Appendix 1

Tewkesbury Borough Council

SAFEGUARDING POLICY & PROCEDURE

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SAFEGUARDING POLICY

1.0 INTRODUCTION

Safeguarding means protecting people's health, wellbeing and human rights and enabling them to live free from harm, abuse and neglect. It is primarily about protecting vulnerable adults, young people or children from abuse or neglect. It means making sure people are supported to get good access to health care and stay well and is fundamental to high-quality health and social care. It is wrong if vulnerable people are not treated with the same respect as others.

2.0 STATEMENT OF INTENT

Tewkesbury Borough Council is committed to the principles of safeguarding and promoting the welfare of all children, young people and vulnerable adults. Our employees and any contractors working on the council's behalf are briefed and understand the definitions of children and vulnerable adults in the context of the Safeguarding Vulnerable Groups Act and the legislative framework of measures to protect these groups from harm.

3.0 PURPOSE

The purpose of this Policy is to ensure there is an overarching approach to safeguarding across the organisation and that all employees, elected Members, volunteers and contractors delivering services on behalf of the council are aware of their legal obligations to safeguard children, young people and vulnerable adults.

4.0 **DISTINCTIONS**

Safeguarding distinctions for children and adults

Safeguarding children and promoting their welfare includes:

- Protecting them from maltreatment or things that are bad for their health or development.
- Making sure they grow up in circumstances that allow safe and effective care.

Safeguarding vulnerable adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- People and organisations working together to prevent the risk of abuse or neglect and to stop them from happening.
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.

Types of Harm

The safeguarding of children and young people and the safeguarding of adults with care and support needs (vulnerable adults) can encompass the following types of harm within the definition:

- domestic abuse / physical harm / neglect;
- sexual abuse or exploitation;
- emotional or psychological abuse;
- financial exploitation;
- modern slavery / human trafficking / illegal workers;
- honour based abuse;
- stalking;
- forced marriage;
- cyber bullying;
- female genital mutilation (FGM).

5.0 THE COUNCIL'S ROLE AND RESPONSIBILITIES

The council has a statutory responsibility and a duty of care, to cooperate and report issues relating to safeguarding to the appropriate authorities and partner agencies.

This Policy aims to raise overall awareness of safeguarding, the signs of abuse and information on what to do if any form of abuse is identified or suspected. Safeguarding is not a practice that operates in isolation; the subject cuts across every service and function that the council undertakes and as such, is embedded within the organisation and has direct links to other council policies including, the Code of Conduct, Anti-Bullying and Harassment Policy, Safer Recruitment and Whistle Blowing.

5.1 Safeguarding Children

Local Authorities have a duty under the Children Act 2004 to ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions. The council is a member of the Gloucestershire Safeguarding Children's Board (GSCB) and has a role in identifying children and young people who may be at risk and alerting the appropriate services. All staff must ensure that they are aware of the safeguarding procedures in place within the organisation and the staff members responsible for safeguarding issues. All staff members will receive safeguarding training at induction.

5.2 Safeguarding Vulnerable Adults

The council's role for safeguarding vulnerable adults is governed by the Care Act 2014.

The council's safeguarding responsibilities apply to adults who:

- have care and support needs;
- are experiencing or are at risk of abuse or neglect;
- are unable to protect themselves from either the risk of, or the experience of abuse or neglect.

6.0 DEFINITIONS AND TYPES OF ABUSE

6.1 Children and Young People

In accordance with guidance provided by Working Together to Safeguard Children 2010 and based on the Children Act 1989 and 2004, the terms "children", "child", "young person" or *"*young people" shall for the purposes of this Policy be deemed to mean:

"Anyone who has not yet reached their 18th birthday. The fact that they have reached 16 years of age; are living independently or in further education; are a member of the armed forces; in hospital or in custody in the secure estate for children and young people, does not change his or her status or entitlement to services or protection under the Acts...".

ТҮРЕ	DEFINITION	SIGNS
Emotional	The persistent emotional maltreatment of a child such as to cause severe and persistent effects on the child's emotional development.	Conveying to children that they are worthless or inadequate; imposing age or developmentally inappropriate expectations, serious bullying, exploitation.
Sexual	Forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware what is happening.	Inappropriate sexual behaviour, fear of adults, recoiling from physical contact.
Neglect	The persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development.	Inadequate food, clothing, shelter. Inadequate access to appropriate medical care or treatment.
Physical	May involve hitting, shaking, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.	Unexplained bruising, burns, fractures.

A child may be at risk of abuse in a number of ways:

6.2 Vulnerable Adults

A vulnerable adult is any person aged 18 or over who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation. Vulnerable adults may include people with:

- a mental health problem or mental illness (including dementia);
- a physical disability;
- a sensory impairment;
- a learning disability;
- frailness and/or experiencing a temporary illness;
- old age.

A vulnerable adult may be at risk of abuse in a number of ways:

ТҮРЕ	DEFINITION	INDICATORS
Physical	The non-accidental use of physical force that results (or could result) in bodily injury, pain or impairment including: assault, hitting, slapping, pushing, misuse of medication and restraint.	Unexplained bruising, cowering or flinching, bruising consistent with being hit, unexplained burns, unexplained fractures.
Domestic Abuse	An incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality.	Unexplained bruising, cowering or flinching, bruising consistent with being hit.
Sexual	Direct or indirect involvement in sexual activity without consent.	Incontinence, difficulty/discomfort in walking, excessive washing, sexually transmitted diseases, bruising/bleeding in genital areas.
Emotional/Psychological	Acts or behaviour which impinge on the emotional health of, or which causes distress or anguish to individuals.	Disturbed sleep, anxiety, confusion, extreme submissiveness or dependency, sharp changes in behaviour, loss of confidence or appetite.
Neglect & Acts of Omission	Ignoring or withholding physical or medical care needs, which result in a situation or environment detrimental to the individual.	Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health care, withholding medication, adequate nutrition and heating.

Financial & Material Abuse	Unauthorised, fraudulent obtaining and improper use of funds, property or any resources of an adult at risk. Scamming and coercion in relation to an adult's financial affairs.	Unexplained or sudden inability to pay bills, unexplained withdrawals of money from accounts, personal possessions going missing, unusual interest by a friend/relative/neighbour in financial matters.
Discriminatory	When values, beliefs or culture result in a misuse of power that denies main stream opportunities to some groups or individuals. This includes discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes, or comments and jokes based on a person's disability or any other form of harassment.	Inciting others to commit abusive acts, lack of effective communication.
Modern Slavery	Encompasses slavery, human trafficking, forced and compulsory labour and domestic servitude.	
Institutional/ Organisational	Where the culture of the organisations places the emphasis on the running of the establishment above the needs and care of the person.	Lack of care plans, contact with the outside world not encouraged, no flexibility or lack of choice.
Self-neglect	Neglecting to care for personal hygiene, health or surroundings and includes behaviour such as hoarding.	A deterioration in physical appearance or rapid weight gain/loss.

There are also a number of specific acts that constitute abuse which could affect both children and adults and are safeguarding concerns, namely:

ТҮРЕ	DEFINITION
Female Genital Mutilation	Female genital mutilation is a collective term used for illegal procedures, e.g. female circumcision, which includes the partial or total removal of the external female genital organs, or injury to the female genital organs for a cultural or non-therapeutic reason.
Honour Based Abuse (HBA)	Honour based abuse is violence and abuse in the name of honour, covering a variety of behaviours (including crimes), mainly but not exclusively against females, where the person is being punished by their family and/or community for a perceived transgression against the "honour" of the family or community, or is required to undergo certain activities or procedures in "honour" of the family.
	It is a form of domestic abuse which relates to a victim who does not abide by the "rules" of an honour code. This will have been set at the discretion of relatives or community; the victims are punished for bringing shame on the family or community.
Forced Marriage	In a forced marriage people are coerced into marrying someone against their will and they may be physically threatened or emotionally blackmailed to do so. It is an abuse of human rights and cannot be justified on any religious or cultural basis.
	Forced marriage is not the same as an arranged marriage where there is a choice as to whether to accept the arrangement or not. The tradition of arranged marriages has operated within many communities, cultures and countries over a long period of time.
Child Sexual Exploitation (CSE)	Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something in return (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them being subjected to sexual activities.
	Child sexual exploitation can occur through the use of technology without the child's immediate recognition; e.g. being persuaded to post sexual images on the internet or mobile phones without immediate payment or gain.
	In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability.

Stalking	The Protection of Freedoms Act 2012 defines "stalking" as an offence, however there is no legal definition, but examples include: following or spying on a person or forcing contact with the victim through any means including social media. Any of these examples carried out repeatedly or persistently can cause significant alarm or distress.
Prevent	Prevent is a government strategy which aims to raise awareness and resilience to radicalisation, it recognises that children and vulnerable adults can be susceptible to extremist views and coerced into criminal behaviour.
Cyber-Crime	Cyber-crime is defined as criminal activity carried out by means of computers or the internet. Criminals are increasingly exploiting the speed, convenience and anonymity of the internet to commit a diverse range of criminal activities without physical or virtual borders. These crimes can cause serious harm and pose significant threats to victims worldwide.
Modern Slavery	Modern slavery has a number of characteristics which distinguish it from other human rights violations. It involves people being forced to work through mental or physical threat of abuse, dehumanisation and being treated like a commodity or bought and sold as "property".
Human Trafficking	Human trafficking takes place when a victim is moved from one place to another for the purpose of exploitation and this could be through sexual exploitation, domestic servitude or forced labour.

7. RESPONSIBLE LEADS

7.1 Designated Safeguarding Lead

The council has a two Designated Safeguarding Leads who are responsible for championing the importance of safeguarding and promoting the welfare of children, young people and vulnerable adults. Their role is also to support staff and provide guidance and advice to aid implementation of this Policy and in making a referral. In the event of concerns arising in relation to a member of staff or a volunteer then the Human Resources Manager should be notified.

Designated Safeguarding Leads (Contact Points):		
Post Title	Telephone Number	
Head of Community Services	01684 272259	
Housing Services Manager	01684 272173	
Community and Economic Manager (Temporary)	01684 272094	
Human Resources Manager	01684 272057	

7.2 Corporate Leadership Team (CLT)

The council's Corporate Leadership Team will ensure that:

- 1. The council meets its legal obligations.
- 2. Where applicable the safeguarding of children, young people and vulnerable adults is considered in strategies, plans and services.
- The best safeguarding practices are embedded and maintained across all services to ensure continuous improvement and compliance with national and local policies.
- 4. All safeguarding matters relating to safeguarding are expedited in a timely manner and treated seriously.
- 5. Staff are supported on all aspects of safeguarding and procedures are adhered to.

7.3 Service Managers

The council's Service Managers will ensure that:

- 1. The Safeguarding Policy is adhered to across the organisation;
- 2. Staff complete and implement the appropriate safeguarding training;
- 3. Staff handling safeguarding issues are fully supported;
- 4. They take responsibility for the quality of safeguarding children, young people and vulnerable adults in their service area;
- 5. Staff and volunteers working with children, young people and vulnerable adults have employment checks appropriate to their role and legislative requirements.

7.4 Human Resources

The council's Human Resource Manager will ensure that:

- 1. The relevant policies are in place, e.g. Whistle-blowing, Safer Recruitment and Disciplinary Procedures;
- 2. Managers are supported in the use of the policies directly and indirectly associated with safeguarding;
- 3. Support with the pre-employment checks (including through the Disclosure and Barring Service) is given to managers and staff, as appropriate;
- 4. All staff are trained in safeguarding policies and procedures during induction;
- 5. All staff training associated with safeguarding is up-dated on a regular basis.

7.5 Staff

Council staff will ensure that they:

- 1. Treat all safeguarding matters seriously;
- 2. Report all concerns as per the reporting procedure;
- 3. Are aware of the council's safeguarding policies and procedures;
- 4. Complete the safeguarding training relevant to their role.

8. WHO THE SAFEGUARDING POLICY AFFECTS

In addition to employees and elected Members of the council this Policy shall also apply to the following areas:

8.1 Procurement

Any contracts awarded with external agencies for the provision of goods and services must make specific reference to safeguarding and the duties imposed on staff. Steps must be taken to ensure the safeguarding of children, young people and vulnerable adults is commensurate with the type of service being provided on behalf of, or in partnership with the council.

8.2 Contractors

The council will ensure that:

- All contractors providing services directly related to children, young people and vulnerable adults have a safeguarding policy and practices which complement the council's requirements relating to safeguarding.
- 2. Contractors providing a service to the council (such as maintenance work at a council property) will be made aware of the council's procedures and policies.
- 3. Council staff will ensure that relevant safeguarding practices are adopted by the contractor.
- 4. Contractors providing a service on behalf of the council, e.g. leisure services, will be required to work within the framework of this Policy.

In addition, the contractor must ensure that they meet with the standards and guidance set out in the council's Safeguarding Policy.

8.3 Partners

All partners working with the council must have regard to safeguarding. For joint projects, partner agencies will be required to pass a copy of their safeguarding policy to the council to ensure it aligns with the council's safeguarding requirements or alternatively, where no such policy exists, the partner will be required to adopt this Policy for the duration of the project.

Taxi drivers licenced by the council must attend specific safeguarding training.

8.4 Volunteers

Any volunteers operating either in their own right as individuals or as part of a larger organisation on behalf of the council working with children, young people and / or vulnerable adults will be required to undertake a Disclosure and Barring Service (DBS) check and will be made aware of the council's Safeguarding Policy as part of their overall induction.

8.5 Apprentices, Work Experience and Workers Under the Age of 18

Staff will be made aware that the above duty will apply to their interaction with work experience and apprentices under the age of 18. Such workers would still be deemed as children under this Policy (see section 3.1), whilst also themselves being responsible under the duty imposed by Section 11 of the Children Act 2004. It will be necessary to consider the impact of this in all risk assessments carried out in relation to these staff members. In all cases a Young Persons' Risk Assessment must be carried out (available on the council's intranet or through Human Resources).

If a work experience placement involves working with a member of staff off site or working with a member of staff on their own for longer than half a day, the student's parents or guardians should be informed prior to the work experience placement. In addition when the student goes off-site the employee must advise a Senior Officer where they are going, the reason for the visit and how long the visit will take.

9. SAFEGUARDING PRACTICES

9.1 Safer Recruitment

The council has a Safer Recruitment Policy which must be followed for all staff appointments. The policy can be found on the council's intranet or requested from Human Resources.

9.2 Training

All staff working with children, young people and vulnerable adults must attend safeguarding training appropriate to their role as a minimum and be familiar with the Safeguarding Induction Booklet for Children, Young People and Vulnerable Adults available on the council's intranet.

All council employees will be familiar with their safeguarding responsibilities irrespective of their role. Basic safeguarding training will be given during new staff inductions and renewed every two years – either through online packages or internal briefings. Human Resources will work with managers to ensure this is undertaken and monitored. Elected Members will be made aware of their safeguarding responsibilities and training will be offered to them.

9.3 Safeguarding Allegations Against a Member of Staff

The council takes seriously any allegations or complaints about the conduct of staff and volunteers in respect of their contact with children and vulnerable adults. All allegations or complaints received by the council will be investigated fully and where applicable, action will be taken against the member of staff or volunteer in accordance with the council's disciplinary procedure. If deemed necessary, the member of staff or volunteer will be suspended whilst the investigation takes place. The decision to suspend lies ultimately with a Chief Officer.

In the event of a serious allegation against a member of staff or volunteer, the council will involve the Local Authority Designated Officer (LADO) employed by Gloucestershire County Council.

9.4 Support for Staff/Volunteers

Support will be provided for any member of staff or volunteer subject to an allegation as indicated in the council's Disciplinary Procedure.

9.5 Whistle-Blowing

The council has a Whistle-Blowing Policy which should be read in conjunction with this Policy; this can be found on the council's intranet or requested from the Human Resources team. Staff have a duty of care to draw attention to bad or poor practice in the workplace; this includes practices that may be abusive and / or neglectful. Members of staff who work with children, young people or vulnerable adults have an individual responsibility to raise concerns with someone who has responsibility to take action.

9.6 E-Safety

Children, young people and vulnerable adults can be at risk of exploitation and abuse through the medium of Information and Communication Technology (ICT). It is important that staff are alert to potential risks children, young people and vulnerable adults may be exposed to and that steps have been taken to mitigate the risk of this occurring, with specific reference to the council's ICT Policies, which can be found on the council's intranet and include:

- Information Security Policy.
- Acceptable Use Code of Practice.
- Access Control Code of Practice.
- E-Mail Code of Practice.
- Internet Code of Practice.

9.7 Related Policies

The council has adopted a number of policies related to the protection of staff when undertaking their duties these include the:

- Safeguarding Policy to guide individuals on how to be vigilant about spotting any signs of harm or potential harm and what to do about it.
- Health and Safety Policy to help ensure that staff wellbeing is protected in the workplace.

- Equality and Diversity Policy, to ensure all are treated fairly and appropriately in the workplace.
- Well-being and Stress Management Policy, which aims to promote job satisfaction and a stress free environment.
- Anti-Bullying and Harassment Policy.
- Whistle-Blowing Policy.

9.8 Reporting Safeguarding Concerns

The council undertakes to:

- Report any safeguarding related information received by third parties to the appropriate body, e.g. Social Care, the police, other regulators and government departments for further investigation.
- Refer safeguarding concerns that are identified by staff in the course of carrying out the council's business to the appropriate body, e.g. Social Care, the police, other regulators and government departments for further investigation.
- Record any incidents on safeguarding through the council's internal procedures.

9.9 Communicating this Policy

This Policy will be communicated to all staff and elected Members at their initial induction briefing and thereafter from time to time, but at least every two years.

This Policy will also be followed in conjunction with any specific local arrangements imposed or recommended by the partner agencies, including Social Services, the police etc., which will also be communicated to staff where appropriate.

A copy of this Policy is available from the contact points listed in the document.

10 POLICY REVIEW

10.1 This Policy will be reviewed annually or in response to legislative changes.

SAFEGUARDING PROCEDURE

1. Listening to children and vulnerable adults

As adults with trust and influence, council staff are in a powerful position to recognise and receive information about abuse. However, it is not their responsibility to decide if a child or vulnerable adult is being abused; their role is to act on their concerns.

If a child tells a member of staff about potential or alleged abuse:

- Stay calm.
- Listen carefully to what they have to say, without making any judgement.
- Try not to ask questions, but if you have to, make sure they are open-ended questions to clarify understanding and not to probe or investigate.
- Do encourage them to talk.
- Do not give an opinion or offer advice.
- Be honest with them about what you can and cannot do.
- Tell them that you are not able to keep what they have told you secret.
- Tell them that you will try to find them the help they need.
- When they have finished, make a detailed note of what they have said on the incident record form (available on the council's intranet or through Human Resources), using their words where possible, and then sign and date the record and pass that information on to the nominated safeguarding lead.
- Do not contact or confront the individual who is alleged to be responsible.
- Re-assure the child / young person / vulnerable adult that they have done the right thing.
- Maintain confidentiality and do not discuss with others.

2. What to do if you have concerns

It is not the responsibility of an employee to take individual responsibility for deciding whether or not abuse is actually taking place. However, there is a responsibility to protect children and vulnerable adults in order that appropriate agencies (e.g. local social services) can then make enquiries and take any necessary action. The council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice.

The council will not tolerate harassment or victimisation in any form of anyone raising a legitimate concern. Any employee who attempts at any stage to apply any retribution or detriment to a member of staff will face serious disciplinary charges.

In being vigilant of child and vulnerable adult protection it is crucial that all employees with responsibility for care are aware of the steps used to recognise signs of abuse. In these situations, or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to either of the council's Safeguarding Lead Officers as soon as possible.

Once the incident/allegation has been reported it is the responsibility of the council's Safeguarding Lead Officer to inform the appropriate agency without delay.

3. Dealing with allegations against staff

Should an individual member of staff become aware of an allegation against a colleague of an incident of child abuse taking place, or having taken place, they should follow the procedure outlined below:

- Take the allegation seriously. It is your duty to consider any allegation to be potentially dangerous to the child and therefore report it.
- As part of your report, make a written record of any details of which you are aware.
- Report the allegation to the Safeguarding Lead Officer giving details of the allegation, how you became aware of it and any other relevant details. Try not to cloud your report with your opinions or judgements
- Do not judge or investigate. As an employee, it is important not to lose focus of your role. By reporting an allegation quickly, any necessary investigations and/or judgement can be made by trained professionals, i.e. social services and/or the police.

4. Maintain confidentiality

It is extremely important that any allegations are not discussed (unless absolutely necessary) as any breaches could be damaging to the child or vulnerable adult and to any investigation which may follow. Any requests for information from members of the public (including parents, guardians or carers) or the media should be directed to the Safeguarding Lead Officer.

5. Support

Consideration should be given to the kind of support that children, parents, guardians, carers and members of staff may need. Use of help lines, support groups and open meetings will maintain an open culture and help with any process of reparation.

6. Allegations of previous abuse

Allegations of abuse may be made some time after the event, e.g. by an adult who was abused as a child or against a member of staff who is still currently working with children. Where such an allegation is made, the person should follow the procedure as detailed above contacting the safeguarding lead most appropriate who would then notify the police.

7. Further Information

Further information relating to safeguarding, including definitions, guidance leaflets, can be found on the Gloucestershire County Council web-site pages: <u>Safeguarding Children in Gloucestershire</u>

Quick Guide:

What must I do?

Immediately share your concerns verbally with the designated Safeguarding Lead Officer.

Safeguarding Leads (Contact Points):		
Post Title	Telephone Number	
Head of Community Services	01684 272259	
Housing Services Manager	01684 272173	
Community and Economic Manager (Temporary)	01684 272094	
Human Resources Manager	01684 272057	

If appropriate they will complete a safeguarding referral with you and then speak to Social Care.

If you have concerns about a member of staff then speak to:

Human Resources Manager	01684 272057
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Then:

Make a written record (using the child's or adult's own words) sign and date it. Pass the written record to the designated Safeguarding Lead Officer without delay. If the referral is based on an observation, please give as much information as possible. All reports will be treated with the strictest confidentiality. It you wish to remain anonymous you can make a protected disclosure under the councils Whistle-Blowing Policy.

To ensure that this information is as helpful as possible, a detailed record should always be made at the time of the disclosure/concern, which should include the following:

- The name, age and date of birth of the child or vulnerable adult.
- Their home address and telephone number.
- Whether or not the person making the report is expressing their own concerns or those of someone else.

- The nature of the allegation. Include dates, times, any special factors and other relevant information.
- Make a clear distinction between what is fact, opinion or hearsay.
- A description of any visible bruising or other injuries. Also any indirect signs, such as behavioural changes.
- Details of witnesses to the incidents.
- The child's or adult's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
- Have the parents, guardians or carers been contacted? If so, what has been said?
- Has anyone else been consulted? If so, record details.
- If the child was not the person who reported the incident, has the child been spoken to? If so, what was said?
- Has anyone been alleged to be the abuser? Record details.
- Where possible referral to the police or social services should be confirmed in writing within 24 hours and the name of the contact who took the referral should be recorded.

If you are worried about sharing concerns about abuse with a senior colleague or the HR lead you can contact:

Organisation	Telephone Number
Social Services (Children and Families Helpdesk)	01452 426565
Social Services (Adult Helpdesk)	01452 426868
Police	101