



**CHILD WELLBEING AND PROTECTION
POLICIES AND PROCEDURES**

CONTENTS

CHILDREN’S RIGHTS POLICY STATEMENT	3
CHILD PROTECTION POLICY STATEMENT	3
CODE OF CONDUCT	4
RESPONDING TO CONCERNS ABOUT A CHILD	6
RESPONDING TO CONCERNS ABOUT A CHILD PROCEDURE	8
RESPONDING TO CONCERNS ABOUT AN ADULT’S CONDUCT PROCEDURE	9
ROLES AND RESPONSIBILITIES OF CHILD WELLBEING AND PROTECTION OFFICER	10
CONCERN RECORDING FORM	13
REVIEWING THE MANAGEMENT OF CONCERNS	15

For the purposes of these policies and procedures, a child is recognised as someone under the age of 18 years. This policy applies to all children regardless of age, gender, sexual orientation, disability, race, religion, socio-economic status or family circumstance.

The two policy statements outline how YMCA Bellshill and Mossend will safeguard and protect children by applying a rights-based approach. The Code of Conduct has been developed in consultation with young people from YMCA Bellshill and Mossend and states the expected conduct and behaviours of adults working with them. The two responding procedures provide clear steps of action if there is a concern about a child or the conduct of an adult towards a child. The review procedure helps to ensure these procedures are fit for purpose.

Our policies and procedures will be regularly reviewed and will include children’s participation, feedback on the content and actual learning and experience of implementation as part of the review:

- In accordance with changes in legislation and guidance on children’s rights or following any relevant changes within YMCA Bellshill and Mossend.
- Following any issue or concern raised about children’s rights being denied within YMCA Bellshill and Mossend.
- In all other circumstances, at least every three years.

CHILDREN'S RIGHTS POLICY STATEMENT

YMCA Bellshill & Mossend is fully committed to embedding a rights-based approach across all our activities with children and young people. We recognise and work within the general principles of the United Nations Convention on the Rights of the Child (UNCRC) for the best interests of the child, non-discrimination, participation as well as survival and development.

YMCA Bellshill & Mossend will:

- Respect the rights of children as paramount.
- Provide opportunities for every child interested in our activities to gain a positive experience.
- Include and involve children in decision making, providing opportunities for children to be heard.
- Require members of staff, volunteers and members of the Board to adopt and abide by this policy.
- Train, support and supervise its members of staff, volunteers and members of the Board to adopt best practice in embedding children's rights across all our activities and promoting, protecting and respecting these rights to children.
- Respond to any concerns raised where a child's rights are being denied.
- Regularly monitor and evaluate the implementation of this policy and procedures, developing our child-rights based approach and include children's views in this process.

CHILD PROTECTION POLICY STATEMENT

YMCA Bellshill & Mossend is fully committed to promoting, supporting and safeguarding the wellbeing of all children in its care. We recognise the child's rights to protection as provided in Article 19 of the UNCRC: all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. 'Child protection' means protecting a child from child abuse or neglect, as stated within the National Guidance for Child Protection in Scotland 2014.

YMCA Bellshill & Mossend will:

- Promote the rights and wellbeing of children by providing opportunities for them to take part in our activities safely.
- Promote and implement policies and procedures to safeguard the wellbeing of children and protect them from abuse, ensuring they know what to do and who they can speak to if they need help.
- Require members of staff, volunteers and members of the Board to adopt and abide by this policy and sign up to the Code of Conduct for Safeguarding Children's Wellbeing.
- Safely select and appoint individuals who will be working with children to ensure appropriate measures have been taken and risk assessed when needed.
- Train, support and supervise its members of staff, volunteers and members of the Board to adopt best practice to safeguard and protect children from abuse and to reduce risks.
- Respond to any allegations of poor practice, misconduct or abuse of children in line with procedures as well as implementing, where appropriate, the relevant disciplinary and appeals procedures.
- Observe guidelines issued by local Child Protection Committees for the protection of children.
- Regularly monitor and evaluate the implementation of this policy and procedures, including children's views in this process.

CODE OF CONDUCT

When children and young people were asked how they felt when attending activities with YMCA Bellshill and Mossend members of staff and volunteers, they said: safe, comfortable, loved, understood, accepted, appreciated, relaxed, welcomed, included, positive, listened to and valued.

In continuing to maintain these important factors and safeguard children's wellbeing, this Code of Conduct sets out the standards and practice required by all YMCA Bellshill and Mossend members of staff, volunteers and members of the Board.

EXPECTED BEHAVIOUR

- Value and respect all children and young people as equal individuals (Article 2 UNCRC)
- Create a welcoming, fun and safe environment
- Put the wellbeing and best interests of each child first (Article 3 UNCRC)
- Develop appropriate and professional relationships based on honesty, mutual trust and respect
- Ensure activities are relevant and meet the needs of all participants age and stage of development
- Listen to the voices of children and young people (Article 12 UNCRC)
- Place the needs, rights and views of children and young people at the centre of your decision making
- Demonstrate strong mentor and leadership qualities as a role model: patience, dedication and enthusiasm
- Report all concerns regarding the wellbeing of a child and any breaches of this code of conduct
- Challenge unacceptable and/or inappropriate behaviours
- Involve parent/carers wherever possible

UNACCEPTABLE BEHAVIOUR

- Allowing any concerns or allegations to go unreported
- Allowing bullying behaviour in any form between children to go on unchallenged
- Displaying bullying behaviour or making inappropriate, insensitive or improper comments to a child
- Allowing children to swear or use sexualised language unchallenged
- Making sexually suggestive comments, innuendos or gestures to or in front of children
- Forming intimate emotional, physical or sexual relationships with children
- Engaging in rough physical contact
- Making inappropriate promises to children or young people
- Being 'friends' with children or young people on personal social media platforms including; Facebook, Twitter & Instagram etc, participating in online gaming and/or using the private 'chat' functions
- Reducing a child to tears as a form of control
- Inviting or allowing children to stay with you at your home
- Sharing a room alone with a child
- Entering children's bedrooms on trips away from home, unless it's an emergency or in the interest of health and safety

All concerns about breach of this Code of Conduct will be taken seriously and responded to in line with YMCA Bellshill and Mossend Responding to Concerns about the Conduct of an Adult.

Sign-up:

I have read and agree to abide by this Code of Conduct.

I have also read and agree to abide by YMCA Bellshill and Mossend's Child Wellbeing and Protection Policies, Procedures, Anti-Bullying and Safeguarding Guidelines.

Name: _____

Signature: _____

Witnessed by: _____

Witness Signature: _____

Date signed: _____

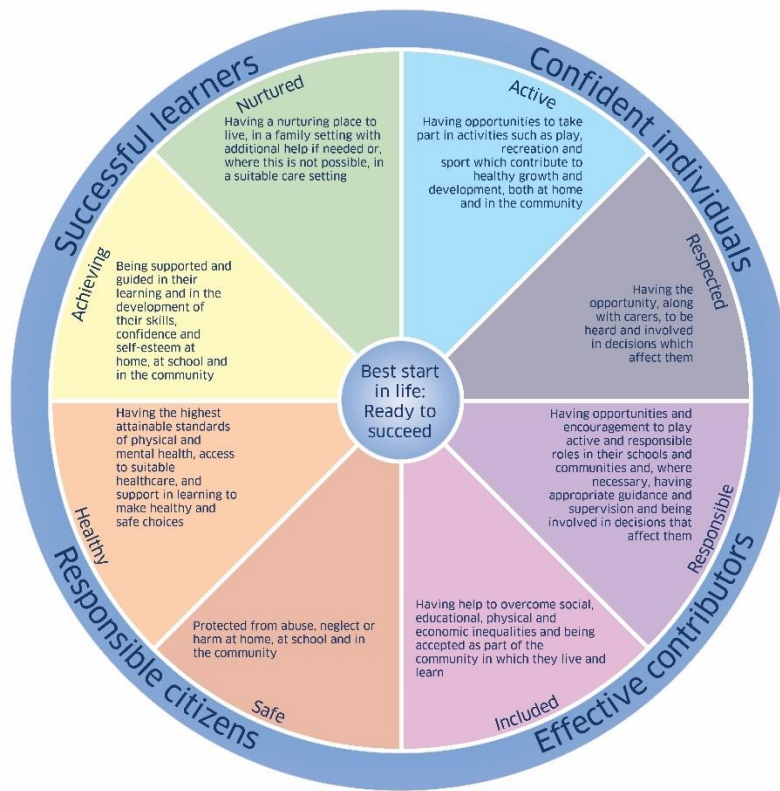
RESPONDING TO CONCERNS ABOUT A CHILD

Children have the right to say what they think in all matters affecting them and to have their views taken seriously (Article 12, UNCRC). This must be at the forefront of any concerns that are raised about a child. Their views must be considered based on the age and maturity of each child. They also have a right to privacy (Article 16, UNCRC) which is also important to consider when assessing if and at what stage information is shared and who with.

This procedure applies to all members of staff, volunteers and members of the Board involved in all our activities with children under 18 years old. YMCA Bellshill and Mossend are committed to working in partnership with parent/carers whenever there are concerns about a child. Parent/carers have the primary responsibility for the safety and wellbeing of their children. However, if a concern is raised in relation to the conduct of a parent/carer, advice should be sought from police/social work before sharing any information with the parent/carer(s).

Best interests of the child

Where concerns are raised about a child, this will be considered in line with the wellbeing indicators (see below in wellbeing wheel) and *may* be discussed with parents/carers. For example, if a child seems withdrawn, he/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement. Common sense is advised in these situations and the best interests of the child will be considered as to what is the best support for each individual child. Children will be asked who they feel is suitable to be informed and when relevant, consent gained from the child. Confidentiality will not be maintained if it is assessed that a child is at risk or their wellbeing is being impacted in such a way that their right to be protected becomes more significant.



Concerns affecting a child's wellbeing

The main point of contact for all matters relating to concerns about a child's wellbeing is the Child Wellbeing and Protection Officer (CWPO).

Members of staff, volunteers or members of the Board may become aware in different ways regarding a concern about a child:

- The information may become clear due to the observation of a child, which is perhaps demonstrated in a change in their behaviour, appearance or nature.
- There may be a direct disclosure by the child (please see below on what to do if a child discloses abuse).
- Information that is shared from another individual or organisation, where an adult or another child may have observed something concerning toward a child.

Depending on the nature of the concern, this may not need to be discussed with the child, instead the information can be recorded then reported. Advice should be sought from the CWPO if there is any uncertainty about the appropriate course of action. This can be discussed by anonymising the child in order to maintain confidentiality if appropriate. If the CWPO is not available and an immediate response is required, the police and social work services must be contacted. They have a statutory responsibility for keeping children safe, and they may already hold other concerning information about the child. You must record any advice given, actions taken and the response by other agencies. At the earliest opportunity thereafter the CWPO should be informed.

When information is being recorded about a child, and appropriate to share with the child, it is important that the child understands why we are recording their details and gain their consent where possible. If a child recognises that people can help and support, and that this is the purpose of their details being shared, they will be more included and informed of the processes.

Child's right to be protected

Where the concern about a child's wellbeing suggests that they are in need of protection, the information must be passed on with or without their consent. Allegations of abuse must always be taken seriously. False allegations are very rare. If a child says or indicates they are being abused or information is obtained which gives concern that a child is being abused, the information must be responded to on the same day in line with the following procedure.

What to do if a child discloses abuse

- React calmly so as not to frighten the child.
- Listen to the child and take what they say seriously. Do not show disbelief.
- Reassure the child they are not to blame and were right to tell someone.
- Be aware of interpreting what a child says, especially if they have learning or physical disabilities which affect their ability to communicate or English is not their first language.
- Do not assume that the experience was bad or painful - it may have been neutral or even pleasurable.
- Avoid projecting your own reactions onto the child.
- Avoid asking any questions. If necessary, only ask enough questions to gain basic information to establish the *possibility* that abuse may have occurred. Only use open-ended, non-leading questions e.g. What? When? Where? Who?
- Do not introduce personal information from either your own experiences or those of other children.

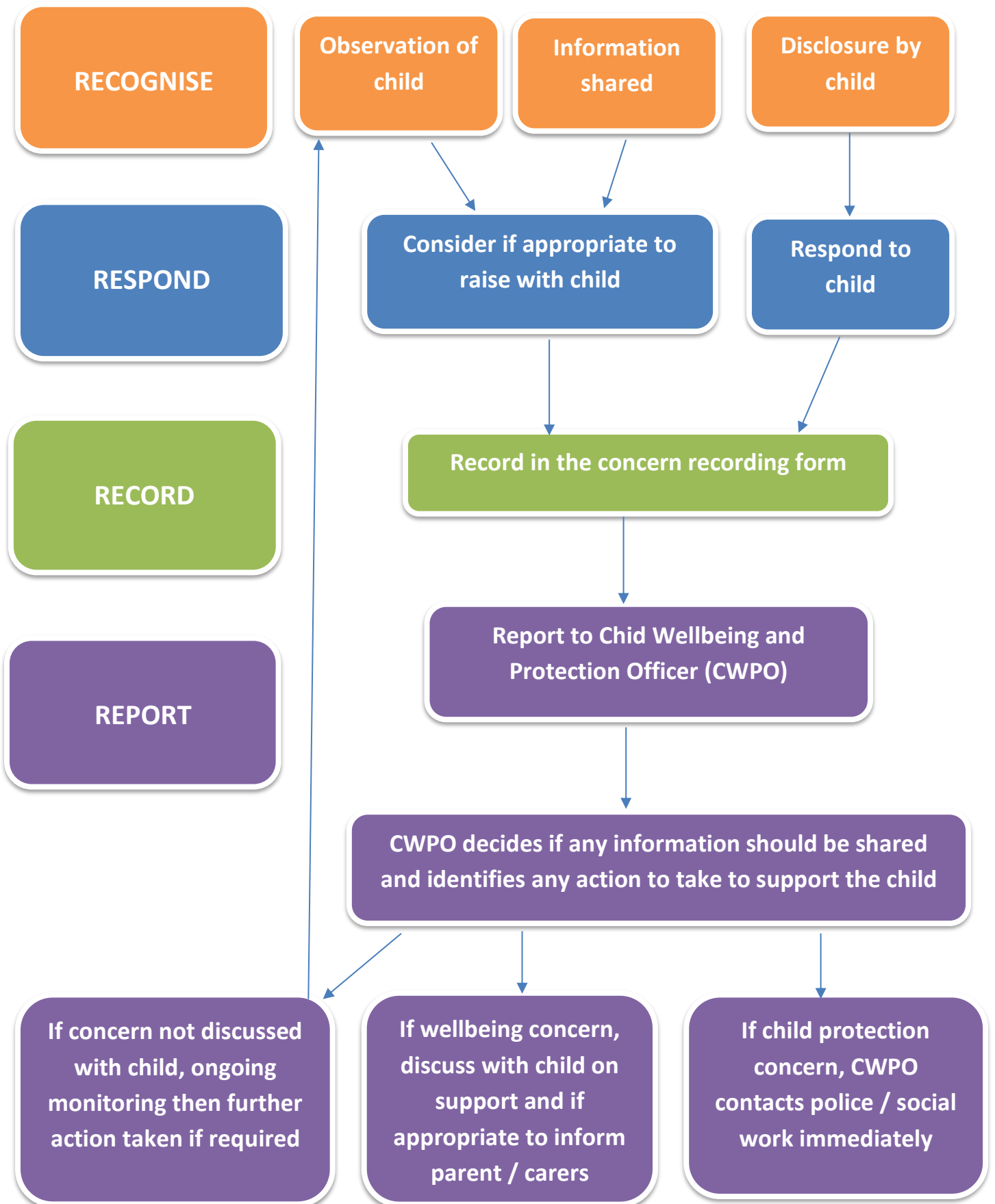
Avoid:

- Panicking.
- Showing shock or distaste.
- Probing for more information than is offered.
- Speculating or making assumptions.
- Making negative comments about the person against whom the allegation has been made.
- Approaching the individual against whom the allegation has been made.
- Making promises or agreeing to keep secrets and giving a guarantee of confidentiality.

If you are concerned about the immediate safety of the child take whatever action is required to ensure the child's safety. Pass the information immediately to the police and seek their advice.

No member of YMCA Bellshill and Mossend shall investigate allegations of abuse or decide a child has been abused or not.

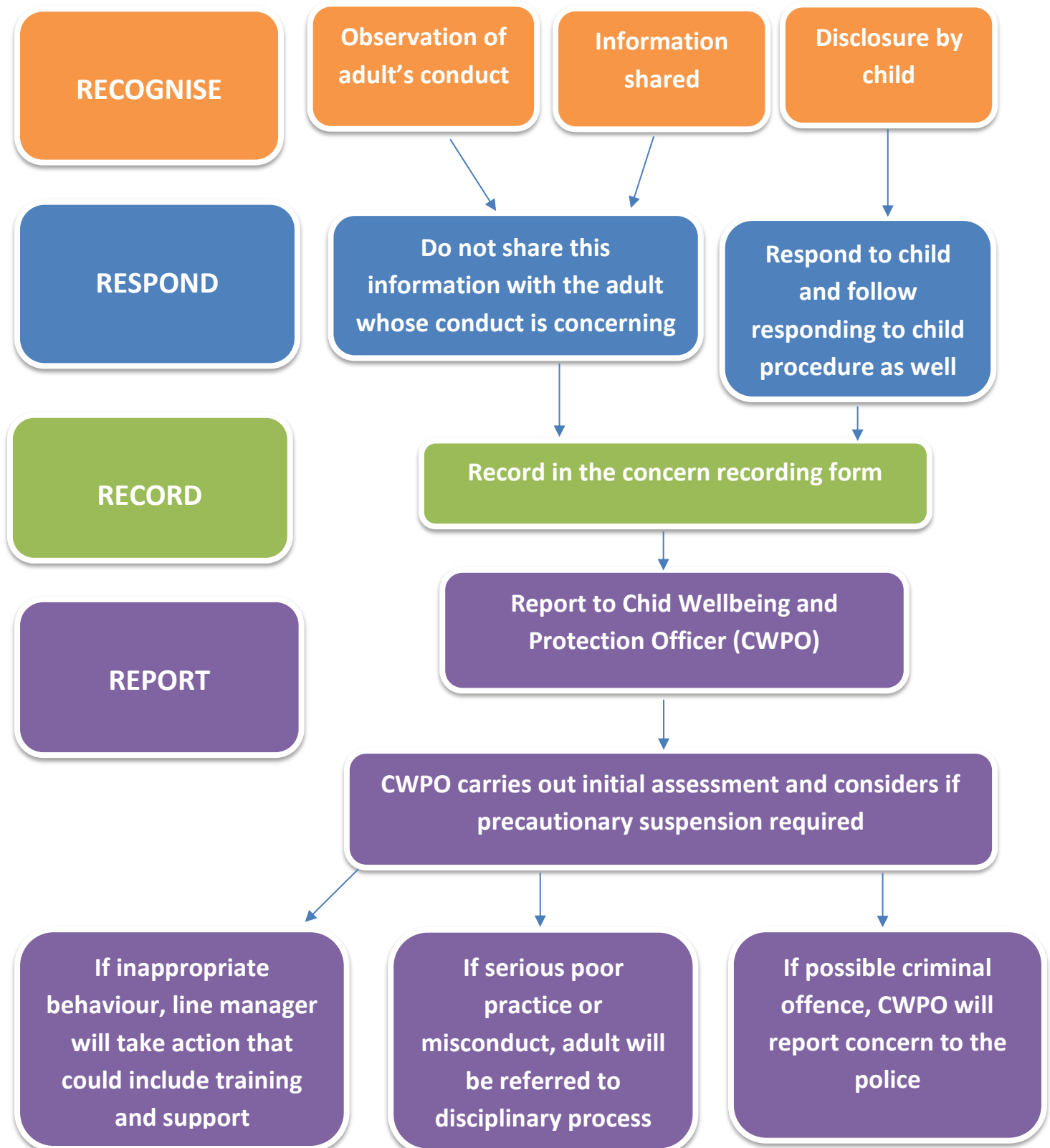
RESPONDING TO CONCERNS ABOUT A CHILD PROCEDURE



RESPONDING TO CONCERNS ABOUT THE CONDUCT OF AN ADULT PROCEDURE

In all cases where there are concerns about the conduct of an adult towards a child, the best interests and wellbeing of the child will be the paramount consideration. This procedure aims to ensure that all concerns about the conduct of an adult are dealt with in a timely, appropriate and proportionate manner. No member of staff, volunteer or member of Board in receipt of information that causes concern about the conduct of an adult towards children shall keep that information to himself or herself; or attempt to deal with the matter on their own.

At any point in responding to concerns about the conduct of an adult, advice may be sought from the police or social work services.



If the concern of adult's conduct is about the Child Wellbeing and Protection Officer (CWPO), it must be reported to the Association Manager. In this situation, they will then take on the role and responsibilities as listed below of the CWPO.

ROLES AND RESPONSIBILITIES OF THE CHILD WELLBEING AND PROTECTION OFFICER

1. Conducting the Initial Assessment

Once the concerns have been reported, the CWPO will ensure that the individual reporting the concern does not keep any electronic, printed or written versions of the concern recording form. It is important to maintain confidentiality to delete or shred as soon as the information has been passed on. All subsequent actions taken and reasons for decisions shall be recorded (in the order in which they happened). These records should be signed and dated by the CWPO. At any point a disciplinary process begins for a member of staff or volunteer, a written/typed record will be made of all actions and reasons for decision.

a) Establishing the Basic Facts

Identify the facts in order to determine the appropriate course of action. The purpose is to clarify the nature and context of the concerns. It should determine if the adult's conduct was inappropriate behaviour, serious poor practice/misconduct or whether there is reasonable cause to suspect an adult's behaviour and conduct has been criminal. Every situation is unique so guidance cannot be prescriptive. Consult external agencies such as the police and social work services for advice at any time. They may hold other important information which, when considered alongside the current concerns, may build a significant picture of concern.

b) Concluding the Initial Assessment

- Where the established facts support a concern of criminal behaviour, the initial assessment will not form part of the disciplinary investigation.
- Subject to the nature and seriousness of the situation, if it is not clear at this stage whether a criminal offence may have been committed, the member of staff, volunteer or member of the Board *may* be approached as part of the information gathering process.
- Where the nature and seriousness of the information suggests that a criminal offence *may* have been committed, or that to assess the facts may jeopardise evidence, advice will be sought from the police before the member of staff, volunteer or member of the Board is approached.
- An initial assessment of the basic facts may require the need to ask a child some basic, open-ended, non-leading questions *solely with a view to clarifying the basic facts*. It may also be necessary to ask similar basic questions of other children, or other appropriate individuals.
- **Interviewing children and young people about possible abuse and criminal offences is the sole remit of specially trained police officers and social workers.** Questioning of children by those conducting an initial assessment should always be avoided as far as possible. If it is necessary to speak to the child in order to clarify the basic facts, best practice suggests that consent from the parent/carer be obtained.

c) Possible outcomes of Initial Assessment

- No further action (facts do not substantiate complaint).
- Situation is dealt with under YMCA Bellshill and Mossend *Disciplinary Procedures* for members of staff and volunteers or complaint raised about a member of Board will be the responsibility of the Chair of the Board or if about the Chair, with the Association Manager.
- Child protection investigation (jointly by police and social work services).
- Criminal investigation (by the police). The results of a criminal investigation may well influence the disciplinary investigation, but not in all cases.
- Civil proceedings (by the child/family who raised the concern).

2. Initial Assessment Supports Concerns about Inappropriate Behaviour

The CWPO will report the outcome of the initial assessment to the line manager of the member of staff or volunteer. Decisions will then be made on appropriate action in relation to an informal or formal discussion or identifying relevant training and support to address the behaviours.

3. Initial Assessment Supports Concerns about Serious Poor Practice and/or Misconduct

The CWPO will report the outcome of the initial assessment to the line manager of the member of staff or volunteer, where a disciplinary process will then begin. In the event of an investigation, all actions will be informed by the principles of natural justice:

- The individual will be made aware of the nature of concern.
- The individual will be given an opportunity to put forward their case.
- YMCA Bellshill and Mossend will act in good faith, ensuring the matter is dealt with impartially and as quickly as possible in the circumstances.

Pending the outcome of any investigation, precautionary suspension will be considered in all cases where there is significant concern about the conduct of the adult towards children. Suspension is not a form of disciplinary action. Any impact on a child's wellbeing caused by an adult's poor practice and/or misconduct will be responded to in line with the Responding to Concerns about a Child Procedure.

4. Initial Assessment Supports Concerns about Possible Criminal Behaviour

Where the initial assessment of information gives reasonable cause to suspect an adult's behaviour and conduct has been a criminal offence, the CWPO will report the concerns to the police as soon as possible on the day the information is received. The CWPO will make a written record of the name of the police officer to whom the concerns were passed together with the time and date of the call, in case any follow up is required.

Referrals to the police will be confirmed in writing by the CWPO within 24 hours. A copy of the **Concern Recording Form** should be provided to the police on request. Appropriate steps will be taken to ensure the safety of the child(ren) or who may be at risk. The parents/carers of the child(ren) involved will be informed as soon as possible following advice from the police.

Advice will firstly be obtained from the police about informing the member of staff, volunteer or member of the Board involved in the concerns. If the advice is to inform them, they will be told that information has been received which may suggest an allegation of abuse or possible criminal offence. As the matter will be *sub judice* (i.e. under judicial consideration) no details will be given unless advised by the police. All actions will ensure the best evidence is preserved for any criminal proceedings while at the same time safeguarding the rights of the member of staff, volunteer or member of the Board. YMCA Bellshill and Mossend will take all reasonable steps to support a member of staff, volunteer or member of the Board against whom a concern has been raised.

An ongoing criminal investigation does not necessarily rule out disciplinary action. However, any action taken must not jeopardise the criminal investigation. Advice must be taken from the police on this. Enough information should be available to enable the CWPO to decide whether to go ahead with disciplinary action.

5. False of Malicious Allegations

In exceptional circumstances where an investigation establishes an allegation or concern raised is false, unfounded or malicious:

- The member of staff, volunteer or member of the Board involved will receive an account of the circumstances and/or investigation and a letter confirming the conclusion of the matter. They may wish to seek legal advice.
- All records pertaining to the circumstances and investigation shall be kept confidentially.
- The CWPO will take all reasonable steps to support the individual in this situation.
- In these circumstances YMCA Bellshill and Mossend will review the child's participation in YMCA activity. It will be appropriate to have a discussion with the child (with parental/carer permission) in determining their views and opinions.

6. Historical Allegations of Abuse

Allegations of abuse may be made some time after the event e.g. an adult who was abused as a child by someone who is currently still working with children. This procedure will be followed in the event of an allegation of historical abuse.

7. Referral if criteria met for Protection of Vulnerable Groups (Scotland) Act 2007

a) YMCA Bellshill and Mossend will refer to Disclosure Scotland the case of any member of staff or volunteer who (whether or not in the course of their role with YMCA Bellshill and Mossend) has:

- harmed a child
- placed a child at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child, or
- given inappropriate medical treatment to a child.

AND as a result:

1. YMCA Bellshill and Mossend has dismissed the member of staff or volunteer.
2. The member of staff or volunteer would have been dismissed as a result of the incident had they not resigned, retired or been made redundant.
3. YMCA Bellshill and Mossend has transferred the member of staff or volunteer to a position in YMCA Bellshill and Mossend which is not regulated work with children.
4. The member of staff or volunteer would have been dismissed or considered for dismissal where employment or volunteer role was not due to end at the expiry of a fixed term contract; or,
5. The member of staff or volunteer would have been dismissed or considered for dismissal had the contract not expired.

YMCA Bellshill and Mossend will also refer the case of a member of staff or volunteer where information becomes available after the member of staff or volunteer has:

- been dismissed by YMCA Bellshill and Mossend,
- resigned, retired or been made redundant; or,
- been transferred to another position in YMCA Bellshill and Mossend which is not regulated work with children.

b) If Disclosure Scotland notifies YMCA Bellshill and Mossend that a member of staff or volunteer is considered for listing that individual will be suspended as a precaution until the outcome of the case is determined. Precautionary suspension is not a form of disciplinary action and does not involve pre-judgment. In all cases of suspension, the best interests and wellbeing of children will be the paramount consideration.

c) If Disclosure Scotland informs YMCA Bellshill and Mossend that an individual is barred, that member of staff or volunteer will be removed from regulated work with children immediately in line with this legislation.

8. Media

All media enquiries relating to the conduct of a member of staff, volunteer or member of the Board will be referred to the Association Manager.

CONCERN RECORDING FORM

This form must be completed as soon as possible after receiving information that causes a concern. Contact the Child Wellbeing and Protection Officer (CWPO) and report the concern by emailing this completed form to CWPO@YMCABellshill.co.uk as soon as possible; do not delay by attempting to obtain information to complete all sections. Please do not keep any electronic, printed or written versions of this form. It is important to maintain confidentiality to delete or shred as soon as the information has been passed on. Seek advice from CWPO if required to complete the form and do not discuss the details with anyone other than the CWPO until further advice given.

Complete Part A where the concern relates to the wellbeing of a child, and/or

Complete Part B where the concern relates to the conduct of an adult.

Complete Part C to provide your contact information.

Please use SHANARRI wellbeing indicators to help identify which areas of a child's wellbeing is being affected: Safe, Healthy, Active, Nurtured, Achieving, Respected, Responsible, Included.

PART A – WHERE THERE ARE CONCERNS ABOUT THE WELLBEING OF A CHILD

1. CHILD'S DETAILS

Name:

Date of Birth:

Address:

Tel No:

Post Code:

Preferred Language:

Interpreter required? YES / NO

Any Additional Needs:

2. DETAILS OF SITUATION GIVING RISE TO CONCERNS (including date, time, location, nature of concern, who was involved, what happened/is happening, where did it happen/is happening, when did it happen)

3. DETAILS OF ANY WITNESSES / OTHER PEOPLE INVOLVED (including names, addresses and telephone contacts)

4. DETAILS OF ANY INJURIES (including all injuries sustained, location of injury and action taken)

5. CHILD'S VIEWS ON SITUATION (IF EXPRESSED). Where possible, please use the child's own words.

PART B – WHERE THERE ARE CONCERNS ABOUT THE CONDUCT OF AN ADULT

6. DETAILS OF ADULT (where there are concerns about their conduct)

Name:

Tel No:

Address:

Relationship to Child:

Post Code:

7. DETAILS OF CONCERNS (including date, time, location, nature of concern, who was involved, what happened/is happening, where did it happen/is happening, when did it happen)

8. DETAILS OF ANY ACTION TAKEN

9. DETAILS OF AGENCIES CONTACTED (including date, time, name of person contacted, and advice received)

10. HAVE THE CHILD'S PARENTS / CARERS BEEN INFORMED? YES / NO

If yes, record details / If no, please state why not

PART C – YOUR CONTACT INFORMATION

11. DETAILS OF PERSON RECORDING CONCERNS

Name:

Tel No:

Address:

Position / Role:

Post Code:

Signed:

Date:

REVIEW OF THE MANAGEMENT OF CONCERNS PROCEDURE

1. Planning the review

Set out the remit, aim and purpose of carrying out the review. The Child Wellbeing and Protection Officer should help identify and appoint a person to carry out the review and, in some circumstances, it may be appropriate to appoint an independent person. In this case, confidentiality must be maintained. Timescale and a format should be agreed for completing the review.

2. Establish the facts of the case, a chronology of events and the roles of individuals and organisations involved.

Set out the actual sequence of events to help to understand what happened, when, and who was involved.

3. Identify any issues or key questions relating to the aims of the review.

Having established the sequence of events the reviewer should then be able to answer the questions contained in the specific remit of the review.

If the reviewer considers that a child may still be at risk despite action taken during the case or as a result of YMCA Bellshill and Mossend's failure to take appropriate action, they should be prepared to act. Any urgent issues should be addressed immediately without waiting for the conclusion of the review.

4. Identify any other relevant points or observations and complete review.

The reviewer may identify issues which are worth exploring further. These may include:

PROCEDURES

- Were the relevant procedures followed?
- If not, is there a reasonable explanation for this?
- Were the timescales appropriate?
- Do the current procedures provide adequate information about what to do in such a situation?
- If appropriate, was a referral made to Disclosure Scotland as required by the Protection of Vulnerable Groups (Scotland) Act 2007?

OUTCOMES

- Was the outcome appropriate in the case?
- If not, why not?
- Is there a need to take further action in this case; for example, referring the case to police/social work?

PEOPLE

- Were the right people involved?
- Were the views of the child/family obtained?
- Were those involved aware of the procedures?
- Had the people involved been trained on the procedures?
- Where appropriate, were external organisations involved; for example, the police or social work?

RECORDING

- Were records kept?
- Is the quality of the information recorded satisfactory?
- Can the forms be improved?

5. Respond to anything identified within the review.

On completion of the review, any learning, training needs or update to policy and procedures must be addressed and responded to within an agreed timescale. Where appropriate, outcomes of the review should then be shared for wider learning or specific improvements to activities.