

Guidance for Safer Working Practice for People who Work with all Children and Adults at Risk



This guidance was produced by the Safer Working Practices Group of Sunderland City Council in association with the Education Safeguarding Team and adapted by Leeds City Council Children's Services Learning and Skills Directorate.

Some sections of this guidance are based upon an original IRSC¹ document - 'Guidance for Safe Working Practice for the Protection of Children in Education Settings,² commissioned by DfES³.

The Guidance has been adapted from Sunderland City Council to incorporate good practice standards and guidance for people who not only work with children and young people but also for those who work with adults at risk.

¹ Investigation Referral and Support Co-ordinators network

² September 2006. This document is still in use and has relevance for those working in education settings

³ Department for Education and Skills. now known as Department of Education (DFE)

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For further Children's Services information or advice , please contact Raminder Aujla, Education Safeguarding Team Manager on 0113 3951211; Ted O'Sullivan/Carolyn Hargreaves, Local Authority Designated Officer on 0113 2478652 , or Sophie Thompson HR Team Manager (Schools) on 0113 2475763

***For Adults at risk contact Adult Social Care Contact Centre: 0113 222 4401 (Textphone for Deaf and Hard of Hearing people: 0113 222 4410) (8am – 6pm Mon-Fri; excluding bank holidays)**

□ **Emergency Duty Team: 0113 240 9536 (outside of the contact centre times)**

Section 1: Overview

1.1. Background

All adults who come into contact with children and adults at risk in their work have a duty of care to safeguard and promote their welfare.

Safeguarding is everyone's responsibility and all staff who, during the course of their employment have direct or indirect contact with children and adults at risk, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and adults at risk.

There is a duty on organisations to make appropriate arrangements to safeguard and promote the welfare of children and adults at risk. This includes the need to ensure that all adults who work with or on behalf of children and adults at risk in these organizations are competent, confident and safe to do so.

All persons have the right to live their lives free from violence and abuse. This right is underpinned by the duty on public agencies under the Human Rights Act (1998) to intervene proportionately to protect the right of citizens. These rights include Article 2: 'the Right to Life'; Article 3: 'Freedom from Torture' (including humiliating and degrading treatment); and Article 8: Right to Family Life (one that sustains the individual). "Abuse is a violation of an individual's human and civil rights by any other person or persons". 'No Secrets' (DH2000). In addition, there is also a duty to provide protection to those who do not have the mental capacity to access it themselves.

The vast majority of adults who work with children and adults at risk act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for those in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of persons working with children and adults at risk can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are people who will deliberately seek out, create or exploit opportunities to abuse children and adults at risk. It is therefore essential that all possible steps are taken to safeguard children and adults at risk and ensure that the people working with them are safe to do so.

Some concerns have been raised about the potential vulnerability of people who are employed or work as volunteers in this area. It has been suggested that there is a need for clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns and provides practical guidance for anyone who works with, or on behalf of children and adults at risk regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of all vulnerable groups is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by their employer. It is expected that in these circumstances

people who work in these areas will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all people who work with children and adults at risk work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by any person whose work brings them into contact with children and adults at risk.

The guidance contained in this document has due regard to current legislation and statutory guidance.

1.2. What to do if you are worried a child or an adult at risk is being abused⁴

Everyone working with children and young people including volunteers should be familiar with the Leeds LSCB procedures and protocols for safeguarding the welfare of children and young people. Adults have a duty to report any child protection or welfare concerns to a designated member of staff in their organisation and/or report any concerns to Children's Social Work Services, Duty and Advice Team on 0113 3760336. Anyone who has concerns or is in doubt should refer to the document '**What To Do If You're Worried a Child Is Being Abused**' and follow that guidance.

Likewise, everyone working with adults at risk should also be familiar with Leeds Safeguarding Adult Partnership Practice Guidance:

"Allegations of abuse or neglect involving an employee or volunteer who works with adults who need care and support."

Section 2: Using the Guidance

2.1. This guidance document is a generic document that should complement existing professional procedures, protocols and guidance which relate to specific roles, responsibilities or professional practices.

2.2. Purpose of Guidance

It is important that all adults working with children and adults at risk understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children and adults at risk in paid or unpaid capacities, in all settings and in all contexts. The guidance aims to:

- keep children and adults at risk safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assist people working with children and adults at risk to work safely and responsibly and to monitor their own standards and practice;
- support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided;
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- minimise the risk of misplaced or malicious allegations made against people who work with children and adults at risk;
- reduce the incidence of positions of trust being abused or misused.

Employers should be familiar with, and know how to access, their Local Safeguarding Children Board and Safeguarding Adults policy and procedures for managing allegations against staff.

2.3. Underpinning Principles

- The welfare of the child is paramount.
- The 'Safeguarding Adults' policy includes a clear statement of every person's right to live a life free from abuse and neglect.
- Abuse is a violation of an individual's human and civil rights by any other person or persons. 'No Secrets' (DH2000)
- It is the responsibility of all people to safeguard and promote the welfare of children and adults at risk. This responsibility extends to a duty of care for those people employed, commissioned or contracted to work with children and adults at risk.
- People who work with children and adults at risk are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- People should work and be seen to work, in an open and transparent way.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- People should continually monitor and review their practice and ensure they follow the guidance contained in this document.

2.4. Definitions

Adult At Risk: means adults who need community care services because of mental or other disability, age or illness and who are, or may be unable, to take care of themselves against harm or exploitation. The term replaces "vulnerable adults" and "alleged victim".

Children and Young People: Throughout this document references are made to "children and young people". These terms are interchangeable and refer to children who have not yet reached their 18th birthday. This guidance, however also has value for those working with adults at risk.

People: References to 'people', 'persons' or 'volunteers' refer to any adult who is employed, commissioned or contracted to work with or on behalf of, children, young people and adults at risk in either a paid or unpaid capacity.

Manager: The term 'manager' refers to those adults who have responsibility for managing services including the supervision of employees and/or volunteers at any level.

Employer: The term 'employer' refers to the organisation which employs, or contracts to use the services of individuals in pursuit of the goals of that organisation. In the context of this document, the term 'employer' is also taken to include 'employing' the unpaid services of volunteers.

Safeguarding: Process of protecting children and adults at risk from abuse or neglect, preventing impairment of their health and development, and ensuring they are living in

circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully and adults at risk are able to live their lives free from violence and abuse.

Duty of Care: The duty which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of a child or an adult at risk involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with children and adults at risk in any capacity is considered, both legally and morally to owe them a duty of care.

2.5 Whistle blowing

Whilst this guidance is aimed at providing clear, general guidelines for staff working with or on behalf of children, young people and adults at risk, it should be acknowledged that the most significant protective factor is a safe culture within an organisation.

A safe culture of openness and transparency enables children, young people, adults at risk and staff working with them to feel confident to raise and report concerns at the earliest opportunity.

All individuals (staff, volunteers, visitors, children, young people and adults at risk) reporting concerns, should have confidence that they will be listened to and that appropriate action will be taken in a professional and supportive manner. Early intervention enables senior managers to address any training and development needs and limit any adverse impact on the individuals involved.

Organizations working with children, young people or adults at risk should have strategies in place to ensure that their voices are heard and their wishes and feelings are considered.

Individuals working within the organisation should confidently be able to discuss with their line manager any difficulties or problems that may affect their relationship with children, young people or adults at risk so that appropriate support can be provided or action can be taken.

Whistle blowing is the mechanism by which a person can voice their concerns, made in good faith, without fear of repercussion. Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998. Adults who use whistleblowing procedure should be made aware that their employment rights are protected.

A person should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children and adults at risk may be at risk.

This means that organisations should:

- *ensure they have appropriate whistle-blowing policies in place*
- *ensure that they have clear procedures for dealing with allegations against staff which are in line with the Leeds Safeguarding Adult and Children Board's procedures.*

This means that a person should:

- *report any behaviour by colleagues that raises concern regardless of source*

2.6 Sharing Concerns and Recording Incidents

Individuals should be aware of their organisation's child protection procedures or Adult Safeguarding Procedures, including procedures for dealing with allegations against people. All allegations must be taken seriously and properly investigated in accordance with local

procedures and statutory guidance. People who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a manager, information should be clearly and promptly recorded and reported to a senior manager without delay.

People should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children, young people or adults at risk so that appropriate support can be provided or action can be taken.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of any person working with or on behalf of adults at risk, children and young people. Each employer should have a clear and accessible whistle blowing procedures.

This means that a person:

- *should be familiar with their organisation's system for recording concerns*
- *should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace*
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This means that organisations:

- *should have an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace*

Section 3: Guidance for Safe Working Practice

1. Context

All adults who work with children, young people and adults at risk have a crucial role to play in shaping their lives. They have a unique opportunity to interact with children and young people and sometimes with adults at risk in ways that are both affirming and inspiring. This guidance has been produced to help adults working in all settings to establish safe and responsive environments which safeguard young people and adults at risk and reduce the risk of people being unjustly accused of improper or unprofessional conduct.

This means that these guidelines:

- *apply to **all people** working in all settings whatever their position, role, or responsibilities*
- *provide guidance about an individual's suitability to work with children, young people and adults at risk is called into question.*

2. 'Unsuitability'

The guidance contained in this document is an attempt to identify what behaviours are expected of people who work with children, young people and adults at risk. People whose practice deviates from this guidance and/or their professional or employment-related code of conduct may bring into question their suitability to work with children, young people and adults at risk.

This means that people should:

- *have a clear understanding about the nature and content of this document*
- *discuss any uncertainties or confusion with their line manager*
- *understand what behaviours may call into question their suitability to continue to work with children, young people and adults at risk*
-

3. Duty of Care

All people who work with, and on behalf of children and adults at risk are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children, young people and adults at risk.

Whether working in a paid or voluntary capacity, these people have a duty to keep children young people, and adults at risk safe and to protect them from sexual, physical, emotional and financial harm. Children, young people and adults at risk have a right to be treated with respect and dignity. It follows that trusted people are expected to take reasonable steps to ensure the health, safety, welfare and well-being of children, young people and adults at risk. Failure to do so may be regarded as neglect and a breach of the statutory duty of care that we are required to discharge as a requirement of the Health & Safety at Work etc Act 1974

The duty of care is in part, exercised through the development of respectful and caring relationships between people and children, young people and adults at risk. It is also exercised through the behaviour of the person, which at all times should demonstrate integrity, maturity and good judgement.

Everyone expects high standards of behaviour from people who work with children, young people and adults at risk. When individuals accept such work, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers also have a duty of care towards their employees, both paid and unpaid, under the Health and Safety at Work Act 1974. This requires them to provide a safe working environment for people and provide guidance about safe working practices. Employers also have a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse by state organisations or people working for those institutions. People who are subject to an allegation should therefore be supported and the principles of natural justice applied.

The Health and Safety Act 1974 also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's duty of care and the person's duty of care towards children and adults at risk should not conflict. This 'duty' can be demonstrated through the use and implementation of these guidelines.

This means that people should:

- *understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached*
- *always act, and be seen to act, in the child's and adults at risk best interests*
- *avoid any conduct which would lead any reasonable person to question their motivation and intentions*
- *take responsibility for their own actions and behaviour*

This means that employers should:

- *ensure that appropriate Adult safeguarding and child protection policies and procedures are adopted, implemented and monitored*
- *ensure that codes of conduct/practices are continually monitored and reviewed*
- *ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures*
- *foster a culture of openness and support*
- *ensure that systems are in place for concerns to be raised*
- *ensure that people are not placed in situations which render them particularly vulnerable*
- *ensure all people have access to and understand this guidance and related, policies and procedures*
- *ensure that all job descriptions and person specifications clearly identify the competences necessary to fulfil the duty of care*
- *attend learning and development opportunities in safeguarding children and adults at risk, health and safety etc.*

4. Confidentiality

People may have access to confidential information about children, young people and adults at risk in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in interests of the child or adult at risk to do so. Such information must not be used to intimidate, humiliate, or embarrass the child, young person or adult at risk concerned.

If a person who works with children or adults at risk is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff or nominated child protection or adult safeguarding person. Any actions should be in line with locally agreed information sharing protocols.

The storing and processing of personal information about children, young people and adults at risk is governed by the Data Protection Act 1998. Employers should provide clear advice to people about their responsibilities under this legislation.

Whilst people need to be aware of the need to listen and support children, young people and adults at risk, they must also understand the importance of not promising to keep secrets. Neither should they request this of a child, young person, or adult at risk under any circumstances.

Additionally, concerns and allegations about adults should be treated as confidential and passed to a senior manager without delay.

5. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not appropriate behaviour for people in all circumstances. There may be occasions and circumstances in which people have to make decisions or take action in the best interests of the child, young person or adult at risk which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children or adult at risk in their charge or care. Such judgements, in these circumstances, should always be recorded and shared with a senior manager or if the person does not work for an organisation, with the parent, carer, suitable person or representative.⁵ In undertaking these actions individuals will be seen to be acting reasonably.

People should always consider whether their actions are

This means that people:

- *be clear about when information can be shared and in what circumstances it is appropriate to do so*
- *are expected to treat information they receive about children, young people and vulnerable*
- *adults in a discreet and confidential manner*
- *should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them*
- *need to know to whom any concerns or allegations should be reported*
- *should not discuss personal or confidential information where they may be overheard, or outside the work setting.*

This means that where no specific guidance exists people should:

- *discuss the circumstances that informed their action, or their proposed action, with a senior manager, or with the parent/carer/responsible person if not working for an organisation*
- *report any actions which could be mis-interpreted to their senior manager*
- *always discuss any misunderstanding, accidents or*

warranted, proportionate and safe and applied equitably. Using tools such as risk assessment/management tools can be helpful in this.

threats with a senior manager

- *always record discussions and reasons why actions were taken.*
- *record any areas of disagreement about course of action taken and if necessary referred to a higher authority*

6. Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all people working with children, young people and adults at risk are in positions of trust. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.⁶

This means that people should not:

- *use their position to gain access to information for their own or others' advantage*
- *use their position to intimidate, bully, humiliate, threaten, coerce or undermine children, young people or adults at risk.*
- *use their status and standing to form or promote relationships which are of a sexual nature, or which may become so*

A relationship between a person and a child, young person or adult at risk cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and adults. People have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

People should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

Where a person aged 18 or over is in a specified position of trust⁷ with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

The Mental Capacity Act 2005, covering England and Wales, provides a statutory framework for people who lack capacity to make decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations and how they should go about this. The Act creates a criminal offence of 'ill treatment or willful neglect' of a person who lacks capacity and carries a prison sentence of up to 5 years.

It is also a criminal act to engage in sexual activity with a person with a mental disorder where their choice is impaired; and it is an offence for a care worker as defined under section 42 of the Sexual Offences Act 2003 to engage in

sexual activity with a person with a mental disorder.

7. Propriety and Behaviour

All adults working with children, young people and adults at risk have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children, young people and adults at risk. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

There may be times, for example, when a person's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicate an unsuitability to work with children, young people or adults at risk. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

People in contact with children, young people and adults at risk should therefore understand and be aware, that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.

The behaviour of a person's partner or other family members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to children, young people and adults at risk in the workplace.

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However people should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

People who work with children, young people and adults at risk should ensure they take care to ensure they are dressed appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

9. Personal Living Space

No child, young person or adult at risk should be in or

This means that people should not:

- *behave in a manner which would lead any reasonable person to question their suitability to work with vulnerable groups or act as a role model.*
- *make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such*

This means that people should:

- *be aware that behaviour in their personal lives may impact upon their work with vulnerable groups*
- *follow any codes of conduct deemed appropriate by their organisation*
- *understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with vulnerable groups*

This means that people should wear clothing which:

- *is appropriate to their role*
- *is not likely to be viewed as offensive, revealing, or sexually provocative*
- *does not distract, cause embarrassment or give rise to misunderstanding*
- *is absent of any political or otherwise contentious slogans*
- *is not considered to be discriminatory and is culturally sensitive*

This means that people should:

invited into, the home⁸ of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers, suitable person, senior managers or the home has been designated by the organisation or regulatory body as a work place e.g. childminders, foster carers, nursing/care home, supported living.

It is not appropriate for any other organisations to expect or request that private living space be used for work with children, young people and adults at risk.

Under no circumstances should children, young people or adults at risk assist with chores or tasks in the home of a person who works with them. Neither should they be asked to do so by friends or family of that person.

10. Gifts, Rewards and Favouritism

The giving of gifts or rewards to children, young people or adults at risk should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of vulnerable people, whilst in other situations the giving of a gift to an individual child, young person or adult at risk will be part of an agreed plan, recorded and discussed with senior manager and the parent, carer or suitable person.

It is acknowledged that there are specific occasions when persons may wish to give a child, young person or adult at risk a personal gift. This is only acceptable practice where, in line with the agreed policy, the person has first discussed the giving of the gift and the reason for it, with the senior manager and/or parent or carer or in the case of a adult at risk who lacks capacity their representative or suitable person and the action is recorded. Any gifts should be given openly and not be based on favouritism. People need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom⁹ a young person or to inappropriately obtain the trust of a vulnerable person.

People should exercise care when selecting children and/or young people or adults at risk for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny.

Care should also be taken to ensure that people do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

- *be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*
- *challenge any request for their accommodation to be used as an additional resource for the organisation*
- *be mindful of the need to maintain professional boundaries*
- *refrain from asking children, young people and adults at risk to undertake personal jobs or errands*

This means that a person should:

- *be aware of their organisation's policy on the giving and receiving of gifts*
- *ensure that gifts received or given in situations which may be misconstrued are declared*
- *generally, only give gifts to an individual young person or adult at risk as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value*
- *ensure that all selection processes which concern children, young people and adults at risk are fair and that wherever practicable these are undertaken and agreed by more than one member of staff*

There are occasions when children, young people or their parents and adults at risk wish to pass small tokens of appreciation to people e.g. on special occasions or as a thank-you and this is acceptable provided the receiving of such a gift is notified to a line manager. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

11. Infatuations

Occasionally, a child/young person or adult at risk may develop an infatuation with a person who works with them. These persons should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

A person, who becomes aware that a child, young person or adult at risk is developing an infatuation, should discuss this at the earliest opportunity with a senior manager or parent/carer, suitable person or vulnerable person's representative so appropriate action can be taken to avoid any hurt, distress or embarrassment.

This means that people should:

- *report and record any incidents or indications (verbal, written or physical) that suggest a child, young person or adult at risk may have developed an infatuation with a person in the workplace*
- *always acknowledge and maintain professional boundaries*

12. Communication with Children, Young People and Adults at risk (including the Use of Technology and Social Network Guidance).

Communication between children and adults at risk, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. A person should not share any personal information with a child, young person or adult at risk, and should not use their personal mobile to communicate with any young person or on a personal level with any adult at risk, take photographs/videos. E.g. school trip – employees should use school-owned mobiles and then numbers can be deleted following the event, and learners will not have access to an employee's personal number, taking photographs of a child, young person or a adult at risk without their consent.

They should not request, or respond to, any personal information from the child/young person or adult at risk, other

This means that the organisation should:

- *have a communication policy which specifies acceptable and permissible modes of communication*

This means that a person should:

- *not give their personal contact details to children, young people, including their mobile telephone number*
- *inform Headteacher or Manager immediately if contacted by a young person on a personal*

than that which might be appropriate as part of their professional role. A person should ensure that all communications are transparent and open to scrutiny.

In relation to children and young people, personal mobile phones should be stored securely away from learning environments and it is highly recommended that mobiles are switched off during work hours, and should only be accessed during breaks and lunchtime but not in the presence of young people. This also applies when in meetings with young people and parents.

A person should also be circumspect in their communications with children and adults at risk so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming or inappropriate. They should not give their personal contact details to children and young people or adults at risk including e-mail, home or mobile telephone numbers, unless the need to do so is agreed with senior management and parents/carers, the adult at risk's representative or suitable person. E-mail or text communications between a person and a child, young person or adult at risk outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites.

The web and social networking services i.e. facebook, twitter, bebo etc are all used by children, adults at risk and employees for work related projects or for personal use. Below is advice for employees to keep themselves and other users safe:

- Privacy on the internet seldom means communications are entirely private.

- Protect yourself from possible probing interest from children, young people and adults at risk i.e. facebook messaging - this may be challenged by children, young people or adults at risk.

- Keep your profile safe, don't show job title, place of work or work/home email address.

Be cautious declaring your status, young people or adults at risk may challenge you i.e. online dating.

- Internet use during working hours is strictly for business not personal use.

- No photography of pupils, adults at risk or staff taken at school/workplace or on social occasions connected to the workplace should be displayed on any social networking site.

- Any employee that witnesses improper use of internet/social networking site must inform line manager/headteacher immediately with regard to safeguarding.

- Any form of personalised social media that is found to reveal confidential Council, client or service user information, attack or abuses colleagues, clients or service users of the Council, or constitutes a conflict of interest, will be investigated and may be subject to disciplinary action.

mobile

- *only use equipment e.g. mobile phones, provided by organisation to communicate with children, making sure that parents have given permission for this form of communication to be used*
- *only make contact with children for professional reasons and in accordance with any organisation policy*
- *recognise that text messaging is rarely an appropriate response to a child in a crisis situation or at risk of harm. It should only be used as a last resort when other forms of communication are not possible*
- *not use internet or web-based communication channels to send personal messages to a child/young person*
- *be mindful that you are in a notifiable position and keep yourself safe as a professional.*
- *do not use a social network site to complain or criticize colleague/school/child, parent etc.*
- *do not befriend children/young people.*
- *make it clear on networking sites that your views are your own and not as a representative of the Council i.e. disclaimer.*
- *with regard to adults at risk the above bullet points should be applied in those circumstances where it is also deemed appropriate.*

13. Social Contact

A person who works with children, young people and adults at risk should not seek to have social contact with them or their families, unless the reason for this contact has been firmly established and agreed with senior managers, or where a person does not work for an organisation, the Local Authority, the parent or carers. If a child or parent seeks to establish social contact, or if this occurs coincidentally, the person should exercise her/his professional judgement in making a response but should always discuss the situation with their manager or with the parent of the child or young person or the adult's at risk suitable person or representative. A person should be aware that social contact in certain situations can be misconstrued as grooming or inappropriate.

Where social contact is an integral part of work duties, e.g. pastoral work in the community, care should be taken to maintain appropriate personal and professional boundaries. This also applies to social contacts made through interests outside of work or through the person's own family or personal networks.

It is recognised that some people may support a parent or adult at risk who may be in particular difficulty. Care needs to be exercised in those situations where the parent or adult at risk comes to depend upon a person for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.

14. Sexual Contact

A person should clearly understand the need to maintain appropriate boundaries in their contacts with children, young people and adults at risk. Intimate or sexual relationships between children/young people and adults at risk and the people who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between a person and the child, young person or adult at risk with whom they work could be regarded as a criminal offence and will always be a matter for disciplinary action.

Children and young people are protected by specific legal provisions regardless of whether the child or young person consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children' defines sexual abuse as "forcing or enticing a child or young person to take part in

This means that a person should:

- *have no secret social contact with children, young people or their parents and adults at risk*
- *consider the appropriateness of the social contact according to their role and nature of their work*
- *always approve any planned social contact with adults at risk, children or parents with senior colleagues,*
- *advise senior management of any social contact they have with a adult at risk, child or a parent with who whom they work, which may give rise to concern*
- *report and record any situation, which may place a child or adult at risk at risk or which may compromise the organisation or their own professional standing*
- *be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with line manager.*
- *understand that some communications may be called into question and need to be justified.*

This means that a person should not:

- *have sexual relationships with children, young people or adults at risk*
- *have any form of communication with a child, young person or adult at risk which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact*
- *make sexual remarks to, or about, a child/young person or adult at risk*
- *discuss their own sexual relationships with or in the presence of children, young people or adults at risk*

This means that a person should:

- *ensure that their relationships with*

sexual activities, whether or not the child is aware of what is happening". With regard to an adult at risk where he/she is persuaded to enter into a sexual transaction to which he or she has not consented or cannot consent then this is a violation of the vulnerable person's human and civil rights and could result in criminal proceedings.

There are occasions when a person may embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or adult at risk, and manipulate that relationship so sexual abuse can take place. Adults should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

15. Behaviour Management

All children, young people and adults at risk have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

A person should not use any form of degrading treatment to punish a child or adult at risk. The use of sarcasm, demeaning or insensitive comments towards children, young people and adults at risk is not acceptable in any situation. Any sanctions or rewards used should be part of a behaviour management policy which is widely publicised and regularly reviewed.

The use of corporal punishment for children and young people is not acceptable and whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those persons who work with or on behalf of children and young people.

Where children or adults at risk display difficult or challenging behaviour, a person must follow the behaviour policy outlined by their place of work, and use strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

Where a child or adult at risk has specific needs in respect of particularly challenging behaviour, a positive handling plan or Care Plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the behaviour management policy of the organisation.

16. Physical Contact

There are occasions when it is entirely appropriate and

children, young people or adults at risk clearly take place within the boundaries of a respectful professional relationship

- *take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.*

This means that a person should:

- *not use force as a form of punishment*
- *try to defuse situations before they escalate*
- *inform parents, a adult at risk's suitable person or representative of any behaviour management techniques used*
- *adhere to the organisation's behaviour management policy*
- *be mindful of factors which may impact upon a child, young person or adult at risk's behaviour e.g. bullying, abuse and where necessary take appropriate action*

This means that organisations should:

- *have in place appropriate behaviour management policies*
- *where appropriate, develop positive handling plans in respect of an individual child, young person or adult at risk.*

This means that a person should:

proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools will occur most often with younger pupils.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible in the school's incident book and, if appropriate, a copy placed on the child's file.

Physical contact, which occurs regularly with an individual child or young person, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary. The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

It is recognised that some children may seek inappropriate physical contact. Adults should be particularly aware of this especially when it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a senior manager and the parent/carer.

17. Other Activities that require Physical Contact

A person who works in certain settings, for example sports drama or outdoor activities will have to initiate some physical contact with children and adults at risk, for

- *be aware that even well intentioned physical contact may be misconstrued by the child or adult at risk an observer or by anyone to whom this action is described*
- *never touch a child or adult at risk in a way which may be considered indecent*
- *always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*
- *not indulge in horseplay*
- *always encourage children or adults at risk, where possible, to undertake self-care tasks independently*
- *be aware of cultural or religious views about touching and always be sensitive to issues of gender*
- *understand that physical contact in some circumstances can be easily misinterpreted*

This means that organisations should:

- *ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management*
- *make a person aware of relevant professional or organisational guidance in respect of physical contact with children and adults at risk and meeting medical needs of children, young people and adults at risk where appropriate*
- *be explicit about what physical contact is appropriate for a person working in their setting with children, young people or adults at risk*

This means that a person should:

example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child or adult at risk so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear to the parent/carer, adult at risk or the adult at risk's suitable person or representative and once agreed, should be undertaken with the permission of the child/young person and adult at risk if the adult at risk has capacity or if it is in the best interest of the adult at risk. Contact should be relevant to their age or understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Guidance and protocols around safe and appropriate physical contact are provided by national organisations, for example sports governing bodies or major arts organisations, or the employing organisation and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager, parent or carer.

It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, children and young people, adult at risk's and/or their suitable person or representative informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

With regard to adults at risk, especially one who lacks capacity always ensure that any physical restraint adhere to the necessary safeguards and Care Plan that has been implemented specially for that individual. Physical contact can include the provision of health care such as the administration of medication and therefore it is important that each organisation has rigorous controls and recording in place to ensure that any appropriate administration of medication or health intervention i.e. first aid if proportionate and in the best interests of a adult at risk.

- *be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described*
- *never touch a child in a way which may be considered indecent*
- *always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*
- *not indulge in horseplay*
- *always encourage children, where possible, to undertake self-care tasks independently*
- *work within Health and Safety regulations*
- *be aware of cultural or religious views about touching and always be sensitive to issues of gender*
- *understand that physical contact in some circumstances can be easily misinterpreted*
- *This means that schools/services should:*
- *ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management*
- *make adults aware of relevant professional or school/service guidance in respect of physical contact with children and meeting medical needs of pupils where appropriate*
- *be explicit about what physical contact is appropriate for adults working in their setting*
- *provide staff, on a "need to know" basis, with relevant information about vulnerable pupils in their care*
- *make staff aware of most recent government guidance in respect of physical contact with pupils²³*

- and
- meeting medical needs of children
- and young people in school²⁴,

18. Use of Control and Physical Intervention

There are circumstances in which a person working with children or adults at risk displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. Adults that are expected to use restrictive physical interventions should have appropriate training, e.g. Team Teach. This is a complex area and a person and organisations must have regard to government guidance and legislation in the development and implementation of their own policies and practice.

The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child, young person or adult at risk's behaviour if it is necessary to prevent personal injury to the child or adult at risk, other children or a adult at risk or the public, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned.

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.

Under no circumstances should physical force or intervention be used as a form of punishment. The duty of care which applies to all people and organisations working with children, young people and adults at risk requires that reasonable measures are taken to prevent vulnerable people being harmed. The use of unwarranted physical force is likely to constitute a criminal offence.

In settings where restrictive physical interventions may need to be employed regularly, i.e. where people are working with children and adults at risk with extreme behaviours associated with learning disability or autistic spectrum disorders or Mental health issues, the employer should have a policy on the use of such intervention, as part of a wider behaviour management policy. Individual care plans, drawn up in consultation with parents/carers or adult at risk's suitable person or representative and where appropriate, the child or adult at risk, should set out the strategies and techniques to be used and those which should be avoided. Although generic risk assessments covering physical interventions should already have been completed and staff made aware of them, where restrictive physical intervention maybe required the actions to be taken and type of

This means that adults should:

- adhere to the organisation's physical intervention policy
- always seek to defuse situations
- always use minimum force for the shortest period necessary
- record and report as soon as possible after the event any incident where physical intervention has been used.

This means that organisations should:

- have a policy on the use of physical intervention in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention
- ensure that an effective recording system is in place which allows for incidents to be tracked and monitored
- ensure adults are familiar with the above
- ensure that staff are appropriately trained

intervention to be carried out and under what circumstances should be fully documented in a specific risk assessment personal to the individual. Details of any decision to implement restrictive physical intervention measures must also be fully recorded within the individual's personal records, behaviour plan or care plan.

In all cases where physical intervention is employed the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the child or young person and adult at risk. The parents/carers or the adult at risk's suitable person or representative should be informed the same day.

19. Children , Young People and Adults at risk in Distress

There are some settings, where people are involved in managing significant or regular occurrences of distress and emotional upset in children and adults at risk, for example in mental health services, residential care provision etc. In these circumstances professional guidance should be followed and a person should be aware of what is and what is not acceptable behaviour when comforting a child or adult at risk when diffusing a situation. This is particularly important when working on a one-to-one basis.

For all other people working with children and adults at risk there will be occasions when a distressed child or adult at risk needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. A person should use their professional judgement to comfort or reassure a child in an age-appropriate way or a adult at risk whilst maintaining clear professional boundaries.

Where a person has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager and parents/carers.

20. Intimate Care

Some job responsibilities necessitate intimate physical contact with children or adults at risk on a regular basis, for example assisting young children with toileting, providing intimate care for children and adults at risk with disabilities, or older people in the provision of personal and medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child or adult at risk to

This means the adult should:

- *consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way*
- *be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances*
- *follow professional guidance or code of practice where available*
- *never touch a child in a way which may be considered indecent*
- *record and report situations which may give rise to concern from either party*
- *not assume that all children seek physical comfort if they are distressed*

This means that a person should:

- *adhere to the organisation's intimate care guidelines or code of practice*
- *make other staff aware of the task being undertaken*
- *explain to the child or adult at risk what is happening*
- *consult with senior managers and parents/carers where any variation from agreed procedure/care plan*

intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to senior managers and/or parents/carers or a adult at risk's suitable person or representative.

All children and adults at risk have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

The views of the child and adult at risk should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, the adult at risk, parents/carers and the organisation must be negotiated and recorded.

21. Personal Care

Young people and adults at risk are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard adults at risk, young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people and adults at risk concerned and sensitive to the potential for embarrassment.

A person needs to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the adult at risk, children and young people with whom they work.

22. First Aid and Administration of Medication

It is expected that people working with adults at risk, children and young people should be aware of basic first aid techniques. It is not however, a contractual requirement and whilst a person may volunteer to undertake such tasks, they should be suitably trained and qualified before administering first aid and/or any agreed medication. Depending upon the age of the child, a knowledge of paediatric first aid may be required.

When administering first aid, wherever possible, a person should ensure that another adult is aware of the action being taken. Parents should always be informed when first aid has

is necessary

- *record the justification for any variations to the agreed procedure/care plan and share this information with parents or adult at risk's suitable person or representative*
- *ensure that any changes to the agreed care plan are discussed, agreed and recorded.*

This means that a person should:

- *avoid any physical contact when children are in a state of undress*
- *avoid any visually intrusive behaviour*
- *where there are changing rooms announce their intention of entering*

This means that a person should not:

- *change in the same place as children/adults at risk*
- *shower or bathe with children/adults at risk*
- *assist with any personal care task which a adult at risk, child or young person can undertake by themselves*

This means that organisations should:

- *ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention*
- *ensure there are trained and named individuals to undertake first aid responsibilities, including knowledge and competence in*

been administered in respect of a child.

In circumstances where children or adults at risk need medication regularly a health care plan should have been established to ensure the safety and protection of children, adults at risk and the people who are working with them. Depending upon the age and understanding of the child and the adult at risk's capacity, they should where appropriate, be encouraged to self-administer medication or treatment including, for example any ointment, use of inhalers.

- paediatric first aid requirements.*
- *ensure training is regularly monitored and updated*
- *always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication for children*

This means that a person should:

- *adhere to the organisation's policy for administering first aid or medication*
- *comply with the necessary reporting requirements*
- *make other people aware of the task being undertaken*
- *explain to the child/adult at risk what is happening.*
- *always act and be seen to act in the adult at risk/child's best interests*
- *report and record any administration of first aid or medication*
- *have regard to any health plan which is in place*
- *always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities*

23. One to One Situations

Every organisations working with or on behalf of children, young people and adults at risk should consider one to one situations when drawing up their policies. This includes schools and other education settings.

It is not realistic to state that one to one situations should never take place. It is however, appropriate to state that where there is a need, agreed with a senior manager and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Adults should be offered training and guidance in the use of any areas of the workplace which may place themselves or children in vulnerable situations.

One to one situations have the potential to make child/young Person/adult at risk more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of pupils and the adults who

This means that a person should:

- *ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.*
- *avoid meetings with a child or person in remote, secluded areas,*
- *always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by*
- *avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy*
- *always report any situation*

work with them.

There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the school/setting premises should not be permitted unless approval is obtained from their parent and the Head teacher/Principal or other senior colleague with delegated authority.

24. Home Visits

There are workers for whom home visits are an integral part of their work. In these circumstances it is essential that appropriate policies and related risk assessments are in place to safeguard adults at risk, children and young people and the people who work with them.

A risk assessment should include an evaluation of any known factors regarding the adult at risk, child/young person, parents and others living in the household. Risk factors such as hostility, child protection and adult safeguarding concerns, complaints or grievances can make a person more vulnerable to an allegation. Specific consideration should be given to visits outside of 'office hours' or in remote or secluded locations. Following an assessment, appropriate risk management measures should be in place before visits are agreed. Where little or no information is available, visits should not be made alone. There will be occasions where risk assessments are not possible or not available, e.g. when emergency services are used. In these circumstances, a record must always be made of the circumstances and outcome of the home visit. Such records must always be available for scrutiny.

Under no circumstances should an a person visit a child or adult at risk in their home outside agreed work arrangements or invite a child or adult at risk to their own home or that of a family member, colleague or friend. If in an emergency, such a one-off arrangement is required, the person must have a prior discussion with a senior manager and the parents or carers or an adult at risk's suitable person or representative and a clear justification for such arrangement is agreed and recorded.

where a child becomes distressed or angry to a senior colleague

- *carefully consider the needs and circumstances of the child/children when in one to one situations*

This means that a person should:

- *agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role e.g. social workers*
- *adhere to agreed risk management strategies*
- *always make detailed records including times of arrival and departure and work undertaken*
- *ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate action is taken*

This means that employers should:

- *ensure that they have home visit and lone-working policies of which all persons are made aware. These should include arrangements for risk assessment and management*
- *ensure that all visits are justified and recorded*
- *ensure that persons are not exposed to unacceptable risk*
- *ensure that people have access to a mobile telephone and an emergency contact person*

25. Transporting Children and Young People and Adults at risk

There will be occasions when people are expected or asked to transport children, young people or adults at risk as part of their duties. Adults, who are expected to use their own vehicles for transporting children and adults at risk should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. People should also be aware of current legislation and adhere to the use of car seats for younger children. Where people transport children or adults at risk in a vehicle which requires a specialist license/insurance e.g. PCV or LGV- staff should ensure that they have an appropriate licence and insurance to drive such a vehicle. Anyone using a minibus or other council vehicle must have undertaken driver assessment training and to have undergone a medical examination. Further information is contained in the Council's Code of Practice 'Minibus Operation'.

It is inappropriate for a person to offer lifts to an adult at risk, child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child or adult at risk at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

This means that all organisations:

- *should have appropriate policies for transporting children and young people*

This means that a person should:

- *ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive*
- *be aware that the safety and welfare of the child/adult at risk is their responsibility until they are safely passed over to a parent/carer*
- *record details of the journey in accordance with agreed procedures*
- *ensure that their behaviour is appropriate at all times*
- *ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven*
- *ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned*

26. Trips and Outings

A person should take particular care when supervising adults at risk, children and young people on trips and outings, where the setting is less formal than the usual workplace. A person remains in a position of trust and needs to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. .

Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, adults at risk and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child/adults at risk ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace. For further guidance on the planning of trips and excursions, involvement of an Educational Visits Co-ordinator must be considered particularly where this may involve a group of children or adults at risk being taken away on an excursion/visit.

¹ For further information see www.dvla.gov.uk

This means that a person should:

- *always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager*
- *undertake risk assessments in line with their organisation's policy where applicable*
- *have parental consent to the activity where appropriate*
- *ensure that their behaviour remains professional at all times(see section 7)*
- *never share beds with a child/children, young people or adults at risk.*
- *not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with senior manager, parents and children and young people, the adult at risk or their suitable person or representative.*

27. Photography and Videos

Working with adults at risk, children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well being of children and young people. Informed written consent from parents or carers and agreement, where possible, from the child or young person, adult at risk or their representative or suitable person should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

People need to remain sensitive to any children or adults at risk who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for a person to take photographs of children or adults at risk for their personal use.

This means that a person should:

- *be clear about the purpose of the activity and about what will happen to the images when the activity is concluded*
- *be able to justify images of children/adults at risk in their possession*
- *avoid making images in one to one situations or which show a single child with no surrounding context*
- *ensure the child/young person/adult at risk understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.*
- *only use equipment provided or authorised by the organisation*
- *report any concerns about any inappropriate or intrusive photographs found*
- *always ensure in relation to children they have parental permission to take and/or display photographs*

This means that a person should not:

- *display or distribute images of children or adult at risk unless they have consent to do so from parents/carers or the adult at risk*
- *use images which may cause distress*
- *use mobile telephones to take images of children or adults at risk*
- *take images 'in secret', or taking images in situations that may be construed as being secretive.*

28. Access to Inappropriate Images and Internet Usage

There are no circumstances that will justify a person possessing indecent images. A person who accesses and possess links to such websites will be viewed as a significant and potential threat to children and adults at risk. Accessing, making and storing indecent images of children on the internet is illegal. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven.

Any photographs or images of vulnerable people should only be taken with their consent. If they lack capacity consent would need to be obtained from their representatives or suitable person.

A person should not use equipment belonging to their organisation to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children and adults at risk.

A person should ensure that children, young people and adults at risk are not exposed to any inappropriate images or web links. Organisations and people need to ensure that internet equipment used by children have the appropriate controls with regards to access. e.g. personal passwords should be kept confidential.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. People should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

This means that organisations should

- *have clear e-safety policies in place about access to and use of the internet*
- *make guidance available to both adults and children and young people about appropriate usage.*

This means that a person should:

- *follow their organisation's guidance on the use of IT equipment*
- *ensure that children and adults at risk are not exposed to unsuitable material on the internet*
- *ensure that any films or material shown to children and young people are age appropriate*

29. Handling a Child or Adult at risk's Finances

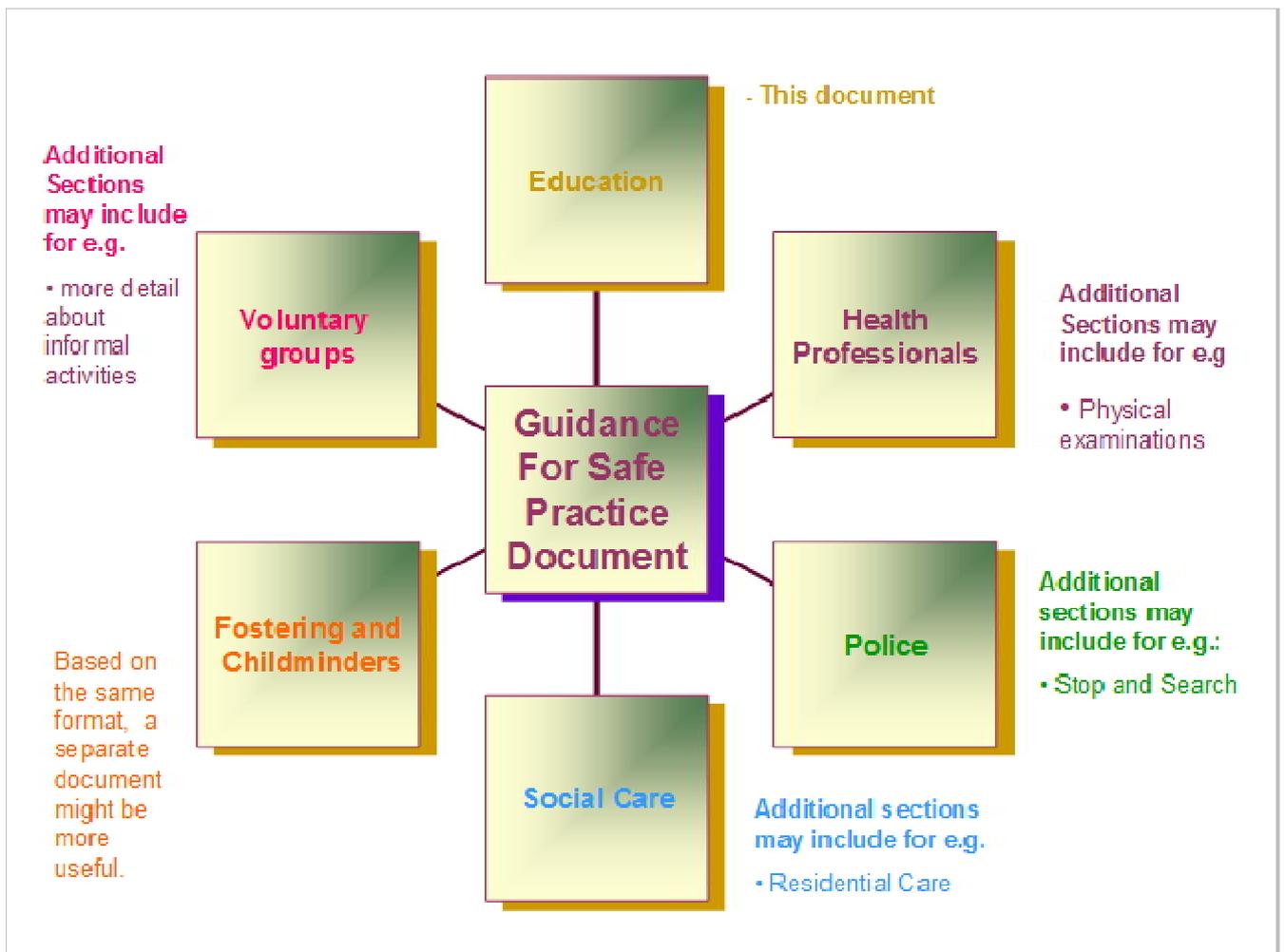
A person who works with children, young people and adults at risk should not seek to be involved, interfere or have any control in handling the finances of these vulnerable groups of people unless such activity is part of their contract of employment or the reasons for doing so has been firmly established and agreed between parents/carers, senior managers or in the case of a adult at risk who lacks capacity their suitable person or representative.

The misuse or misappropriation of an individual's money, property, inheritance, possessions or insurance, or blocking the individuals access to these material goods is a criminal offence and may lead to a criminal prosecution under the Theft Act 1968 as amended and or the Fraud Act 2006.

This means that a person should

- *Ensure that their relationship with children, young people or adults at risk clearly takes place within professional boundaries*
- *Be aware of their organisations policy on the handling of finances and property belonging to a child, young person or adult at risk*

This generic document can be used as a base upon which other disciplines/agencies develop specific guidance for adults working in specialised areas.



This generic document can be used to support safer recruitment and selection practices, induction and on-going training programmes and where necessary, disciplinary and child protection and Adult Safeguarding procedures.

