actually served is irrelevant, the rehabilitation period is decided by the original sentence and commences on the date of conviction.

CUSTODIAL SENTENCES OF MORE THAN 2½ YEARS CAN NEVER BECOME SPENT

Other sentences become spent after fixed periods from the date of conviction. Here are some examples:-

SENTENCE	REHABILITATION PERIOD	
	People aged 17 or over when convicted	People under 17 when convicted
Prison or youth custody	10 years	5 years
Prison or youth custody 6 months or less	7 years	3½ years
Fine or community service order	5 years	2½ years
Absolute discharge	6 months	6 months
There are 2 sentences for people under 21 for which there is no variation in the rehabilitation period according to age when convicted. These are:		
Borstal (replaced by youth custody in May 1983)	7 years	
Detention Centres	3 years	



Appendix 3: Recruitment Checklist

Name of Organisation: WILD SPARKS OUTDOOR PLAY
 Name of Volunteer / Employee: _____

This checklist and a Personal Profile Form must be completed for all new volunteers / employees in your organisation who could be seen to occupy a 'child care position'.

		Y	N
1.	Have you explained the need for vetting to the volunteer / employee?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Have you given the volunteer / employee an opportunity to read your Child Protection Policy and discussed any issues arising out of this with him / her?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Have you set up a personnel file for the potential volunteer / employee?	<input type="checkbox"/>	<input type="checkbox"/>
4.	Has the volunteer / employee completed a Personal Profile form? (please attach the completed form to this check list)	<input type="checkbox"/>	<input type="checkbox"/>
5.	Have you carried out the appropriate vetting, including Enhanced Disclosure Scotland checks where required	<input type="checkbox"/>	<input type="checkbox"/>
6.	Were the results satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>
7.	Have you taken up two written references? (please attach the references to this checklist)	<input type="checkbox"/>	<input type="checkbox"/>
8.	Has the above individual been approved as a volunteer / employee with your organisation? (You must be able to answer YES to questions 1 – 8 before signing this form)	<input type="checkbox"/>	<input type="checkbox"/>
9.	The individual has produced the following forms of identification (at least two forms, one of which must be photographic)		

Print Name:

Signature:

Position in Organisation:

Date:



Policy on the recruitment of ex-offenders

We will treat any applicant for any position (paid or voluntary) within our organisation fairly and not discriminate unfairly against the subject of a Disclosure Scotland check on the basis of conviction or other information revealed.

We will request a Standard or Enhanced Disclosure Scotland check only where it is necessary and relevant to the position sought.

Where a position requires a Disclosure Scotland check we will make this clear on the application form, job advert, and any other information provided about the post.

At interview / discussion we will ensure that open and measured discussions can take place on the subject of offences.

Failure to reveal information at interview / discussion, that is directly relevant to the position sought, could lead to withdrawal of an offer of a position (paid and unpaid).

At interview / discussion or when receiving a Disclosure Scotland check which shows a conviction, we will take into consideration:

- Whether the conviction is relevant to the position being offered.
- The seriousness of the offence revealed.
- The length of time since the offence took place.
- Whether the applicant has a pattern of offending behaviour.
- Whether the applicant's circumstances have changed since offending took place.

We will ensure that all our members (staff or volunteers) involved in the recruitment process are aware of this policy and have received relevant training and support.

All applicants for posts that require a Disclosure Scotland check will receive a copy of this policy and the Disclosure Scotland Code of Practice.



Appendix 4:

Policy on the secure handling, use, storage and retention of Disclosure information

In accordance with the Scottish Executive Code of Practice, for registered persons and other recipients of Disclosure Information, we will ensure the following practice.

- Disclosure Scotland checks will only be requested when necessary and relevant to a particular post and the information provided on a disclosure certificate will only be used for recruitment purposes.
- We will ensure that an individual consents before using disclosure information for any purpose other than recruitment.
- Disclosure information will only be shared with those authorised to see it in the course of their duties.
- Where additional disclosure information is provided to our lead signatory and not to the disclosure applicant, our designated signatory will not disclose this information to the applicant, but will inform them that additional information has been provided, should this information affect the recruitment decision.
- Disclosure information will be stored in a locked non-portable container, for a maximum of six months. Only those authorised to see this information in the course of their duties will have access to this container.
- Disclosure information will be destroyed by shredding.
- No image or photocopy of the disclosure information will be made however, the following details may be retained :-

Date of issue of disclosure

Name of subject

Disclosure type

Position for which disclosure was requested

Unique reference number of disclosure

Recruitment decision taken

- We will ensure that those with access to disclosure information are aware of this policy and have received relevant training and support.
- We will make a copy of this policy available to any applicant for a post (paid or voluntary) with us that requires a disclosure.



Appendix 5: Child Protection Pro-Forma

To be completed **as soon as possible** after concern reported / incident

Organisation: WILD SPARKS OUTDOOR PLAY Date: _____

Name of Child: _____ D.O.B. _____

Cause for Concern: What created your concern? Was it a verbal disclosure from a child or was it observed physical or behavioural indicators?

Directly Observed – Information from other sources: Was this observed personally? Or was it information passed to you from a colleague, parent etc?

Evidence – Possible Signs of Abuse: Written and / or illustrated: Was this observed, physical signs or behavioural indicators? Provide information of the affected area etc.

Child's Disclosure: What did the child say to you? Record the child's own words.



Your Response: How did you react? Did you take time to speak to the child? What did you say to the child? (This provides evidence of the language used with the child and evidence of not using leading questions)

Parent / Carer Response: What did the parent say when you informed them of the situation? Remain objective of the situation and do not make a judgement of the parent's response. Information must be factual.
Parents will only be spoken to if they have not been allegedly involved in the suspected abuse.

Action Agreed: What action will be taken and who has agreed this?

Print Name:

Signature:

Position:

Date:

Perth & Kinross Child Protection Duty Team, Tel 01738 476768 (manned 24 hours per day)
Police Scotland Public Protection Unit, (Tayside Division): 101 (Or 999 in an emergency)



What next? INFORMATION-SHARING AND RECORDING

Sharing appropriate information is an essential component of child protection and care activity. To secure the best outcomes for children, practitioners need to understand when it is appropriate to seek or share information, how much information to share and what to do with that information. Practitioners also need to consider from and with whom information can, and should, be sought and/or shared. This applies not only between different agencies, but also within agencies. At the same time, children and their families have a right to know when information about them is being shared. Where possible, their consent should be sought, unless doing so would increase the risk to a child or others, or prejudice any subsequent investigation.

Information-sharing for child protection: general principles

- The safety, welfare and well-being of a child are of central importance when making decisions to lawfully share information with or about them.
- Children have a right to express their views and have them taken into account when decisions are made about what should happen to them.
- The reasons why information needs to be shared and particular actions taken should be communicated openly and honestly with children and, where appropriate, their families.
- In general, information will normally only be shared with the consent of the child (depending on age and maturity). However, where there are concerns that seeking consent would increase the risk to a child or others or prejudice any subsequent investigation, information may need to be shared without consent.
- At all times, information shared should be relevant, necessary and proportionate to the circumstances of the child, and limited to those who need to know.
- When gathering information about possible risks to a child, information should be sought from all relevant sources, including services that may be involved with other family members. Relevant historical information should also be taken into account.
- When information is shared, a record should be made of when it was shared, with whom, for what purpose, in what form and whether it was disclosed with or without informed consent. Similarly, any decision not to share information should also be recorded.
- Agencies should provide clear guidance for practitioners on sharing information. This should include advice on sharing information about adults who may pose a risk to children, dealing with disputes over information sharing and clear policies on whistle-blowing.

Confidentiality and consent

Privacy and confidentiality is governed by legal provisions that aim to safeguard personal information, particularly:

- the UN Convention on the Rights of the Child (1989);
- the Human Rights Act 1998;
- the Data Protection Act 1998; and
- professional codes of conduct.



90. The same legal provisions also provide for sharing of information for purposes such as public protection, crime prevention and crime detection.

91. Where agencies are acting in fulfilment of their statutory duties, it is not necessary or appropriate to seek consent – for example, where a referral is made to

the Reporter under the Children (Scotland) Act 1995 or where a report is provided by

the local authority in the course of an investigation by the Reporter under the Act. In

such instances, the consent of a child and/or parents should not need to be sought

prior to the submission of a report.

92. There is an important distinction between making the child aware that information will/may be shared and seeking their consent for that sharing.

93. If a child is considered to be at risk of harm, relevant information must always be shared.

94. The application of this principle can be highly sensitive, particularly where children and young people make use of a service on the basis of its confidentiality.

Good examples of this are helplines set up to support children and young people, such as ChildLine. Many young people need the time and space that such confidential services can offer to talk about their problems with someone who can listen and advise without necessarily having to refer. However, on some occasions,

this contract of confidentiality can be suspended if the information received concerns

life-threatening situations, risk to other children, adult abusers and/or abuse by an adult in authority.

