



Child Protection & Safeguarding Policy

Effective Date: 01 January 2022

1. Introduction

Platinum Academy of Performing Arts (“Platinum Academy”, “we”, “us” or “our”) offers full time training for actors, dancers, performers, choreographers and upcoming artistic teachers with our Level 3 and Level 4 qualifications.

We admit students into our Academy from the age of 16. It is, therefore, why we have set out in this document our policy and procedures to ensure a safe, creative learning environment for children, young people and vulnerable adults who are part of our Academy community. We believe that all individuals have a right to learn and develop within a safe environment and we are committed to protecting young people and vulnerable adults from harm. Platinum Academy of Performing Arts also recognises its responsibilities to protect staff, students and volunteers against unfounded allegations of abuse.

This policy aims to ensure that young people and vulnerable adults, and all those who work with them, are safe and supported within the Academy and its organised activities.

If you have any comments or questions about this Child Protection and Safeguarding Policy, feel free to contact us at admin@platinumacademy.co.uk

2. Policy Statement

Platinum Academy of Performing Arts acknowledges the duty of care to safeguard and promote the welfare of children and vulnerable adults and is committed to ensuring that its safeguarding practice reflects statutory responsibilities, government guidance and complies with best practice.

This policy recognises that the welfare and interests of children and vulnerable adults are paramount in all circumstances. It aims to ensure that regardless of age, gender, religion or belief, ethnicity, disability, sexual orientation, marital status or socio-economic background, all children and vulnerable adults:

- have a positive and enjoyable experience of learning at Platinum Academy of Performing Arts in a safe and student-centred environment;
- are protected from abuse whilst participating activity at Platinum Academy of Performing Arts or in Platinum Academy led activity conducted off-site.

We also acknowledge that some children and vulnerable adults, including disabled and people or those from ethnic minority communities, can be particularly vulnerable to abuse and we accept the responsibility to take reasonable and appropriate steps to ensure their welfare.

As part of our Child Protection and Safeguarding Policy, Platinum Academy of Performing Arts will:

- promote and prioritise the safety and wellbeing of children and young people;
- ensure everyone understands their roles and responsibilities in respect of safeguarding and is provided with appropriate learning opportunities to recognise, identify and respond to signs of abuse, neglect and other safeguarding concerns relating to children and young people;
- ensure appropriate action is taken in the event of incidents/concerns of abuse or risk of harm and support provided to the individual/s that raise or disclose the concern;
- ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored;
- prevent the employment/deployment of unsuitable individuals;
- ensure robust safeguarding arrangements and procedures are in operation.

The policy and procedures will be widely promoted and are mandatory for everyone involved at Platinum Academy of Performing Arts. Failure to comply with the policy and procedures will be addressed without delay and may ultimately result in dismissal/exclusion from the organisation.

For the purposes of this document; when we refer to staff it covers all permanent, temporary, freelance and volunteer staff.

3. Definitions

- **Child:** England, Wales, Northern Ireland and Scotland each have their own guidance setting out the duties and responsibilities of organisations to keep children safe, but they agree that; *'a child is anyone who has not yet reached their 18th birthday'* (including the phrase: *young people*).
- **Vulnerable Adult:** a vulnerable adult (also referred to as an Adult at Risk) is a person who is 18 years or over and who is or may be in need of, community care or health care services by reason of mental or other disability or illness; and who is or may be unable to take care of him or herself, or unable to protect themselves against significant harm or exploitation. An Adult at Risk may, therefore, be a person who:
 - is frail due to ill health, physical disability or cognitive impairment;
 - has a learning disability;
 - has a physical disability and/or sensory impairment;
 - has mental health needs;
 - has a long-term illness/condition;

- is unable to demonstrate the capacity to make a decision and is in need of care and support
- **Parent:** includes any person with Parental Responsibility.
- **Regulatory Authority:** is the generic term used in this policy to describe the independent regulatory body responsible for inspecting and regulating services, for example, Ofsted.
- **Children's Social Care:** is a generic term used to describe the service with responsibility to carry out the child protection and safeguarding duties of the local authority under the Children Acts 1989 and 2004.
- **Child Abuse:** is defined as ill-treatment or neglect which causes injury, suffering or 'significant' harm. An abused child is anyone under the age of 18 who has suffered from physical injury, physical neglect, failure to thrive, emotional or sexual abuse, which the person who has had custody, charge or care of the child either caused or knowingly failed to prevent. Having custody, charge or care included any person, in whatever setting who, at the time, is responsible for that child. Child abuse can also occur at the hands of another child.
- **Adult at Risk Abuse:** is ill-treatment which causes injury, suffering or 'significant' harm; as well as a violation of a person's human rights it can also be a violation of a person's civil rights. Adults at Risk can't be abused in the same way as a child, but as an adult could additionally suffer from theft, fraud, the misuse of their property, finances and benefits, including coercion in relation to wills and other forms of inheritance, or they could be electorally disenfranchised.
- **Self-harm and Suicide:** the phrase 'self-harm' is used to describe a wide range of behaviours and is often understood to be a physical response to an emotional pain of some kind and can be very addictive. Self-harm often happens during times of anger, distress, fear, worry, depression or low self-esteem in order to manage or control negative feelings. Self-harm can also be used as a form of self-punishment. Suicidal behaviour is a complex phenomenon that usually occurs along a continuum, progressing suicidal thoughts, to planning, to attempting suicide and finally dying by suicide. Suicidal behaviour (fatal and non-fatal) in young people is often associated with a psychiatric disorder and often unrecognised or untreated. Suicidal behaviour frequently co-occurs with other health risk behaviours such as binge eating, binge drinking, tobacco use, weapon carrying and having unprotected sex.

This policy includes Platinum Academy of Performing Arts' statutory obligation (*Section 26 of the Counter Terrorism and Security Act 2015*) to have due regard to the need to prevent people from being drawn into terrorism. This duty is known as **Prevent Duty**. Any concerns should be reported to the Designated Safeguarding Lead in the first instance.

Section 5B of the *Female Genital Mutilation Act 2003* (as inserted by Section 74 of the *Serious Crime Act 2015*) places a statutory duty on teachers, social workers and healthcare professionals to report to the police where they discover FGM has been carried out on a

female under 18. Any concerns should be reported to the Designated Safeguarding Lead in the first instance.

4. Safeguarding Roles and Responsibilities

Platinum Academy of Performing Arts endeavours to safeguard children and vulnerable adults by:

- adopting safeguarding guidelines through procedures and a Code of Conduct for staff and volunteers;
- following carefully the procedures for recruitment and selection of staff and volunteers;
- providing effective management for staff and volunteers through supervision, support and training;
- preventing and protecting vulnerable individuals from violent extremism and the threat of radicalisation;
- sharing information about concerns with relevant professional agencies;
- sharing information about child protection and good practice with children, teachers, group leaders, carers, parents, staff and volunteers;
- reviewing its policies and practice at regular intervals, including an annual review of its Child Protection and Safeguarding Policy;
- making appropriate child protection, vulnerable adults and safeguarding referrals to contacts within Enfield Council, as its local authority;
- dealing effectively with any allegations made against staff and volunteers.

All staff at Platinum Academy of Performing Arts have a role to play in delivering the Academy's Safeguarding Policy, but specific responsibility has been allocated to named staff as outlined below.

The **Designated Safeguarding Lead** has delegated overall responsibility for the Academy's Safeguarding Policy, its implementation and promotion. This includes acting as the Designated Officer for the Academy's Prevent commitments under the *Counter-terrorism and Security Act 2015*. The Designated Safeguarding Lead is responsible for investigating complaints and acting upon them. This responsibility may be delegated to another member of staff, as appropriate. Any concerns about the Designated Safeguarding Lead should be reported to the Academy Principal.

The **Safeguarding Officer** is responsible for maintaining Platinum Academy of Performing Arts' Child Protection and Safeguarding Policy, for making referrals to relevant agencies, if appropriate, sources or provides training in safeguarding to staff, volunteers and students, maintains confidential records in relation to safeguarding and may be required to investigate incidents as required. The Safeguarding Officer is responsible for liaising with the other safeguarding contacts within Platinum Academy and relevant external agencies as appropriate in relation to: policy and practice, on-going training, record keeping and annual

reporting to the Board. The Safeguarding Officer also provides information and support for staff on safeguarding matters.

The **Business and Finance Manager** is responsible for ensuring that appropriate Disclosure and Barring Service (DBS) checks are undertaken, and up to date records maintained, as well as that the appropriate checks and references are taken up for staff and volunteers offered employment/volunteering opportunities at Platinum Academy.

Course Directors or Heads of Departments are responsible for ensuring that activity is conducted in accordance with Platinum Academy of Performing Arts' Child Protection and Safeguarding Policy and Procedures, including reporting any instances where the policy might have been breached, informing HR of the potential need for further DBS checks and ensuring that staff are sent on safeguarding training.

5. Safeguarding Procedures

Purpose of the Procedures: The purpose of these procedures is to guide staff in safeguarding children and vulnerable adults from harm when participating in Academy projects and to make clear to staff their responsibilities, actions they should take and lines of responsibility.

All staff are expected as part of their role at Platinum Academy to:

- follow safeguarding policies, procedures and systems;
- maintain awareness of safeguarding and its importance;
- be alert to potential signs and indicators;
- take appropriate action when necessary;
- undertake safeguarding training.

Managing a disclosure: Disclosing abuse is difficult for a variety of reasons. Some children and vulnerable adults do not disclose because they feel they will not be believed or be taken seriously. It is very important that staff actively listen and respond sensitively. Creating a safe space to talk is crucial in breaking down barriers to disclosure. The chart below shows some things to do and those not to do when speaking to someone

Do	Don't
<ul style="list-style-type: none"> ● Stay Calm ● Recognise your feelings, but keep them to yourself ● Use language that the person can understand ● Reassure the person: <ul style="list-style-type: none"> ○ Telling you is doing the right thing ○ They are not to blame ○ You believe that they are telling the truth ● Listen carefully, record what the person says and keep these notes ● Explain what you will do next (i.e. tell the Safeguarding Officer) in a simple and clear way ● Follow the standard procedure in telling the Safeguarding Officer and seeking advice and support for yourself. 	<ul style="list-style-type: none"> ● Panic or delay ● Express strong feelings of upset or anger ● User jargon or express opinions ● Probe deeply for information ● Use leading questions ● Make them repeat the story ● Promise unconditional confidentiality ● Approach the person against whom the allegation has been made, or discuss the disclosure with anyone other than the Safeguarding Officer or Designated Safeguarding Lead.

Reporting a concern/disclosure (using Disclosure Form in Appendix 2)

This procedure below will be followed whenever a disclosure has been made, or there is a suspicion that a child or vulnerable adult is at risk of harm or has been abused. If in doubt, about whether to make a written record (for example, you have a slight concern), you can contact one of the safeguarding officers before submitting a written record. The default position is that staff should write a note of their concerns.

1. The member of staff will make a detailed written record of the matter, using if possible, the **Disclosure Form Appendix 2**, and report it within twenty-four hours to the Safeguarding Officer, OR the Designated Safeguarding Lead, OR, a designated Course Director/line manager. **In the case of an urgent concern, the member of staff will communicate the matter as soon as possible, and complete the written report afterwards.**
2. One of the Safeguarding Officers will investigate the issue and assess the level of risk of harm.
3. The Safeguarding Officer will seek advice from external agencies where required to inform decision making about the appropriate course of action to be taken, sharing necessary information as appropriate to best protect the child or adult at risk, with their consent wherever possible.

4. Where risk of harm or abuse is identified, Platinum Academy of Performing Arts will take action to best protect the child or vulnerable adult. The Academy will involve the child or vulnerable adult in decision making and act with their consent where possible. The Safeguarding Officer will take action without consent where this is considered to be in the best interests of the child or vulnerable adult.
5. Platinum Academy of Performing Arts will support the child or vulnerable adult in understanding the risk of harm and encourage and empower them to take any appropriate action to mitigate that risk themselves, with support.
6. Where it is agreed that no immediate action needs to be taken, a programme of follow-up and support will be agreed.
7. In the case of an allegation of abuse being made against a member of staff or a student, the individual concerned may be informed of the allegation, on the advice of the Local Authority and/or Police, and may be removed from contact with children and vulnerable adults in line with the appropriate disciplinary process (staff or student).
8. Any internal disciplinary action arising from an investigation will be handled in accordance with the relevant disciplinary process (staff or student).

Platinum Academy of Performing Arts assures all staff that it will fully support and protect anyone who, in good faith, reports his or her concerns that anyone is, or may be, abusing a child or vulnerable adult.

Recording a concern/ disclosure (without Disclosure Form Appendix 2)

If you are unable to use the Disclosure Form Appendix 2 please follow the guidelines below:

- Records should be made as soon as possible after the event/concern is raised
 - They should contain the date, time, people present, anything said (verbatim if possible) and any action taken, including whom the concern was reported to and when.
 - Physical appearance or behaviour of the child or vulnerable adult should be recorded as factually accurately as possible.
 - Professional opinion should be set apart from factual observations and labelled as such. Judgmental language should be avoided.

The Safeguarding Officer will maintain records on all concerns relating to a child or adult at risk and these records will be contained in a confidential file, separate from the staff or student members' other files to preserve confidentiality, in accordance with Data Protection requirements. Records will be held for six years after the last contact (i.e. attendance at a Platinum Academy programme) with the child or adult at risk.

A Disclosure Form template is included in Appendix 2.

6. Allegations against a student

Where an allegation is brought against a student on one of Platinum Academy's Full-Time Courses, this will be handled in the same way as an allegation towards a member of staff and will also invoke the appropriate student disciplinary or misconduct policies, as necessary.

7. If the matter is subject to criminal investigation

The Academy is entitled to pursue its own or complementary confidential enquiries and disciplinary action. The Designated Safeguarding lead will consult with the relevant agencies in such cases.

To maintain the integrity of the investigation, individuals who face an allegation may be advised to only discuss the substance of the allegation with his or her union or legal representative, immediate family or as directed by the investigating officer.

Following an investigation, disciplinary action may be taken as appropriate.

Information is shared and discussed between staff and relevant agencies on a need- to-act basis only.

8. Recruitment, vetting, induction and training of staff

Platinum Academy recognises that anyone may have the potential to abuse children and vulnerable adults in some way and that all reasonable steps are taken to ensure unsuitable people are prevented from working with them.

Platinum Academy complies with the duty to notify DBS with any relevant information regarding the conduct of any individual which the Academy considers having caused harm or pose a risk of harm to vulnerable groups.

Platinum Academy will implement appropriate recruitment procedures for personnel working on activities with children and/or adults at risk, having substantial access to children and/or adults at risk, access to children's personal information or images, or who through the course of their work are liable to find themselves in a position of trust. These procedures will include: Identity and Disclosure and Barring Service checks carried out by HR on the offer of a post which is likely to have significant contact with children and/or vulnerable adults.

- Ensuring all existing staff regularly in contact with children, or working on a one-to-one basis, will have completed Disclosure and Barring Service checks (DBS checks, formerly CRB).
- All staff contracts will refer to this policy about protecting children and vulnerable adults, and by signing contracts, staff will be confirming that they have received a copy of this policy.

It is essential that all staff who have access to children and vulnerable adults understand their safeguarding responsibilities and what to do in the event a disclosure is made to them,

or they suspect risk of harm or abuse. To aid this, all staff working with students, with children or likely to be in regular contact with vulnerable adults will receive training on safeguarding during their induction period. This training will be updated every four years. All Platinum Academy staff may attend safeguarding training, but priority will be given to those working most closely with students, vulnerable adults and children/young people.

9. Safeguarding all Platinum Academy Students

Sexual relationships

Under the Sexual Offences Act 2003, it is a criminal offence for a person to engage in a sexual relationship with a person under the age of 18 when they are in a position of trust in relation to that person. At Platinum Academy, all staff, volunteers and anyone formally representing the Academy are considered to be in a position of trust for this purpose. Platinum Academy considers it unethical for staff and visiting professionals to enter into sexual or romantic relationships with students over the age of 18, and failure to disclose any such relationship may result in disciplinary action being brought.

Off-site visits, performances and trips

Platinum Academy courses may involve trips away from the Academy. The Academy includes the safeguarding of under 18-year olds and vulnerable adults in the pre-departure risk assessment procedure and makes appropriate arrangements on the basis of this assessment. Beyond this, and the general requirements of this policy and procedure, no additional arrangements are made.

Alcohol

It is illegal for alcohol to be sold to or bought by people who are under the age of 18 years. The Academy takes reasonable steps to seek to ensure that the law is not broken in relation to licensed premises under the Academy's control but cannot undertake to supervise individual students.

10. Updates to this Policy

We may update this Child Protection and Safeguarding Policy from time to time. When we make changes, we'll update the 'Effective Date' at the top of the Policy. We encourage you to check back periodically to review this Policy for any changes since your last visit.

APPENDIX 1: Recognising abuse

Neglect/Self-Neglect

Persistent failure to meet a child's basic physical and/or psychological needs likely to result in the serious impairment of the child's health or development

Indicators;

- Hunger
- Poor personal hygiene
- Inappropriate clothing
- Frequent lateness or non-attendance
- Untreated medical problems
- Poor social relationships
- Compulsive stealing or scrounging
- Tiredness

Sexual Abuse

Forcing or enticing a child to take part in sexual activities, physical contact including non- penetrative act, and non-physical contact including making pornographic material, being exposed to sexual activity, encouraging to behave sexually and verbal sexual abuse

Indicators;

- Bruises, scratches, burns or bite marks on the body
- Scratches, abrasions or persistent infections in the anal or genital regions
- Sexual awareness inappropriate to the child's age
- Public masturbation
- Teaching other children about sexual Activity
- Refusing to stay with certain people or go to certain places
- Aggressiveness, anger, anxiety, tearfulness
- Withdrawal from friends
- Pregnancy

Physical Abuse

Hitting, shaking, throwing, poisoning, burning/scalding, drowning, suffocating, otherwise causing physical harm, or factitious illness by proxy

Indicators;

- Unexplained injuries or burns
- Refusal to discuss injuries/improbable explanations
- Untreated injuries/illness
- Admission of punishment which appears excessive
- Shrinking from physical contact
- Fear of returning home or of parents being contacted
- Fear of undressing or medical help
- Aggression/bullying
- Over compliant behaviour or 'watchful attitude'
- Running away

Emotional Abuse

Persistent emotional ill-treatment of a child causing severe and persistent adverse effects on child's emotional development

Indicators;

- Continual self-deprecation
- Depression, withdrawal
- Inappropriate emotional responses to painful situations
- Self-harm or mutilation
- Compulsive stealing/scrounging
- Drug/solvent abuse/eating problems (over- /under-eating)
- 'Neurotic' behaviour – obsessive rocking, thumb-sucking
- 'Don't care' attitude or desperate attention-seeking behaviour
- Social isolation – does not join in and has

<ul style="list-style-type: none"> • Significant changes in behaviour 	<ul style="list-style-type: none"> • few friends
<p>Radicalisation</p> <p>Factors to indicate that a young person might be in danger of radicalisation include:</p> <ul style="list-style-type: none"> • Isolation • Lack of self-esteem • Victim of bullying • Family tensions • Searching for personal identity • Race and hate crime • Use of internet glorifying violence • Political grievances 	<p>Other safeguarding indicators</p> <ul style="list-style-type: none"> • Persistent lateness or absence • Bullying, including cyber-bullying • Use of drugs/excessive alcohol consumption • Persistent illness • Gender-based violence • Mental health problems • Panic attacks • Aggressive outbursts

APPENDIX 2:
Safeguarding Concern / Disclosure Form
 Private & Confidential



DETAILS OF PERSON AT RISK	
Full Name	
Age	
Gender	
Home Address	
Parent/Carer contact details	

DETAILS OF INCIDENT/CONCERN	
Date & Time of incident/concern	
Who was there?	
Who raised the concern?	
Contact details of person who raised concern	
Details of incident/concern: What was said or done by whom? (If possible, words said as closely as possible)	
<i>Continue on separate sheet if required</i>	

ACTION TAKEN

Details of any immediate action taken:

--

Who you passed on the information to and when:

--

YOUR DETAILS

Your Full Name

--

Job Title/Role

--

Phone Number

--

Email Address

--

Signed

--

Date

--

APPENDIX 3 – Detailed Definitions

Child Abuse Definitions

There are four types of child abuse. They are defined in the UK Government guidance Working Together to Safeguard Children 2010 (1.33 – 1.36) as follows:

1. Physical abuse
2. Emotional abuse
3. Sexual abuse
4. Neglect

Bullying is not defined as a form of abuse in Working Together but there is clear evidence that it is abusive and will include at least one, if not two, three or all four, of the defined categories of abuse. For this reason it has been included in this factsheet.

Physical abuse

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

Emotional Abuse

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

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images,

watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers);
- or ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Bullying

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. It can take many forms but the three main types are physical (e.g. kicking, hitting, theft), verbal (e.g. racist or homophobic remarks, threats name calling) and emotional (e.g. isolating an individual from the activities and social acceptance peer group).

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children to the extent that it affects their health and development or, at the extreme, cause them significant harm (including self-harm). All settings in which children are provided with services or are living away from home should have in place rigorously enforced anti – bullying strategies.

Definitions taken from the document NSPCC Child Protection Fact Sheet – Definitions and signs of child abuse.

APPENDIX 4: Key Legislation

Children Act 1989

The intention of the Children Act is to protect children and ensure that their welfare and development is paramount and promoted. The Act allows for provision of services to support children and their families and for the compulsory intervention of the state to protect children. The act also gives local authorities a responsibility for ensuring that this happens by working together with all the relevant agencies. It states that only the Police, Social Services and the NSPCC have the legal right and responsibility to investigate concerns about child abuse.

For any updated modifications from 2004 onwards go to Government Legislation - Children's Act

Principles

- Paramount – the child's welfare is paramount – the most important consideration;
- Parental Responsibility – parents have a duty to care for their child and meet their needs;
- Partnership – professionals and families are to work together for the welfare of the children;
- Participation – children's wishes and feelings should be ascertained so that they can contribute appropriately;
- Prevention and Provision of Services – services may be necessary to safeguard and promote the welfare of a 'child in need';
- Protection – a child must be protected from serious harm. The Local Authority has a duty to investigate any report that a child is suffering or likely to suffer, 'Significant Harm'.

Section 17 – Child in Need

Under the Children Act (1989) a child is considered to be in need if:

- he/ she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority under this Part;
- his/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services; or
- he/she is disabled.

Section 47 – Child at Risk of Significant/In need of protection

Places a statutory duty on the local authority.

Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause

to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

Significant Harm

In relation to children:

The Children Act 1989 introduced Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children.

Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect are all categories of Significant Harm.

Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act 2002 (implemented on 31 January 2005) so that it may include, "for example, impairment suffered from seeing or hearing the ill treatment of another".

Suspicion or allegations that a child is suffering or likely to suffer Significant Harm should result in an Assessment incorporating a Section 47 Enquiry.

There are no absolute criteria on which to rely when judging what constitutes significant harm. Sometimes a single violent episode may constitute significant harm but more often it is an accumulation of significant events, both acute and longstanding, which interrupt, damage or change the child's development.

In relation to adults:

A key concept in adult safeguarding work is 'Significant Harm'.

The impact of harm upon a person will be individual and depend upon each person's circumstances and the severity, degree and impact or effect of this upon that person.

Working Together to Safeguard Children

This document sets out how all agencies and professionals in the statutory, voluntary and independent sectors should work together to promote children's welfare and protect them from abuse and neglect and requires those agencies to share information. This document was updated in March 2013 for modifications please go to Working to Safeguard Young Children 2013

Framework for the Assessment of Children in Need and their Families

This document outlines a procedure for all those who work with children and families in determining whether a child is in need (under the Children Act 1989) and decides how best to provide help. A child in need does not necessarily require protection, but they and their family may need additional support. This could be due to:

Domestic violence, drug or other substance abuse, social exclusion, mental health problems
A child in need can be at risk of abuse, if the family does not receive help. (This document has now been archived)

The Children (Protection from Offenders) (Miscellaneous Amendments) Regulations 1997

These regulations came into force in October 1997. They are mainly concerned with preventing the approval of people as foster carer or adoptive parents where either they or any other member of the household over the age of 18 is known to have been convicted or cautioned for relevant offences. These regulations also apply to child-minding, private fostering and residential care.

[The Children \(Protection from Offenders\) \(Misc Amends\)1997](#)

The United Nations Convention on the Rights of the Child

The United Nations Convention sets out the rights of all children, including their right to be protected from harm.

[The United Nations Convention on the Rights of the Child - UNICEF](#)

Rehabilitation of Offenders Act 1974

This act allows people not to declare convictions to employers. People who are involved in situations where they have sustained or prolonged access to children are exempt from the Rehabilitation of Offenders legislation. This means that prospective employees, self-employed workers and volunteers must declare all criminal convictions relating to children, however long ago: and that these will be taken into account when deciding on their suitability for working with children. NB: verification of Criminal Records will be obtained in all cases from the Criminal Records Bureau.

[Rehabilitation of Offenders Act 1974](#)

Health and Safety at Work Act 1974

The Health and Safety at Work Act gives all organisations a legal responsibility to prevent injuries and ill health to employees and others, including members of the public. Much of this responsibility is delegated to managers who have control of work activities but the legislation also provides all employees with an obligation to take reasonable care of themselves and others.

[Health and Safety at Work Act 1974](#)

Youth Justice and Criminal Evidence Act 1999

Working together to achieve best evidence in relation to vulnerable and intimidated witnesses, which includes children. NB: all young people under 17 are always classed as vulnerable witnesses in cases of violent and sexual offences.

[Youth Justice and Criminal Evidence Act 1999](#)

Safeguarding Vulnerable Groups Act 2006

This piece of legislation was created following the UK Government accepting recommendation 19 of the inquiry headed by Sir Michael Bichard, which was set up in the wake of the Soham Murders.

The Safeguarding Vulnerable Groups Act establishes the legal basis for the Independent Safeguarding Authority who will manage the two lists of people barred from working with children and/or vulnerable adults replacing the current barred lists (List 99, the Protection of Children Act 1999)PcCA), the scheme relating to the Protection of Vulnerable Adults (PoVA) and Disqualification Orders). The Safeguarding Vulnerable Groups Act also places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

[Safeguarding Vulnerable Groups Act 2006](#)

The Sexual Offences Act 2003

Introduced the offences of:

- causing or inciting a child to engage in sexual activity
- engaging in sexual activity in the presence of a child
- causing a child to watch as sexual act
- meeting a child following sexual grooming
- arranging or facilitating a child sexual offence

Abuse of Position of Trust

The Sexual Offences Act (2003) re-enacts and extends the abuse of position of trust to include;

An offence for any person aged 18 or over, who is in a 'position of trust', to have a sexual relationship with a young person under 18 if their role is one identified within the Act. These include staff working in;

- Institutions looking after children detained under a court order
- Accommodation provided by local authorities / voluntary organisations under statutory provision
- Hospitals, clinics, children's homes and residential family centres
- Education institutions

[Sexual Offences Act 2003](#)

Protection of Freedoms Act 2012

Formed DBS in 2012 from ISA and CRB

- Safer recruitment for public, private and voluntary sectors by identifying candidates unsuitable for working with children and vulnerable adults
- Covers England and Wales
- 'Regulated Activity' employers legally required to refer safeguarding concerns
- Illegal for a person barred by DBS to apply or work within the sector or for an employer to knowingly employ someone barred by the DBS.

[Protection of Freedoms Act 2012](#)

Female Genital Mutilation Act 2003

FGM has been a specific criminal offence in the UK since 1985 when the (UKwide) Prohibition of Female Circumcision Act ("the 1985 Act") was passed. The Female Genital Mutilation Act 2003 ("the 2003 Act") replaced the 1985 Act in England, Wales and Northern Ireland. It modernised the offence of FGM and the offence of assisting a girl to carry out FGM on herself while also creating extra-territorial offences to deter people from taking girls abroad for mutilation. To reflect the serious harm caused, the 2003 Act increased the maximum penalty for any of the FGM offences from five to 14 years' imprisonment.

Female Genital Mutilation Act 2003

Child Sexual Exploitation

Child sexual exploitation (CSE) is a type of sexual abuse in which children are sexually exploited for money, power or status.

Children or young people may be tricked into believing they're in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online.

Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation. Sexual exploitation can also happen to young people in gangs.

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

This definition of child sexual exploitation was created by the UK National Working Group for Sexually Exploited Children and Young People (NWG) and is used in statutory guidance for England.

Counter-Terrorism and Security Act 2015

The Counter-Terrorism and Security Act 2015 introduced a new duty on regulated higher education bodies to have due regard to the need to prevent people from being drawn into terrorism. This is known as the Prevent Duty. The aim of the Prevent strategy is to reduce the

threat to the UK from all forms of terrorism by stopping people becoming terrorists or supporting terrorism.

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism. Radicalisation is usually a process not an event. During this process, there will inevitably be opportunities to intervene in order to reduce the risk of the individual being attracted to extremist ideology and causes and safeguard him/her from the risk of radicalisation. It is important to be able to recognise the factors that might contribute towards the radicalisation of an individual. Indeed, some of the factors that lead an individual to becoming radicalised are no different to those that might lead individuals towards involvement with or being vulnerable to other activity such as gangs, drugs and sexual exploitation for example.

Those involved in extremist activity come from a range of backgrounds and experiences. There is no single profile of what an extremist looks like or what might drive a young person towards becoming radicalised. It can affect impressionable young boys and men and also impressionable young girls and women.

[Counter-Terrorism and Security Act 2015](#)

Children and Young Persons Act 2008

An Act to make provision about the delivery of local authority social work services for children and young persons; to amend Parts 2 and 3 of the Children Act 1989; to make further provision about the functions of local authorities and others in relation to children and young persons; to make provision about the enforcement of care standards in relation to certain establishments or agencies connected with children; to make provision about the independent review of determinations relating to adoption; and for connected purposes.

[Children and Young Persons Act 2008](#)

Mental Capacity Act 2005

An assessment to establish whether a person lacks capacity should take place whenever there is a concern that an individual might lack the mental capacity to make a proposed decision (including safeguarding).

Processes for people who lack capacity should be different in significant respects from processes undertaken with people who have capacity (e.g. in relation to sharing information and consent).

The principles of the Mental Capacity Act make it clear that a person is not to be treated as unable to make a decision unless all practical steps have been taken to help them do so, and that no one should be deemed to lack capacity on the grounds that their decisions appear to be unwise.

[Mental Capacity Act 2005](#)