Care to Learn Child Protection Policy

A Practical Guide for Care to Learn Staff
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Care to Learn Child Protection Policy  
A Practical Guide for Care to Learn Staff

1 Introduction
The main purpose of this guide is to help LSC and Learner Support Service (LSS) Care to Learn staff know what action they should take if they think a child benefiting from Care to Learn may be being abused. This guidance is intended to complement the children’s service guidance “What to do if you are worried a child is being abused”

The guide aims to help Care to Learn staff understand some of the warning signs that a child may be being abused and to know what to do should they be concerned about a child’s welfare. Our policy is to report all cases where the well being of child is threatened to the relevant local authority Social Services Department or local police force and to log this information in the Child Protection file.

Annex A of the guide is a flow diagram summarising the actions staff should take, Annex B sets out a proforma that Care to Learn staff must complete for each potential case of harm and log in the Child Protection file, whilst Annex C provides instructions for staff on finding the relevant local authority Social Services Department or police force telephone number when making a referral.

2 Setting the context
All those who come into contact with children and families in their everyday work, including people who do not have a specific role in relation to child protection, have a duty to safeguard and promote the welfare of children.

There are two ways you may possibly be involved in protection issues:

- you may have to refer concerns about a child to social services or the police; and
- you may be approached by social services and asked to provide information or to attend a meeting to discuss any concerns.

Before explaining the action a member of staff should take on receiving information that leads them to be worried about a child, it is helpful to understand the following:

- Definition of Child Abuse
- Significant Harm
- Child in Need
- How children can be abused
- Signs and Indicators of possible abuse
Once this is understood we can then set about explaining the following:

- How abuse and neglect or possible abuse and neglect may come to the attention of staff;
- What action staff should take;
- What happens next; and
- Confidentiality.

3 Definition of Child Abuse
Child Abuse refers to actual or likely significant harm to a child or young person under the age of 18yrs.

4 Significant Harm
Some children are in need because they are suffering or are likely to suffer significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children. The local Authority is under a duty to make enquiries, or cause enquiries to be made, where it has reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm (s47 of the Children Act 1989)

An amendment will be made in January 2005 to the definition of Harm, (s120 of the Adoption and Children Act (2002)). Harm will also include ‘The impairment suffered from seeing or hearing the ill-treatment of another’
This will amend section 31 sub section 9 of the Children Act 1989.

5 Child in Need
Children who are defined as being ‘in need’, under the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (s17(10) of the Children Act 1989). The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989 are what will happen to a child’s health or development without services, and the likely effect the services will have on the child’s standard of health and development.

6 How children can be abused?
Children may be abused through:

- Physical violence;
- Sexual exploitation;
- Not being provided with the basic things needed for children to thrive (e.g. food, warmth, clothing); and
- Being made to feel unwanted, ugly, worthless, guilty or unloved.

Recognising or suspecting that a child is being abused may be stressful and upsetting. It is easy for people to believe that it couldn’t happen to children for whom they care.

Children are harmed in all sorts of families and in most instances the person causing the harm is well known to the child.
The types of abuse are usually described in four categories:

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child.

**Emotional abuse** is the persistent emotional ill-treatment 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, age or developmentally inappropriate expectations being imposed on children, causing children frequently to feel frightened, or the exploitation or corruption of children.

**Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving children in looking at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

**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, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child’s basic emotional needs.

7 **Signs and Indicators of possible abuse**

The recognition that a child may be being abused can be very difficult. For staff involved with delivering Care to Learn, this may be even more so. This is because indicators of possible abuse will come to your attention through a phone call, letter, fax or email, perhaps from a young parent, childcare provider or other professional, rather than staff actually observing any physical or emotional/behavioural signs from the child.

Remember it is not your responsibility to decide if a child has been abused, it is your responsibility to raise cause for concern and to refer on.

8 **How abuse or possible abuse may come to the attention of staff**

The harm or possible harm of a child is most likely to come to the attention of the LSS Care to Learn staff from a childcare provider or young parent and via:

- Telephone;
- Letter;
- Fax; or
- Email.

However, it is important to consider how the concern that prompted the contact with Care to Learn first arose. It could have been as follows:

- The child telling someone about the abuse;
- The child’s behaviour;
- An injury which aroused cause for concern; and
Cause for concern being raised (when a number of factors occurred over time).

With the above in mind, here are some examples as to how the possible abuse of a child may come to the attention of Care to Learn staff:

**Helpline**
- A young parent telephoning the Care to Learn helpline to discuss their funding and unintentionally (or otherwise) referring to an incident at the childcare provider’s. Their child has frequent unexplained bruising.
- A childcare provider using the helpline to report a concern about a child’s welfare, i.e. frequently dirty and smelly.

**Letter**
- A childcare provider writing to confirm that childcare has ceased for a young parent and the outstanding fees due. The letter refers to the childcarer’s concern that prompted the childcare to cease, i.e. child not being provided with clothes.
- A professional notifying Care to Learn about a child protection case and asking for Care to Learn funding to continue.

**Fax**
*As above letter example*

**Email**
*As above letter example*

Any information about the possible abuse of a child received by staff involved with Care to Learn, regardless of the source or any indication that action has already been undertaken, by whoever, must be acted upon without delay.

9 **What action should staff take?**

“Where professionals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to make a referral to Social Services, this should only be done where such discussion and agreement will not place a child at increased risk of significant harm.”
(para 5.6 “Working Together to Safeguard Children” DoH)

The above is helpful if only for staff involved with Care to Learn to understand the emphasis placed on professionals to work with children and families. However, work with children and families where there are concerns about a child’s welfare is sensitive and difficult. This difficulty is heightened under Care to Learn because information will usually have been received from a third party and a close relationship with the child and/or parent does not exist.

However in some instances the young parent may wish to share personal information about themselves that may raise cause for concern

**Care to Learn policy is to refer all cases where the well being of child is threatened and without any discussion or agreement with the child’s parent.**

Where information has been received, through any source or media, which indicates or leads a member of staff to believe that a child may be suffering, or may be at risk of
suffering or significant harm, they have a duty to refer their concerns and take the following action immediately:

**If received by telephone – on the same day**

- complete a CPform1* and record the date, time, name of person reporting the concern, member of staff receiving the call, factual information about the child and their parent, summary of conversation and nature of concern. Ask for them to follow this up in writing to Care to Learn and to their local authority Social Services Department and inform them that Care to Learn may make a referral to their local authority Social Services Department. It my also be helpful to clarify with the caller if they have discussed the information with anyone else
- Inform the caller that you will be referring this information on to your line manager and a referral will be made to the appropriate Social Services Department or police
- Ask for them to follow this up in writing to Care to Learn and to their local authority Social Services Department
- It is important to acknowledge that this information may not be third party and the young parent for any reason may chose to tell you sensitive information about themselves that raises cause for concern.
- This may be quite alarming for the member of staff to hear. It is therefore important that you try to remain as calm as possible, remember it is equally as distressing for the young parent who may be telling their story for the very first time.
- Remember that an allegation of child abuse or neglect may lead to a criminal investigation, so don’t do anything that could jeopardise a police investigation, such as asking the young parent leading questions or attempting to investigate the allegation of abuse.
- Let the young parent tell you as much as they want to without interruptions. Empathic listening will assist in clarifying and eliciting information. Make note of the caller taking full name, (no nick names), date of birth, contact number and where they are calling from. It will be very helpful to record any names of people they mention and their connection with the incident. Again recall making sure you have heard correctly and check all spelling if possible.
- Ask them if they have told anyone-else.
- Sometimes young parents may now be afraid of the consequences of telling. Reassure them that they have done right to tell and in order for you to be able to help you will have to pass this information on.
- Don’t make any promises and if the young person asks you to keep it a secret, be very clear that in order for you to be able to help you cannot keep any information a secret. You will have to tell some-one. This should not be happening to them.
- Some young parents may not wish to go home as a result of telling. Check out with the caller how they feel now they have told you, where they will be going now and where is their own child.
- Record your telephone conversation immediately, don’t throw away any rough notes taken (these may be required at a latter date) and inform you line manager/senior member of staff immediately.
- If you cannot contact your Manager don’t delay in making a referral
- Ask the person who you refer onto what they want you to do next.
- Record your discussion, who you referred onto and outcome of that discussion.
- File all recordings in a safe place
If received by letter, fax or email – on the same day take a copy.

- **On the same day** inform the Care to Learn Manager or Team Leader of the cause for concern and source of information and agree with them what action (1 of 2 possibilities) is required. If in any doubt seek general advice from the local authority Social Services department before making a referral (refer to Annex C for instructions).

- Action required – Complete the CP form1 to record the reason for your concern and action agreed with the Team Leader before reporting the matter on the same day by telephoning the local authority Social Services Department (refer to Annex C for instructions). Follow any actions requested by the relevant Social Services Department before sending through a hard copy of the original telephone call/letter/fax/email and confirmation of the referral within 48hrs. Record the conversation and file with the original information in the Care to Learn Child Protection file.

- Following any referral, you may be contacted by Social Services for further information.

- **No Action required** – Complete the CP form1 to record the reason for your concern and action agreed with the Team Leader and file with the original information in the Care to Learn Child Protection file.

- Provision for recording information is being considered in the review of software for 2004/2005.

**Concerns raised about a childcare provider.**

Where concerns have been raised about a childcare provider possibly harming a child the following action should be taken, in addition to that outlined above:

- **On the same day** telephone Ofsted early years and report the concern. Record this action on the CP form1 and follow any actions requested by Ofsted.

- Talk to the young parent and their learning provider/professional to discuss if the young parent wants to change their childcare and have their funding transferred. Record this action on the CP form1. Funding should only be withdrawn from the current childcare provider if the young parent has given their consent. Where consent is given, confirm this in writing with the young parent and notify the childcare provider that funding is being withdrawn following Care to Learn’s normal arrangements. Make a copy and file in the young parent’s file and in the Care to Learn Child Protection file.

When making a referral it is important that you have all the correct information available and have thought through your concerns about the information given to you. Be prepared before you make the phone call.

CP form1* (Annex B) - this is a A4 proforma that Care to Learn staff must complete for each potential cause for concern raised. This will record the date and type of information received, what action was agreed with the Team Leader, action taken and any follow up. This will be stored with the initial documentation/recording (telephone conversation, letter,
fax or email) in a designated Care to Learn Child Protection file and will provide a clear audit trail.

Instructions on finding the relevant local authority Social Services Department telephone number when making a referral are set out in Annex C.

10 What happens next?
Having received information about your concerns/referral, the local authority Social Services Department will decide within 24 hours what further action should be taken. They should get back to you to inform you of their decision.

Social Services, within the framework for the Assessment of Children in Need will make an initial assessment, is this a Child in Need (s17(10) or a Child in Need of Protection (s47) and dependant on the seriousness of the situation this may involve the Police. The purpose of the consultation with the police is to discuss details of the referral and make a joint decision about what needs to be done and how quickly.

Remember that the protection of children from abuse must have first priority and even if your cause for concern or those of someone else prove to be unfounded, your action is justifiable if based on concern for the child's safety.

Remember that once you have reported your concerns the decision about what further action, if any, should be taken is the responsibility of the local authority Social Services Department. However, the responsibility around continuing to pay for the childcare of a child that may be suffering possible abuse from a childcare provider rests with DCSF. In cases where concerns have been raised about the childcare provider possibly abusing a child then it would be reasonable to consider the appropriateness of withdrawing funding and funding alternative childcare for the young parent and their child. Refer to section 9 for action to be taken.

11 Confidentiality
Information about child protection concerns in relation to a child is confidential. Staff should make sure they keep any written information in a safe place, and never talk about the child's background except with those professionals involved.

The sharing of information between agencies should be done in accordance with any protocols in existence in relation to the Data Protection Act 1999.

However, the law permits the disclosure of confidential information necessary to safeguard a child or children in the public interest; that is, the public interest in child protection may override the public interest in maintaining confidentiality. Disclosure should be justifiable in each case, according to the particular facts of the case and legal advice should be sought in cases of doubt.
Child Protection Flow Diagram

Helpline call received

Letter, Fax, Email received

Potential child protection concern identified

Record:
- Date, time, name of person reporting the concern, member of staff receiving the call;
- Factual information about the child and their parent;
- Summary of conversation and nature of concern.

Ask them to follow this up in writing to Care to Learn and their local authority Social Services Department.
Inform them that you will be passing this information onto your line manager and a referral may be made.

Inform the Care to Learn Team Leader of the cause for concern and source of information and agree with the Team Leader what action (1 of 2 possibilities) is required. If in any doubt you may seek general advice from the local authority Social Services Department before making a referral.

Complete a CPform1* to record the reason for your concern and action agreed with the Team Leader.

Action Required

No Action Required

Report the matter by telephoning the local authority Social Services Department (refer to Annex C). Follow any actions requested by the relevant Social Services Department before sending through a hard copy of the original telephone call/letter/fax/email within 48 hours. Record the conversation and file with the original information in the Care to Learn Child Protection file.

File the CPform1 with the original information in the Care to Learn Child Protection file.

Does the concern relate to a childcare provider?

Yes

- Telephone Ofsted early years, report the concern, record this action on the CPform1 and follow any actions requested by Ofsted.
- Talk to the young parent and their learning provider/professional to discuss if the young parent wants to change their childcare and have their funding transferred.
- Where consent is given confirm this in writing with the young parent and notify the childcare provider that funding is being withdrawn. Make a copy and file in the young parent’s file and in the Care to Learn Child Protection file.

No

End
# Child Protection Recording Form

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## Background

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<th>Source of Concern</th>
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<th>Letter</th>
<th>Email</th>
<th>Fax</th>
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Name, address and telephone number of person reporting the concern

Name, address, date of birth and telephone number of Young Parent(s) concern relates to

Name, address, date of birth of Child concern relates to

Summary of conversation and/or nature of concern

Date and time concern received

Date telephone concern received in writing

## Action

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<tr>
<th>Social Services Referral</th>
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Reason

Team Leader signature

Date
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<tr>
<td>LA</td>
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</tr>
<tr>
<td>Social Services Contact</td>
<td></td>
</tr>
<tr>
<td>Name and telephone number</td>
<td>Date and time referral made</td>
</tr>
<tr>
<td>Summary of conversation</td>
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</tr>
<tr>
<td>Follow up action required by C2L</td>
<td></td>
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<p>| Ofsted Referral                                              |       |
| Ofsted contact                                               | Date and time referral made |
| Summary of conversation                                      |       |
| Follow up action required by C2L                            |       |</p>
<table>
<thead>
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<tr>
<td>Date of contact with learning provider plus details</td>
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<tr>
<td>Date of contact with professional plus details</td>
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<table>
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Make sure this form, along with any correspondence, is stored in the Child Protection File.
Instructions on Finding the Relevant Local Authority Social Services Telephone Number

Staff should use the website www.upmystreet.com. This is an excellent website that provides a comprehensive list of contact numbers for a council, including Social Services.

1. The website asks for a postcode. Use the postcode you have available, be that of the young parent, their childcare provider or the professional reporting the concern. Click Go.

2. The postcode search will take you to a screen listing the different information available relevant to your postcode. The list includes a 'contacting your council'. Click on this link.
3. The ‘contacting your council’ link will take you a screen of the local authority/Council your postcode falls within. The Council’s switchboard number is provided here. Use the switchboard number to telephone the council and ask for the Social Services department that handles child protection referrals. Where there is a two tier authority, use the County (rather than Borough) Council. Alternatively, click on the link next to ‘Council departments’ to find out the direct telephone number of the Social Services department.

4. Having clicked on ‘click here for a full list of contact numbers’ in the previous screen, click on the link to Social Services.
5. The Social Services link takes you to a window showing all telephone numbers for Social Services in the Council your postcode falls within. Use the Children’s or Families Services telephone number.