

# **SOUTH DERBYSHIRE DISTRICT COUNCIL**

## **SAFEGUARDING CHILDREN AND VULNERABLE PEOPLE POLICY**

November 2008

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## Glossary

This glossary defines some of the key terms in the Policy.

<b>Term</b>	<b>Meaning</b>
Abuse and neglect	Form of maltreatment of a child or vulnerable adult.
Child (ren)	Anyone that has not reached their 18 <sup>th</sup> birthday.
Vulnerable Adult	Any person aged 18 or over who: <ul style="list-style-type: none"> <li>• is or appears to be eligible for Local Authority/Mental Health Services' assistance by reason of mental ill health, physical or learning disability, illness or age related frailty</li> </ul> and <ul style="list-style-type: none"> <li>• may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation.</li> </ul>
Employees	Those employed by South Derbyshire District Council, its Councillors, as well as volunteers involved in the delivery of Council activities or in Council premises or facilities. Contractors should also meet these guidelines or have their own arrangements, which meet the requirements of this policy.
Local authority	County, city, district and borough councils.
Parent	Generic term to include birth parents, step-parents and carers. The term will specify parental responsibility where necessary.
Safeguard and promote the welfare of children	The process of protecting from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care which is undertaken so as to enable children to have optimum life chances and enter adulthood successfully.
Adult Social Care	The Adult Social Care, Derbyshire County Council (DCC) helps people who need extra support, or vulnerable people to live as independently as possible.
The Council	South Derbyshire District Council

## **1.0 Introduction**

- 1.1** Local authorities have a duty under section 11 of the Children Act 2004 to ensure that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Local authorities also have the responsibility to work with partners to ensure that vulnerable adults, who are at risk of abuse, receive protection and support.

South Derbyshire District Council (hereby referred to as 'the Council') are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm.

We have a responsibility to safeguard and promote the well being of children and vulnerable adults so that they enjoy a safe and positive environment free from harassment and bullying. However, we recognise that not all children and vulnerable adults have positive experiences in their life. We are committed in our role to promote the welfare of children and vulnerable adults by encouraging good practice.

Guidance on safeguarding and promoting the welfare of children in specific circumstances, such as domestic violence, substance misuse etc can be found in the Derby and Derbyshire Safeguarding Children Procedures ([www.derbyshireacpc.org.uk](http://www.derbyshireacpc.org.uk)).

### **1.2 The aims of this policy are to:**

- Implement and maintain systems of working practice to safeguard children and vulnerable adults at Council activities.
- Ensure that children/ adults and their parents have confidence in Council people, policies and practices in respect of the safe supervision of children and vulnerable adults.
- Ensure that concerns about abuse are reported promptly to the appropriate authorities.
- Offer guidance, training and support to all employees, volunteers and Members involved in Council activity (e.g. Benefits, Community Safety, Democratic Services, Environmental Health, Housing, Leisure and parks) to assist them in recognising and responding to the signs of possible abuse, and to protect themselves against allegations of abuse).
- Ensure that the Council's role and responsibility in protecting children and vulnerable adults from abuse is clear.
- Raise awareness of issues and procedures around safeguarding children and vulnerable adults.
- Work in compliance with the Derby and Derbyshire Safeguarding Children Procedures ([www.derbyshireacpc.org.uk](http://www.derbyshireacpc.org.uk))

### **1.3 Key principles**

The guidance given in this policy document is based on the following key principles:

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults, whatever their age, culture, disability, gender, language, race, religion or belief and/ or sexual orientation have the right to protection from abuse.
- All incidents of suspected poor practice and/ or allegations of poor practice should be taken seriously and responded to quickly and appropriately; this includes allegations of poor practice against employees, Councillors, volunteers and contractors.

### **1.4 Scope of the Policy**

The policy covers all of the functions and services of the Council as well as the operations of partners, contractors and voluntary organisations that deliver services on its behalf.

The policy covers all children up to the age of 18 years of age who are affected by the services delivered by or on behalf of the Council.

Many of the principles set out in this document also relate to vulnerable adults. These are defined as people aged 18 and over who may be vulnerable due to mental or other disability or illness and may not be able to protect themselves against abuse.

The Council recognises that Derbyshire County Council's (DCC) Children's Social Care and the Police are the lead agencies in the district with regard to child protection, and DCC's Adult Social Services is the lead agency with regard to vulnerable adults. The Council also recognises that everyone has a responsibility for child protection and protecting vulnerable adults, including all employees and Members.

As a service provider, the Council is committed to equality and fairness. The Council will endeavour to work with parents and other relevant parties to plan and organise activities to ensure that all children and vulnerable adults are able to take part at levels appropriate to their needs.

This is a corporate policy. However, different service areas and venues may have specific additional policies and operating procedures that need to be adhered to when working in those particular service areas.

Certain professional bodies e.g. Sports Coaching UK and National Governing bodies may also have additional policies. Members of professional bodies need to find out about any additional child protection policies they must apply. If the allegations are made against a qualified coach/ leader/ teacher the senior manager will also need to inform the relevant National Governing Body or Learning Authority.

## **1.5 Working with Partners**

The Council regularly works with partners and contractors from a variety of sectors. This policy will be drawn to the attention of, and made available to, all agencies and organisations in joint working situations.

## **1.6 Contractors**

Contractors will be expected to follow the Policy unless they have their own Policy, which has been recognised as an adequate substitute.

The principles of safe recruitment will, therefore, be included in the terms of any contract drawn up between the Council and contractors or agencies that provide services for, or adults to work with, children and vulnerable adults for whom the Council provides is responsible.

The Council will monitor compliance with the contract that will also include a requirement that the provider will not sub-contract to any personnel who have not been part of a safe recruitment process.

## **1.7 Roles and responsibilities (Appendix A)**

There are a number of roles, responsibilities and duties of different people within the Council that work directly with and/or whose work affects children and vulnerable adults.

## **1.8 Shared Information (Appendix B)**

All employees have a statutory obligation to safeguard confidentiality of personal information<sup>1</sup>. The relevant legislation includes the Data Protection Act 1998, the Human Rights Act 1998 and the Freedom of Information Act 2000. Access to personal information should be on strict need-to-know when you are sharing information with the Council and with other agencies.

Children and vulnerable adults of all ages have equal rights to confidentiality. If a child or vulnerable adult is making a disclosure you must always explain that some of this information will need to be shared with appropriate people and/ or agencies.

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<sup>1</sup> Data Protection Act 1998, Human Rights Act 1998 and the Freedom of Information Act 2000

## 1.9 Definition of Abuse (Appendix C)

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

**Emotional Abuse** – is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on a person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

**Sexual Abuse** - involves forcing a child or vulnerable adult or enticing a child, or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non -penetrative acts. They may include non – contact activities, such as involving children or vulnerable adults in looking at, or in the production of, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to behave in sexually inappropriate ways.

**Neglect** - is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of the individual'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 and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

**Financial Abuse** - misappropriation of an individual's funds, benefits, savings etc or any other action that is against the person's best interests, eg:

- Theft of money, possessions, property or other material goods
- Misuse of money
- Fraud or extortion of material assets
- Persuading a vulnerable adult to enter into a financial agreement, which is to their detriment.

## **2.0 Recognition of Abuse and Bullying**

**2.1** It is not always easy to recognise when abuse has taken place or a situation that has taken place may develop to become abusive. Council employees are not expected to be experts at recognising such situations, but employees do have a responsibility to act if they have concerns about the behaviour of an adult or child, towards a child or vulnerable adult. All employees have a duty to discuss any concerns they may have about the welfare of a child or vulnerable adult with their line manager or another appropriate senior member of staff as soon as possible.

## **3.0 Responding to Suspicions and Allegations of Abuse and Poor Practice (Appendix D)**

**3.1** False allegations of abuse do sometimes occur. However, if a child or vulnerable adult indicates that they are being abused, or information is obtained which gives concern that a person is being abused, this should never be ignored, taken seriously and always be acted upon.

**3.2** There are a number of barriers that exist which prevent a child or vulnerable adult from telling others about abuse, some of the main barriers are they may:

- be scared because they may have been threatened
- think they will be taken away from home
- believe that they are to blame, or they may feel guilty
- think it happens to others
- feel embarrassed
- not want their abuser to get in trouble
- have communication or learning difficulties
- not have not yet have the vocabulary to describe what has happened
- be afraid that they won't be believed
- think they have already told e.g. by dropping hints'
- have told someone before and weren't believed, so what's the point in trying again.

Action to be taken if a disclosure or allegation is made:

- React calmly so that you do not frighten the person
- Reassure the person that they were right to tell you
- Do not make promises of confidentiality, let the person know that you will have to tell another adult
- Try to reduce any questions you may choose to ask, to an absolute minimum and concentrate on listening to the person Questions should never be leading, they should only consist of Who...? Where...? When...? What...?
- Make a full written record of what has been said, heard and/ or seen as soon as possible using an Incident Report form (this can be found on the Council's intranet)
- This report form should then be discussed with your line manager or other senior member of staff.

Actions to be avoided:

- Panic
- Allow shock and/ or distaste to show
- Probe to find out more information than offered
- Speculate or make assumptions
- Make negative comments about the alleged abuser
- Make promises to agree to keep it a secret
- Doing nothing, expecting someone else to deal with it
- Discussing the issue with anyone other than the appropriate line manager or senior member of staff.

**3.3** It is not the responsibility of any employee of the Council to decide whether or not abuse is taking place. There is however a responsibility to act on any concerns and to protect children and vulnerable adults in order that appropriate agencies (in our case DCC Children's Social Care, DCC Adult Social Services and the Police) can make enquiries and take necessary action to protect the child or vulnerable adult. (See Appendix D - flowchart summary of responding to suspicions).

### **3.4 Sharing concerns with parents**

The Council is committed to working in partnership with parents or carers where there are some concerns about a child or vulnerable adult. In most situations it is important to talk to parents and carers to help clarify any initial concerns. The appropriate senior manager should liaise with the parents or carers. There are some circumstances in which a person may be placed at even greater risk if concerns are shared (e.g. where a parent or carer is responsible for the abuse or not able to respond to the situation appropriately). If in doubt speak to DCC Children's Social Care or DCC Adult Social Services.

### **3.5 Reporting Procedure**

#### ***Employees***

Employees responding to a suspicion of abuse or poor practice should complete an incident reporting form (this can be found on the Council's intranet), in liaison with their line manager. The incident should then be reported to the most appropriate senior manager (usually Head of Service). The senior manager will then decide what appropriate action needs to be taken usually contacting either or both DCC Children's Social Care or DCC Adult Social Services and the Police. The Council will co-operate fully with any investigation carried out by those agencies in line with their procedures.

### **3.6 Senior Managers**

If you are unsure about whether to refer, you should ring South Derbyshire and South Dales Social Care Area Office on 0845 6058 058 (Monday to Friday 8am to 8pm and Saturday 9.30am to 4pm and discuss your concerns. If your call is outside of these hours you should contact Derbyshire Social Services emergency duty team on 01773 78222. In an emergency you should you should telephone the Police on 999.

Before you make the telephone call it is important to have all the notes and information available to hand. Wherever possible, referrals telephoned to the Children's or Adult Social Care section should be confirmed in writing within 24 hours.

Be sure to take the name and job title of the person you speak to. The social worker's first job is to make a number of enquiries such as obtaining information from other professionals who are involved in the person's welfare. In terms of action the response time will vary depending on the situation. You can expect to be kept informed. If this does not happen ensure that you phone back.

### **3.7 Good practice guidelines for employees (Appendix E)**

We take any allegation seriously and investigate immediately and thoroughly. However, we also recognise that it is not impossible for our employees to become victim to false accusations. Employees are encouraged to protect themselves from false accusations by adopting good practice at all times. Examples of how to create a positive environment when working with children and vulnerable adults are set out in appendix E.

### **3.8 Allegations against Council employees**

Any concerns about the welfare of a child or vulnerable adult arising from alleged abuse or harassment by an employee of the Council must be reported immediately. It can often be difficult to report a fellow employee, but the Council assures all employees that it will fully support and protect anyone who, without malicious intent reports their concerns about a colleagues practice or the possibility that a child or young person may be

being abused or harassed. The Council's Whistleblowing Policy and procedure, which can be found on the Council's intranet, enables and encourages employees to raise any concerns that they have about malpractice, abuse or wrongdoing at an early stage and in the right way, without fear of victimisation, subsequent discrimination or disadvantage.

### **3.9 Types of investigation**

If there is an allegation about an employee, there may be three types of investigation.

- Criminal
- Child Protection
- Disciplinary

Civil proceedings could also be taken by the person or family who alleged the abuse or harassment.

### **3.10 Action to be taken if there are concerns about a Council employee**

If the concern or allegation is clearly regarding poor practice then the line manager and appropriate senior manager (usually Head of Service) should deal with it as a misconduct issue and follow the Council's Disciplinary Procedure.

Where it is suspected that abuse has taken place the following should happen:

- Any suspicions that an employee has abused a child or vulnerable adult should be reported to the Head of Organisational Development.
- The Head of Organisational Development will then seek advice from the DCC Children's Social Care or DCC Adult Social Services, who may then involve the Police. If the incident is out of hours the report should be made directly to the Police.
- The Disciplinary Procedure will then be followed.

### **3.11 Confidentiality**

The Council will abide by the information sharing protocol. Every effort should be made to maintain confidentiality. Information should be handled on a need to know basis. This includes the following:

- Members of the team leading the internal investigation
- The parents/ guardian / carer of the person who is alleged to have been abused
- The person making the allegation
- DCC Children's Social Care or DCC Adult Social Care and the police
- The alleged perpetrator.

Sharing confidential information without consent in the public interest is normally justified:

- Where, in the interest of the child or vulnerable adult, reasonable concerns identify that their health or development will be impaired without the provision of Services.
- Where there is evidence that a child or vulnerable adult is suffering or is at risk of suffering significant harm.
- Where there is a reasonable cause to believe that an individual may be suffering or at risk of suffering significant harm.
- To prevent significant harm arising to children and vulnerable adults or serious harm to adults, including through the prevention, detection and prosecution of serious crime.

Sharing information as part of preventative services:

- Obtaining consent should be the first consideration.
- Where this is not possible the key factor on deciding whether to share confidential information without consent is proportionality i.e. whether the proposed sharing is a proportionate response to the need to protect the public interest in question. The senior officer should record any decision and the reasons for it relating to whether or not to share information.
- If the decision is to share, a record of what information was shared and with whom must be made. You should also record any consultations and views sought which were undertaken as part of the process.

Any information should be stored in a secure place with limited access and in line with data protection laws.

### **3.12 Gathering Information - Common Assessment Framework (CAF)**

If you regularly work with children and young people and families you will need to be trained in completing a Common Assessment Framework (CAF). This is a standardised assessment that's designed to get a complete picture of a child's additional needs at an early stage. The assessment is a simple process that encourages close working with the family and can be completed by any practitioner who is involved with the child. It provides a holistic assessment of the child's needs in the context of the individual, the family and the community. The CAF encourages information sharing between practitioners in cooperation with the child and their family. Contact the Training and Development Officer for more information about the CAF training.

### **3.13 Expert advice**

If you are not sure what to do, contact DCC Children's Social Care or DCC Adult Social Care on (call Derbyshire 0845 6058 058). These agencies will give you guidance and support through the process.

#### **4.0 Handling of difficult situations (Appendix F).**

**4.1** There may be situations when individuals pose an immediate risk to others, property or themselves.

**4.2** Where dialogue and diversion tactics fail there are two types of simple control methods that can be used.

- 1) Simple physical presence as control. This involves no contact e.g. standing in front of an exit.
- 2) Holding or touching to persuade a child, young person or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

**4.3** If a situation is approaching the point where these methods will not or don't work or if the person is threatening or using violence then the police should be contacted immediately.

**4.4** Set procedures must be applied if these control methods are used (please see appendix F).

#### **5.0 Recruitment and Employment (Appendix G).**

**5.1** The Council will take all reasonable steps to prevent unsuitable people from working with children and vulnerable adults. In particular, it will:

- Ensure all staff with responsibility for recruitment and selection are trained.
- Each recruiting manager will evaluate the need for Criminal Records Bureau (CRB) Disclosure check, for all vacancies/ new posts.
- As appropriate, ensure experience of working with children, young people and vulnerable adults (and also cover any apparent gaps in employment history at interview).
- Confirm the identity of the prospective appointee. This will normally be done at interview stage. This information can then be cross-checked with the information required for the CRB check.
- Take up two references (one from current or most recent employer) and, as appropriate, enhanced disclosure check from CRB, prior to commencement of appointment. (There are sometimes difficulties in getting CRB checks back quickly, manager's may very often have to risk assess the situation. For example, can the individual be closely supervised until the CRB check is received or can the job be restructured, to remove the risk until the CRB check is received).
- Provide full induction on the job role and the provision of this and related policies.
- Complete regular monitoring during a new employees probationary period.

## **6.0 Learning and Development**

- 6.1** The Council has a responsibility to ensure all new employees undertake an induction programme, which includes both corporate and service induction. As part of this induction programme, the Council will ensure employees are made aware of and understand their responsibilities in respect of the Safeguarding Children and Vulnerable People Policy.
- 6.2** As part of the service induction, line managers will go through this policy with all new employees who may have work with or have access to children and vulnerable adults and give them a copy.
- 6.3** Child protection training for certain roles will be provided. Training may include internal courses, workshops, supported e-learning programme, external courses, seminars and workshops organised by Child Protection agencies. Any new employee will also complete a 6-month probationary period. During this, any learning needs will be identified and addressed and regular meetings will be held to monitor performance. On an annual basis, all employees have an individual performance development review with a line manager. This will identify any learning or development related to their job role.

## **7.0 Work Experience Placements (Appendix H)**

Before a young person or vulnerable adult commences in a placement or work experience, managers will need to make sure that they have followed the guidelines on this (for more information please see the Council's policy 'for Employing or Engaging Young Persons at SDDC' which can be found on the Intranet).

## **8.0 Health and Safety**

- 8.1** Under health and safety law, the Council has the same legal responsibilities for the health, safety and welfare of young people and/ or vulnerable adults, as its employees.
- 8.2** Protecting the health and safety of young people and vulnerable adults must be done in such a way that it complies with the Council's legal responsibilities but at the same time does not restrict the young person or vulnerable adult's rights to autonomy, privacy or dignity.
- 8.3** The management of health and safety at Work Regulations 1999 require that young people and vulnerable adults are protected from risks to their health and safety taking into account that they may be:
- Inexperienced
  - Have not been trained; and
  - May not pay enough attention to health and safety.

**8.4** Risk Assessments will be carried out for all activities involving young people and vulnerable adults before they start in employment, on work experience, or participate in Council activities. The risk assessment will determine the level of supervision the young people or vulnerable adult requires.

**8.5** All young people and vulnerable adults will be inducted before they start in employment, work experience or undertake Council activities in order to provide them with information and instruction to enable them to carry out their tasks safely, or participate in activities safely.

An accident or incident involving a child or vulnerable adult should be reported to managers using the health and safety accident report form on the Councils intranet.

**9.0 Guidelines for photography and filming at council managed facilities and events.**

**9.1** Anyone wishing to use photographic/ film/ video equipment at the Council's facilities and/ or events may do so only with the permission of the Council. For individual users and commercial photographers this permission is accredited through the use of the Photography and Filming Request Form Appendix I.

Permission will only be granted once a photographer has signed to say he or she will abide by the conditions for use of photographic and filming equipment. These conditions are:

- Any images taken will be used only for the purposes stated on the Photography and Filming Request Form
- Any images are taken with the permission of the subjects
- Proof of identity may be required in order to grant permission to use the photographic filming equipment
- The Council reserves the right to withdraw permission to use photographic filming equipment immediately without prior warning
- Failure to stop photography when asked may result in the photographer being asked to leave or reporting the incident to the police
- The photographer should be sensitive to other users/ participants and as far as reasonably possible restrict the images taken to those of the subjects(s)
- If at any time another user in the area where the photographs are being taken complains about the activity then the photography or filming must stop immediately
- If in the case of dance shows, productions and private hirings of council facilities it is the responsibility of the organisers/ hirers to inform parents/ carers of the individuals attending the event that photographs will be taken

- It is the responsibility of any commercial photographer taking images at Council facilities to obtain written permission of any subjects included in their photographs to use the images before publication; Images may only be taken in the areas shown on the date indicated on the Photography and Filming Permission Request form
- If for any reason the details shown on the permission request change, the form should be returned to the Council for alteration. If, when challenged, a discrepancy is found between the Photographer and Council, copies of the permission request, permission to use photographic and filming equipment will be withdrawn.

## **9.2 Photography and filming during external hire of facilities**

It is the hirer's responsibility to ensure that all participants and their parents/guardians/carers if under 16 are aware that photographic/filming/video equipment is going to be used. Where appropriate they may be required to get written permission from participants or their parents/guardians/carers to use the photographs in publicity, promotional or media material.

## **9.3 Guidelines for taking photographs of children and vulnerable adults**

There will be occasions when photographs are taken for the purposes of gathering evidence for enforcement action or contractual compliance, and the following precautions will be taken.

- If a photograph is used, avoid naming individuals
- Before the images are taken the written permission of the individual's parents should be sought
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use
- There are some activities e.g. swimming, gymnastics and athletics where the risk of potential misuse is much greater. With these sports the photographs should focus on the activity not a particular subject and should avoid full face and body shots. For example photographs of children and vulnerable adults in a pool would be appropriate or if on a poolside from the waist or shoulder up.

## **9.4 Vigilance by the general public**

No matter what arrangements are put in place to prevent the misuse of cameras, videos or mobile phones with digital image recording, the nature of "peeping tom" type activity make it very difficult to police. In recognition of this, the Council asks users of their facilities to be alert to any suspicious activity, particularly where children and vulnerable adults may be involved and encourages them to report any such incidents or concerns at the earliest opportunity to a Council employee.

## 10.0 Further Information

The document "*What to do if you're worried a child is being abused*" can be accessed and downloaded from [www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

Local procedures and guidance can be found on the Derbyshire Safeguarding Children Board site at [www.derbyshirescb.org.uk/](http://www.derbyshirescb.org.uk/)

### Roles and Responsibilities to Safeguard Children and Vulnerable Adults

A range of local authority services has the potential to impact upon the lives of children and vulnerable adults:

#### **Sport, Culture and Leisure Services**

Those employees who provide the following services will have various degrees of contact with children and vulnerable adults.

- Sport and leisure centres
- Play facilities
- Parks and gardens
- Events and attractions

#### **Community Safety**

Staff involved with Anti-Social Behaviour working with children and vulnerable adults liaise with other organisations to reduce unacceptable activities.

- The Community Safety Team should adopt a multi-agency approach in response to suspicions of abuse to children and vulnerable adults.

#### **Housing Service**

Housing authorities that assess the needs of families requiring housing repairs or adaptations are a key link within the community.

- Housing staff in regular contact with families and tenants, have the opportunity to identify concerns.
- Homelessness staff play a front line emergency role managing re-housing or repossession when adults and children become homeless or at risk of homelessness as a result of domestic violence.
- All Housing employees are well placed to observe situations that may warrant referral.
- Sheltered housing employees in regular contact with elderly residents through the community warden schemes.

#### **Benefits**

The Benefits team may be alerted to adverse situations in the following areas:

- Benefit visiting officers may become aware of conditions that impact adversely on a child or vulnerable adult.
- Benefits staff may be alerted to adverse situations by processing benefit applications.

#### **Environmental Services**

Environmental health services are regularly alerted to adverse situations.

- Environmental Health officers may become aware of conditions that impact adversely on a child or vulnerable adult.

- Routine inspections in child care facilities and care homes may reveal abusive situations. Staff need to be especially aware of the risk of neglect, emotional abuse and domestic abuse.

Daily street maintenance requires staff to be amongst the community.

- Street cleansing teams should also be vigilant of abusive situations that may otherwise go unnoticed, and be aware of the referral procedure.

### **Voluntary, Private and Community Sectors**

Voluntary organisations, private and community sector providers working in partnership with the Council involving children and vulnerable adults will be made aware of the Council's Safeguarding Policy. Organisations that are grant aided will be encouraged to develop an appropriate policy as a condition of financial support.

### **Managers**

The Head of Organisational Development will be responsible for approving the Safeguarding Policy and for ensuring that it is reviewed regularly.

Managers will ensure that the policy is implemented by ensuring that their staff understand their responsibilities, appropriate training is provided and incidents and concerns are monitored and reviewed.

### **Elected Members**

In their role as community representatives, Members will have close contact with all sections of the community, including children and vulnerable adults and this is likely to increase as the role of Elected Members in the community develops. It is therefore important that Members undertake appropriate training, to equip them to carry out their responsibilities effectively in relation to the safety and welfare of children and vulnerable adults.

### **Sharing Information**

#### **Key Points for sharing information:**

- Staff should explain to the child, vulnerable adult and parent at the outset, openly and honestly, what information will, or could be shared. They should explain how and why it needs to be shared, and seek their agreement. The exception is where to do so would put the person or others at risk of significant harm, or undermine prevention, detection or prosecution of a serious crime including where seeking consent might lead to interference with a potential investigation.
- Staff must always consider the safety and welfare of a child or vulnerable adult when making decisions on whether to share information about them. Where there is concern that the person may be suffering or is at risk of significant harm, the individual's safety and welfare must be the overriding consideration.
- Staff should, wherever possible, respect the wishes of children, vulnerable adults or their parents who do not consent to share confidential information. Staff may still share information, if in their judgement on the facts of the case; there is sufficient need to override that lack of consent.
- Staff should seek advice from the appropriate professional bodies where they are in doubt, especially where their doubt relates to a concern about possible significant harm to a child, vulnerable adult or to others.
- Staff should ensure that the information they share is accurate and up-to-date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.
- Staff should always record the reasons for their decision-whether it is to share information or not.

#### **Obtaining consent**

The individual's consent should always be sought. However, a lack of consent should never compromise the safety or welfare of a child or vulnerable adult. However, consideration should be given to why consent is being withheld in line with their human rights. Written consent to share information should be sought wherever possible.

### Recognition of Abuse and Bullying

#### Definitions of abuse

The following definitions below are adapted from Department of Health (2006) *Working Together to Safeguard Children*.

#### Physical Abuse

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

#### Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to the person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on a person. These may include interactions that are beyond the person's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the person participating in normal social interaction. It may involve serious bullying causing individuals frequently to feel frightened or in danger, or the exploitation or corruption of children or vulnerable adults. Some level of emotional abuse is involved in all types of maltreatment, though it may occur alone.

#### Sexual Abuse

Sexual abuse involves forcing a child or vulnerable adult or enticing a child, or vulnerable adult to take part in sexual activities, including prostitution, whether or not the person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children or vulnerable adults in looking at, or in the production or, pornographic materials or watching sexual activities, or encouraging children or vulnerable adults to be have in sexually inappropriate ways.

#### Neglect

Neglect is the persistent failure to meet a child's or vulnerable adult's basic and/ or psychological needs, likely to result in the serious impairment of the individual'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 and clothing, shelter including exclusion from home or abandonment, failing to protect a child or vulnerable adult from physical and emotional harm and danger, failure to ensure adequate supervision including the use of inadequate care-takers, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a person's basic emotional needs.

## **Indicators of abuse**

Indications that a person may be experiencing abuse could include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated in a part of the body not normally prone to such injuries. Bruises that reflect hand marks or fingertips could indicate pinching or slapping. Cigarette burns and scalds would also be a concern.
- An injury for which the explanation seems inconsistent
- The child, young person or vulnerable adult describes what appears to be an abusive act involving him or her
- Someone else (a child, young person or adult) expresses concern about the welfare of another person
- Unexplained changes in behaviour e.g. becoming very quiet, withdrawn or having severe temper outbursts
- Inappropriate sexual awareness
- Engaging in sexually explicit behaviour
- Discomfort when walking or sitting down
- Distrust of adults, particularly those with whom a close relationship would normally be expected
- Has difficulty making friends
- Is prevented from socialising with other people/
- Displays variations in eating patterns including overeating and loss of appetite
- Loses weight for no apparent reason
- Becomes increasingly dirty and unkempt.

This list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place or has taken place.

## **Abuse and Children and Vulnerable Adults with a Disability**

Children and vulnerable adults with a disability are at increased risk of abuse and those with multiple disabilities are at even more significant risk both of abuse and neglect. Parents of children with a disability may experience multiple stresses. This group of children and vulnerable adults may be particularly vulnerable to abuse for a number of reasons including:

- Having fewer social contacts than other children
- Receiving intimate personal care from a larger number of carers
- Having an impaired capacity to challenge abuse
- Having communication difficulties resulting in difficulties in telling people what is happening
- Being reluctant to complain for fear of losing services
- Being particularly vulnerable to bullying or intimidation
- Being more vulnerable to abuse by peers than other children.

## **Bullying**

In some cases of abuse it may not always be an adult abusing a child or vulnerable adult. In the case of bullying the abuser may be another child or vulnerable adult. Bullying is deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those being bullied to defend themselves.

Anyone can be a target for bullying, sometimes victims are singled out for being overweight, physically small, having a disability, being shy and/or sensitive or belonging to a different race, faith or culture. Bullying can and does occur anywhere there is inadequate supervision.

Bullying may be:

- Physical including hitting, kicking and theft
- Verbal including name calling, teasing, racist or homophobic taunts, threats and graffiti
- Emotional indulging tormenting, ridiculing, humiliating and ignoring
- Sexual including unwanted physical contact or abusive comments
- Cyber bullying e.g. email, text messaging etc.

Bullying can cause a considerable amount of stress to children and vulnerable adults, it can affect their health and development and in extreme cases it can cause them significant harm including self-harm.

Indicators that a child or vulnerable person is being bullied could include:

- Behavioural changes such as reduced concentration, becoming withdrawn, clingy, depressed, tearful, having mood swings, having a reluctance to go to training, events or sports clubs
- A drop in performance at training, events rehearsals etc
- Physical signs such as stomach aches, headaches, scratching and bruising and damaged clothes
- A shortage of money or frequent loss of possessions.

Action if bullying is suspected:

The following action to help the victim and prevent bullying should be taken:

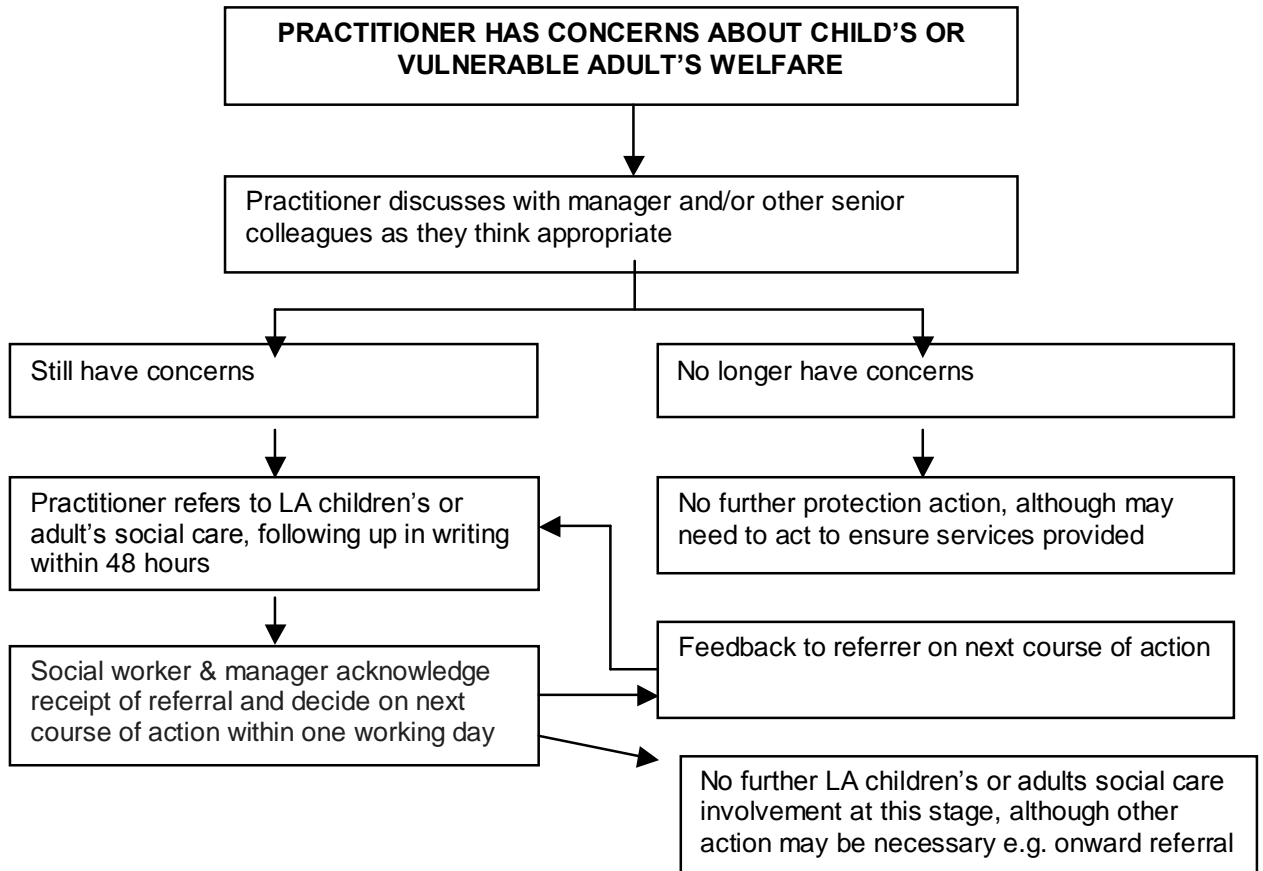
- All signs of bullying should be taken seriously
- All children and vulnerable adults should be encouraged to share their concerns
- The victim should be helped to speak out and tell the person in charge or someone in authority
- All allegations should be investigated and action taken to ensure the victim is safe. The victim and bully (ies) should be spoken to separately
- Employees should reassure the victim that they can be trusted and will help them, but do not promise not to tell anyone else
- Records should be kept of what is said.

The following action should be taken towards the bully (ies):

- The situation should be explained to the bully (ies)
- An effort should be made to get the bully (ies) to understand the consequences of their behaviour
- An apology to the victim should be sought
- Any items belonging to the victim should be returned
- Encouragement to the bully (ies) to change their behaviour should be offered
- Meetings should be held with parents or carers to report on progress
- All appropriate employees should be informed of action taken
- A written record of action taken should be kept.

## Appendix D

### Summary of Responding to Suspicions



**For referral where there are concerns about the welfare of a child or a vulnerable adult**

#### **South Derbyshire and South Dales Area Office**

Civic Way  
Swadlincote  
DE11 0AQ

Tel: 0845 6058 058

Fax: 01283 238100

Textphone: 01283 226901

email: [sdalessderbyshire@derbyshire.gov.uk](mailto:sdalessderbyshire@derbyshire.gov.uk)

### **Good Practice Guidelines for Employees**

Examples of how we to create a positive environment when working with children and vulnerable adults:

- Work in an open environment, avoid private or unobserved situations
- Treat all children and vulnerable adults with equal dignity and respect
- Put the welfare, success and achievement of each child first, before the winning or achieving of goals'
- Make activities enjoyable and promote fair play
- Maintain a safe and appropriate distance with children and vulnerable adults
- If physical contact is necessary for demonstrating skills etc, explain and discuss these actions with the person first
- Recognise that caution is required especially when dealing with sensitive moments e.g. when dealing with bullying, bereavement or abuse
- Keep up to date with technical skills, qualifications and insurance requirements
- Be an excellent role model, this includes not drinking alcohol or smoking in the company of children and vulnerable adults in any work related environment
- Give constructive feedback rather than negative criticism
- Recognise the development needs of children and vulnerable adults and avoid excessive training or competition.

Things to avoid:

You should NEVER allow or take part in any of the following:

- Engage in rough physical or sexually provocative games
- Engage in or allow any form of inappropriate touching
- Allow children and vulnerable adults to use inappropriate language unchallenged
- Make sexually suggestive comments to a child, even in fun
- Reduce a child, young person or vulnerable adult to tears, as a form of control
- Allow allegations made by a person to go unchallenged, unrecorded or not acted upon
- Do things of a personal nature for a child, young person or vulnerable adult that they can do for themselves including things like applying sun cream
- Transport or take children, young people or vulnerable adults to their home unsupervised
- Administer medication unless specifically trained and approved by the person's parents to do so
- Take a child or vulnerable adult to the toilet unsupervised.

The list is not exhaustive. Some specific posts and activities may need more detailed guidance. If employees have any concerns about the appropriateness of any practice or action, they should contact their line manager where possible or a senior manager.

### **Handling Difficult Situations - Control**

Two types of simple control methods can be used in order to prevent injury to the child or vulnerable adult, other children and vulnerable adults or significant damage to a property.

Simple physical presence as a control involves no contact e.g. standing in front of an exit. Holding or touching to persuade a child or vulnerable adult to comply with verbal requests e.g. holding a person's hand or using the shoulders to steer a person away from a situation.

Wherever possible steps should be taken in advance to avoid the need for these control methods through dialogue and diversion. If a situation is approaching the point where these methods will not or do not work or if the person is threatening or using violence then the Police should be contacted immediately. If other children or vulnerable people are present in the area, they should, if possible be moved away from the situation.

Procedures to be followed if these control methods are used:

- Notify your line manager immediately after the incident has occurred.
- Complete an accident report form (An accident report form can be found on the Council's intranet) and send this to your line manager and the Health and Safety Officer.

Line managers should then:

- Ensure the report is comprehensive
- Ensure that the parents of the child or vulnerable adult are informed of the incident and provided with a copy of the report
- Arrange a meeting to discuss the incident with the employee within 24 hours of the incident if possible
- Write up the meeting with the employee and obtain the employees signature to the accuracy of the discussion notes
- Keep all records of the incident in a secure locked cabinet
- Ensure further training to reduce the risk of this type of incident recurring is provided to the employee if appropriate. Training could include preventative measures and strategies.

### Recruitment and Employment

Pre-recruitment checks will always be carried out. This includes conducting a risk assessment for all posts to determine whether or not the post has access to children and vulnerable adults (this will apply regardless of the employment status of the post i.e. permanent, temporary or casual). Where posts have access to children and vulnerable adults the following procedures apply:

- The risk assessment will determine whether a Criminal Records Bureau (CRB) check is required.
- The nature and extent of access to young people/vulnerable adults will be clearly identified in the job description.
- Any CRB disclosure requirement will be clearly identified in the advertisement and candidate profile.
- The recruitment process will be based on the Council's standard application form:
  - Name, address and National Insurance Number
  - Space to write about relevant experience, qualifications and training undertaken
  - Listing of past career (to confirm experience and identify any gaps in career which need to be questioned and verified)
  - Any criminal record or criminal charges pending
  - The names and contact details of at least two people including the current or most recent employer who is not related to them willing to provide written references. These to comment on the applicants previous experience of and their suitability for working with children and vulnerable adults.
- Any gaps/omissions in experience/career must be covered at interview.
- Once the successful candidate has been selected, his/her identity will be confirmed from official documentation (e.g. birth certificate, passport or driving licence).
- The appointment will not start until satisfactory references and CRB clearance has been received. (There are sometimes difficulties in getting CRB checks back quickly, manager's may very often have to risk assess the situation. For example, can the individual be closely supervised until the CRB check is received or can the job be restructured, to remove the risk until the CRB check is received).
- All appointments will be subject to a probationary period of employment.
- CRB checks will be renewed in accordance with council policy.
- Organisational Development will maintain a record of CRB clearances.

### **Applying for a CRB Disclosure**

The successful candidate will be sent an application form, accompanied by guidance notes on how to complete it, through the post from Customer Services. He/she should also provide the necessary information as proof of identification. When the applicant has completed their sections of the form, the recruiting manager (or their representative) must then verify the documents/evidence provided as proof of identification.

The disclosure should then be forward to Organisational Development for signing by an authorised officer (i.e. Lead Signatory, Counter Signatory). Once signed Organisational Development will send the form to the CRB.

### **Receipt of the Disclosure**

The completed disclosure will be returned to Organisational Development. The CRB will also send a copy to the individual. Organisational Development will notify the recruiting manager whether the disclosure is satisfactory. If any conviction is listed it will be discussed with the recruiting manager who will then decide, normally after discussing the matter with the individual, whether the conviction is relevant and whether the appointment is to be confirmed.

### **Security of information**

Disclosure information will be kept securely for a period of six months and then destroyed. Only those entitled to see it in the course of their duties would have access.

### **CRB checks for existing SDDC Staff**

- The Council will ensure that all currently employed members of staff who come into contact with children will be CRB checked.
- The Council will ensure that all employees who come into contact with children will be CRB checked on a 2-year basis. This is to ensure that employee's records are current and up-to-date.

### **New Vetting and Barring Legislation**

From October 2009 the Council will need to make sure that all employees working with children and/or vulnerable adults have registered with the Independent Safeguarding Authority (ISA). An ISA check will reveal if the person has registered and able to work with children and/or vulnerable adults. it is illegal to employ an unregistered person. For those individuals registered with the ISA scheme, further enhanced CRB checks will be at the employers discretion and organisations may still wish to apply for CRB Enhanced Disclosures\* to obtain an individual's full criminal record. This will be linked to the risk assessment of the post. We will also need to ensure that existing employees are ISA-registered. First you should ask those who have not been previously checked by the Criminal Records Bureau (CRB) to apply for ISA registration. Next you should ask those who have been CRB checked to apply, beginning with staff whose CRB checks are the oldest.

***From October 2009***

- New job applicants will need to apply for ISA registration.
- Employers and voluntary organisations working with children and vulnerable adults cannot recruit workers who are not ISA-registered.

***From 2010***

- Existing employees and volunteers with no CRB check must apply for ISA registration.

**\*Existing employees and volunteers with CRB checks will also need to apply for ISA registration, starting with staff whose CRB checks are the oldest. This can be requested for posts that involve regularly caring for, training, supervising or being in charge of persons aged under eighteen or vulnerable adults. This can be requested for posts that involve regularly caring for, training, supervising or being in charge of persons aged under eighteen or vulnerable adults.**

### Managing Work Experience

All students/young persons and trainees are to be regarded as employees for the purposes of health and safety and they should receive all of the same protection we afford to our own employees.

The council carries Public Liability Insurance details, which can be obtained from the Finance Service.

Where young persons are participating on work experience placements, line managers are responsible for ensuring the following process is adhered to:

- A Partnership Agreement Form (available from participating schools) must be submitted by the young person (signed by the parent/guardian) for completion and agreement by the relevant Head of Service/ or nominated Officer.
- A Medical Health Form should be completed by the parent/guardian of the young person and submitted with the Partnership Agreement Form.
- The supervising line manager should draw up a programme of activities/supervisory arrangements to cover the period of the placement.
- A risk assessment should be conducted considering the activities/duties the young person will engage in and the information submitted on the Medical Health Form.
- The parent/guardian of the young person should be informed of the findings of the risk assessment and the control measures put in to place before the child starts the placement.
- The Derbyshire Education Business Partnership (DEBP) will arrange for their own independent health and safety assessment to be conducted in regard to the type of work/work environment of the placement this does not include modern apprentices.
- The supervisory line manager is responsible for ensuring young persons are appropriately inducted.

On commencement in placement, managers and Organisational development will:

Ensure the following induction is covered on day one:

- Explain Code of Conduct
- Explain Equal Opportunities policy
- General talk on safety and First Aid
- Brief run through Health and Safety policy
- Security
- Fire Drill and Alarm
- Fire Exits
- First Aiders

- First Aid Room
- Accident Reporting
- Smoking at Work
- Function and how it relates to the rest of the organisation
- Role of Work experience student
- Supervision
- Colleagues
- Standard of work / conduct expected.

Following induction on day one, managers and those undertaking work experience will sign and date the Induction Checklist that should be forwarded to Organisational Development who will retain a copy on file.

### **Undertaking Risk Assessments**

Under health and safety law, we must assess the risks to young people and vulnerable adults before they start in placement. We must also tell them what these risks are.

Managers will also need to take into account that young people and vulnerable people may be:

- Inexperienced
- Lack training
- Mentally or physically immature.

We should take specific account of:

- How the workplace is fitted and laid out
- What type of equipment will be used and how it will be handled
- How it will be handled
- How the work is organised
- What training is needed to carry out the tasks safely
- Any hazardous substances they may be exposed to
- What are the risks from work hazards.

### **Restrictions on work**

A young person or vulnerable adult must not undertake any tasks where a significant risk remains in spite of the best efforts made to take all reasonable steps to control it, for example:

- Work or tasks that that cannot be adapted to meet any physical or mental limitations they may have
- Exposure to substances, which are toxic or cause cancer
- Exposure to radiation
- Work or tasks extreme heat, noise or vibration
- Manual handling should be avoided.

### **Training and supervision**

All young people and vulnerable adults undertaking work experience placements need to be trained to do the work without putting themselves and other people at risk. It is important to ensure that processes are in place to check that they have understood the training, which should cover:

- The hazards of the work place
- The control measures in place
- A basic introduction to health and safety.

Young people and vulnerable adults will face unfamiliar risks from the job they will be doing and from their surroundings, and for this reason, may require more supervision.

### **Managers will ensure**

- The supervision of the young person or vulnerable adults at all times, including breaks
- Clearly defined work tasks
- Clear methods of working and safe instruction
- A relevant training programme
- Any work restrictions are clearly defined and checked that they have been understood.

### Policy for the Use of Images

This policy seeks to ensure that images used by the Council and its partners comply with the Data Protection Act, Child Protection protocols and copyright laws. The policy provides consent forms for use to enable images to be used in a variety of formats by the Council and its partners. It also ensures that photographs are stored in a central and accessible library.

#### Data Protection Act

The Data Protection Act 1998 not only governs the way in which information is processed about people, it also controls the way images of clearly identifiable people are used.

#### Use of images

Images can be used in information documents and in publicity and promotional materials produced by South Derbyshire District Council and by its partners such as the South Derbyshire Local Strategic Partnership and the Safer South Derbyshire Partnership in formats such as:

- printed publications including as the annual report and corporate plan
- guides and leaflets
- photographs in displays
- posters for publicity purposes
- on the internet and the Council's intranet
- videos
- moving images in webcams in multi media messaging service for the users of mobile phones
- on objects such as mugs and beer mats.

#### Image library

Officers who take or commission photographs should ensure that electronic copies of the photograph are given to the Council's Graphic Designer who can maintain a central picture library. Partner organisations should also be encouraged to provide the Graphic Designer with images.

### Consent to take images

#### *When consent is not needed*

People whose images appear as incidental detail do not need to give consent for the use of their image. Consent is not needed if individuals are not either the focus nor readily identifiable from the photograph. If it is unlikely that any damage or distress will result from such images being used, then it will not be necessary to obtain consent. It should be borne in mind that when a photograph was used by a council in an HIV-AIDS awareness campaign, and although the adults and children who appeared in the photograph were not the focus of the picture, they obtained significant damages as it could be intimated that those photographed may have HIV-AIDS.

### Staff image consent

When staff join the authority they will be asked to sign the staff image consent form (see appendix one) that gives permission for their image to be used in a variety of formats by the Council and its partner organisations.

All current members of staff will be asked to sign a staff image consent form so that their images can be used.

Image consent forms will be kept by the Graphic Designer. Staff are asked to inform the Graphic Designer if they no longer wish their image to be used. The Graphic Designer will then remove their image from the image library.

### General consent for large groups

Photographing large groups on behalf of the Council or its partners

Where photographs are to be taken by a photographer working for the Council or by a member of staff at a group activity, it should be clearly announced that the photograph is going to be taken so that individuals may leave the room briefly if they do not wish to be photographed. It should be made clear that the photograph could be used for any publicity or promotional purpose by the Council and its partners.

If images are taken at an event attended by large crowds there is no need to get the permission of everyone in a crowd shot. For people in the foreground the photographer can speak to those within earshot, explaining that the photograph is being taken by the Council for use by the Council and its partners. A record of this general consent should be completed by whoever takes the image.

### The media photographing large groups

When photographs are taken by the media, it is the responsibility of the Council employee or the partnership member organising the event to ensure that the attendees or the audience are made aware that a photograph is going to be taken and where it might be used. The employee or partnership member should then complete the general consent form.

### Photographing children

Parental consent – Appendix Three

Teacher's or leader's consent – Appendix Four

The policy of South Derbyshire District Council is that consent should be obtained where a child under 18 is the focus of a picture.

Particular care is required when capturing images that include children. The possibility that images of children could be used inappropriately should always be considered, for example staff should ensure that children are not photographed in swimming costumes.

It is important that the names of children should not be used with photographs.

### Existing photographs

Photographs taken before this policy was in place should not be used without consent being obtained from the individuals featured.

Permission must be obtained from the freelance photographer Louise Galdes, for images she took specifically for the Council's former newspaper and for other publications before they can be used for any other purpose. Her contact number is 07951 022802. If permission is granted, a credit for Louise Galdes must appear as part of her shared copyright agreement with the Council.

The Council's Graphic Designer, as the custodian of the pictures library, will ensure that photographs are not used without permission of the photographer, or of the people who were photographed.

### Photographs from an agency

If images from an agency are used, staff must obtain the written confirmation from the agency that all clearly identifiable people have given consent for their image to be used as it is ultimately the Council's responsibility to ensure that consent was obtained.

### Diversity, equal opportunities and disability

Whenever possible photographs should be inclusive of the whole community and also comply with the Disability Discrimination Act 1995 by providing a positive image of disabled people.

### Photographs of structures, buildings and dwellings

Consent to take and use photographs of structures and buildings is not normally required except where intellectual property rights apply. Pictures of dwellings can also be taken without consent. However, where the picture, together with other information, identifies the home and location of a living individual, then consent should be gained from the individual affected.

### Copyright

It is important to be sure of the copyright position of any photographs, as photographic images are considered as artistic works under the laws of copyright.

Copyright is basically the right given to authors and creators of works, such as books, films or computer programs, to control the exploitation of their works. This right broadly covers copying, adapting, issuing copies to the public, performing in public and broadcasting the material. Copyright arises automatically and does not depend on the completion of any formalities, such as registration.

Photographs obtained from the Internet are subject to copyright. The first owner of copyright is usually the author of the work. The major exception is where such work is made in the course of employment, in which case the employer owns the copyright.

Commissioning and paying for work does not procure the copyright. Contractors and freelancers own the first copyright in their work unless the commissioning contract agrees otherwise.

Copyright lasts for over 50 years. Photographs taken after 1 August 1989 are protected for 70 years after the death of the photographer.

Photographs not owned by the Council and used on the Internet or on paper publications must have a photographic credit attached to them. Photographs owned by the Council do not need a credit.

**Staff image consent**

(When completed, to be sent to the Council's Graphic Designer)

I (full name printed).....

give permission for images taken during my employment with South Derbyshire District Council to be used in any publication or promotional material including websites which are produced by South Derbyshire District Council or its partners during my employment with the Council and after I leave.

If at any stage I wish to cancel this permission I will contact South Derbyshire District Council's Graphic Designer.

Signed .....

Date.....

**General consent form**

to be completed when photographing group activities by Council or partnership staff, by commissioned photographers or by the media  
(When completed, to be sent to the Council's Graphic Designer)

I (full name printed) .....

confirm that I announced that an image which could be used for promotional or publicity purposes by South Derbyshire District Council or its partners was being taken and gave those attending the option to leave the room.

Event .....

Venue .....

Date .....

Signature.....

Role - Photographer/Event organiser/Other (please state).....

Date.....

**Consent for images to be used of a young person under the age of 18 by parent, guardian or carer**

(When completed, to be sent to the Council's Graphic Designer)

I, (full name printed).....

confirm that I give my permission

for my child (full name printed).....

.....

who is attending the event today at .....

.....

to be photographed. My child is not subject to a court order and thus cannot be photographed.

The photographs taken today are for use for publicity and promotional purposes by South Derbyshire District Council or its partners. This might include such uses as newspapers, the Internet, leaflets and displays. My child's name will not be used.

Signature.....

Relationship to child – Parent/Guardian/Carer (please delete as appropriate)

Address .....

.....

Date .....

**Teacher or leader's consent for young people under the age of 18 where consent has already been obtained by their organisation**

(When completed, to be sent to the Council's Graphic Designer)

I (full name name).....

of .....

confirm that permission from parents, guardians or carers has been sought for all the children who are attending the event.

I have ensured that children whose parents have not given consent are not photographed. None of the children whose image is recorded is subject to a court order and thus cannot be photographed.

The photographs taken today for use by South Derbyshire District Council or its partners or the media for publicity and promotional purposes in such uses as newspapers, the Internet, leaflets and displays. The children's names will not be used. I give permission for the name of the school or the organisation to be used.

Signed.....

Position ..... Date .....

## Safeguarding Children and Vulnerable People Policy

### Action Plan

Action	By Whom	By When
Establish a virtual safeguarding children and vulnerable adults group to keep Heads of Service up-to-date with new legislation etc.	Policy Officer (consultation) with Heads of Service	May 2009
Outline levels of training for key posts that work closely with children and vulnerable adults and identify those staff groups who may need training	Policy Officer (consultation) with Training and Development Officer	May 2009
Produce team brief articles to raise awareness of the policy and provide good practice guidelines for staff to follow	Policy Officer (consultation)	December 2008 May 2009
Produce a summary information poster leaflet with contact numbers in order to report an allegation or a suspicion of child abuse for all staff	Policy Officer (consultation)	September 2009
Identify key posts that will be subject to Criminal Record Bureau Checks Identify those staff that will need to be registered with the ISA.	Human Resources Officer	Before October 2009
Review Corporate Policy on CRB Checks so that it includes new ISA legislation and produce guidelines	Human Resources Officer	Before October 2009
Review the recruitment and selection training to ensure that it covers the principles of safeguarding children and vulnerable adults.	Human Resources Officer	May 2009
Review the reference form to ensure the applicants suitability of working with children and vulnerable adults.	Human Resources Officer	June 2009

Review and if necessary establish new procedures between third party organisations delivering services on behalf of the Council and contractors to ensure they are meeting the requirements of SDDC Councils Safeguarding Policy for Children and Vulnerable Adults.	Policy Officer (Consultation) and Business and Improvement Manager	December 2009
Review our policy on hiring our rooms/facilities to groups working with children and vulnerable people.	Policy Officer (consultation)	December 2009
Monitor and record any safeguarding incidents that may occur	Head of Organisational Development	Ongoing
Review this policy annually	Head of Organisational Development	December 2009