

Havant Borough Council

Adult and Child Safeguarding: Full Policy & Procedures

Summary

This policy details the procedures which all Council staff and elected members must become familiar with and follow when they have concerns that about the welfare of child, young person or adult at risk.

The Council's strategic and management lead for adult and child safeguarding is:

Tracey Wood, Service Head of Housing

Tel: 023 9244 6626

Email: tracey.wood@easthants.gov.uk

The Council's strategic and management deputy for adult and child safeguarding is:

Harriet Scotney – Community Safety Officer

Tel: 02392 446609

email: Harriet.Scotney@havant.gov.uk

When there are safeguarding concerns about a child, young person or adult at risk ALL council staff and elected members will immediately assess if the person is currently safe and if not contact the police on 999

They will then contact their:

- i. relevant line manager without delay and
- ii. if relevant, preserve any evidence, factually record their concerns in writing on the same day, on the Council's safeguarding concern form; timed, dated & signed, including job role
- iii. co-operate with any following requests for action from either the relevant council's Lead, Deputy, Head of Service or external agencies
- iv. maintain confidentiality at all times, including colleagues, family and friends

In the rare circumstance that staff and /or members feel their concerns have not been taken seriously, or not referred or managed appropriately in line with this policy, they may "whistle blow" directly to:

Children's Reception Team at
Hantsdirect
0300 300 0117
childrens.services@hants.gov.uk

Or Hampshire Adult Services
0300 555 1386
Or if out of hours: 0300 5551373

Or, if a crime has, or may have been committed, the police can be contacted on 101.
In an emergency the police should be contacted on 999 without delay.

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Adult and Child Safeguarding: Full Policy & Procedures

The purpose of this policy is to outline the procedures to be adopted by the council in ensuring the safety of all children, young people and adults at risk, when they attend or access any of the Councils' services and activities

1. Policy Statement

- a. The welfare of all children, young people and adults at risk is of paramount importance, regardless of their age, ability, culture, disability, gender, race, religion or belief.
- b. Havant Borough Council (HBC) is committed to ensuring that everyone, both individuals and organisations, are clear about their roles and responsibilities. The council will actively promote the welfare of all children, young people and adults at risk by working to the best possible safeguarding standards across all their services, activities and assets.
- c. The Council's legal responsibilities for child safeguarding are detailed in [Section 11 of the Children Act 2004](#) which;

"places a duty on local authorities and district councils that provide children's and other types of services, including children's and adult social care services, public health, housing, sport, culture and leisure services, licensing authorities and youth services. Safeguarding is everyone's responsibility: For services to be effective, each professional and organisation should play their full part; and have a child-centred approach.

and defines safeguarding and promoting the welfare of children as:

- i. *protecting children from maltreatment;*
- ii. *preventing impairment of children's health or development*
- iii. *ensuring that children grow up in circumstances consistent with the provision of*
- iv. *safe and effective care; and*
- v. *taking action to enable all children to have the best outcomes*

[Working Together to Safeguard Children 2015 A guide to inter-agency working to safeguard and promote the welfare of children](#)

- d. The Council's legal responsibilities for adult safeguarding are detailed in [Sections 42-46 of the Care Act 2014](#) which has 6 key principles:
 - i. *"Empowerment:*
People being supported and encouraged to make their own decisions and informed consent.
 - ii. *Prevention:*
It is better to take action before harm occurs.
 - iii. *Proportionality:*
The least intrusive response appropriate to the risk presented.
 - iv. *Protection:*

Support and representation for those in greatest need.

v. *Partnership:*

Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

vi. *Accountability:*

Accountability and transparency in safeguarding practice.”

e. The aims of adult safeguarding are to:

- i. *prevent harm and reduce the risk of abuse or neglect to adults with care and support needs*
- ii. *stop abuse or neglect wherever possible*
- iii. *safeguard adults in a way that supports them in making choices and having control about how they want to live*
- iv. *promote an approach that concentrates on improving life for the adults concerned*
- v. *raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect*
- vi. *provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult address what has caused the abuse or neglect”*

[Care and Support Statutory Guidance issued under the Care Act 2014](#)

- f. This policy has been developed in line with the both Council's [public sector equality duties](#) under the [Equality Act 2010](#)

N.B. This policy reflects the current services and activities supplied by the Council, and will be reviewed if new initiatives working directly with children, young people, adults at risk and their families or carers are established.

2. Definitions

a. For the purpose of this policy:

i. A “child” is any person under the age of 18 years.

ii. An “adult at risk” is defined as:

- having needs for care and support *and*
- is experiencing, or is at risk of, abuse and neglect *and*,
- as a result of those care needs, is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

iii. “The Council” refers to Havant Borough Council (HBC)

3. Legislation and Statutory Guidance

a. This policy is developed in line with the under-pinning key legislation, government and statutory guidance for:

Children & young people:

- Children Acts [1989](#) and [2004](#)
- [Working Together to Safeguard Children 2015](#)
- [What to do if you're worried a child is being abused 2015](#)

Adults at risk:

- [The Mental Capacity Act 2005](#)
- [The Care Act 2014](#)
- [Care and Support Statutory Guidance under the Care Act 2014](#)

Where relevant, other legislation and guidance is referenced under the appropriate headings within the policy.

This policy also meets the requirements of both the Hampshire Local [Safeguarding Children \(4 LSCB\)](#) and [Safeguarding Adults \(LASB\)](#) Boards.

4 Roles and Responsibilities

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The Council’s strategic and management lead for adult and child safeguarding is:

Tracey Wood, Service Head of Housing

Tel: 023 9244 6626

Email: tracey.wood@easthants.gov.uk

The Council’s strategic and management deputy for adult and child safeguarding is:

Harriet Scotney – Community Safety Officer

Tel: 02392 446609

email: Harriet.Scotney@havant.gov.uk

a The Council’s operational and management Lead and Deputy for safeguarding are responsible for the management of safeguarding the Council’s services, activities and assets.

b The Lead and deputy will:

.

i. monitor concerns arising in any of the Council’s activities, staffing and venues

- ii. liaise with external agencies as required
- iii support staff where necessary
- .
- iv ensure staff record their concerns appropriately (on the Council's safeguarding concern form) on the same working day, factually, timed, dated & signed, including job role
- v record what was discussed when staff have concerns, and to whom, including external agencies the matter has been referred : name, job role and agency, any actions agreed; timed, dated & signed, including when it is decided not to make a referral at this time
- vi confirm any referral in writing within 24 hours in the format requested by the agency including a copy of the member of staff's safeguarding record of concern
- vi co-operate with any subsequent requests for information or action from any agencies
 - i. including assessments
- vi liaise with external agencies regarding any allegations or complaints against staff or elected members, or when safeguarding issues may attract media attention or litigation
- ix maintain confidentiality at all times, including family and friends
- .
- x refer any welfare concerns regarding children or young people to:
 - . to Support staff to refer any welfare concerns regarding children or young people to: Children's Reception Team 01329225379 (Professional Line)
 - childrens.services@hants.gov.uk
 - [Hampshire LSCB referral form](#) Or the police on 101 In the case of an emergency, or if it is felt someone is in immediate danger, 999 will be dialled.
- xi refer any welfare concerns regarding adults at risk to
 - . Hampshire Adult Services
 - 0300 555 1386**
 - Or the police on 101** In the case of an emergency, or if it is felt someone is in immediate danger, 999 will be dialled

c In all cases where there have been safeguarding concerns, complaints or allegations raised against a member of staff or an elected member, the Council's Lead (or Deputy if the Lead is unavailable or implicated) will directly contact:

For children:

The Local Authority Designated Officer (LADO)
 Barbara Piddington, Eric Skates or Mark Blackwell
 Tel: 01962 876364
 Fax: 01962 876229 (secure line)
 E-mail:
child.protection@hants.gcsx.gov.uk

For adults at risk:

Hampshire Adult Services
0300 555 1386
 Or if out of hours: 0300 5551373

In an emergency or, if it is felt someone is in immediate danger, 999 should always be called.

d When there are safeguarding concerns about a child, young person or adult at risk council staff

- . and elected members will immediately assess if the person is currently safe and if not contact the police on 999.

They will then contact their:

- i. relevant line manager without delay if they have any concerns about a child, young person or adult at risk and;
 - ii. if relevant preserve any evidence factually record their concerns in writing, on the same day, on the Council's safeguarding concern form; timed, dated & signed, including job role
 - iii co-operate with any following requests for action from either the relevant council's Lead, Deputy, Head of Service or external agencies
 - iv maintain confidentiality at all times, including colleagues, family and friends
- e When there is a safeguarding concern, complaint or allegation that a member of staff or elected member has, or might, pose a danger to children, young people or adults at risk ALL council staff and elected members will contact the:

- i. Council's Lead (or Deputies if the Lead is unavailable) without delay, and;
- ii. observe points ii - iv of section '4d' above.

f "Whistleblowing"

. When staff, elected members or the public are worried:

- i. that a child or an adult is at risk of being, or has been, abused by a member or members of the Council's staff *AND* that:
- ii. their concerns have not been taken seriously, or not referred or managed appropriately in line with this policy, they may "whistle blow" directly, under the [Public Interest Disclosure Act 1998](#) to:

Children's Reception Team at
01329225379 (Professional Line)
Out of Hours – 0300 555 1373
childrens.services@hants.gov.uk
adult.safeguardingunit@hants.gov.uk

Or, if a crime has, or may have been committed, the police can be contacted on 101. In an emergency the police should be contacted on 999 without delay.

- iii The Council will evidence that the "whistleblowing" procedure is being used appropriately to improve outcomes and that issues raised by staff are fully investigated and recorded accurately.

g Confidentiality and Information Sharing

- . Both Councils are extremely mindful of their legal duties under the [Data Protection Act 1998](#) and the [Freedom of Information Act 2000](#); and personal information about children, young people, adults at risk and their families will usually be confidential and should not be disclosed to a third party without the consent of the subject. However, the law allows for the disclosure of confidential information where this is necessary to safeguard a child, young person or adult

at risk; or a crime has or may have been committed, or it is in the public interest. Disclosure of confidential information must be justifiable, according to the particular facts of the case and must be limited to those people who need to know in order to take appropriate action.

Obtaining the consent of the adult at risk for a referral or alert

In line with [Hampshire Adult Safeguarding Board Multi-Agency Safeguarding Policy and Guidance](#) staff and elected members will be mindful of

"the mental capacity of an adult and their ability to give their informed consent to a referral being made and action being taken under these procedures is significant, but not the only factor in deciding what action to take. The test of capacity in this case is to find out if the person at risk has the mental capacity to make informed decisions about:

- *A safeguarding alert*
- *Actions which may be taken under Multi-agency Policy and Procedures*
- *Their own safety or that of others, including an understanding of longer term harm as well as*
- *immediate effects*
- *Their ability to take action to protect themselves from future harm."*

Raising an alert when the adult does not want any action

"If the adult has capacity and does not consent to a referral and there are no public or vital interest considerations, they should be given information about where to get help if they change their mind or if the abuse or neglect continues and they subsequently want support to promote their safety. The referrer must assure themselves that the decision to withhold consent is not made under undue influence, coercion or intimidation. The adult will need to be informed that an alert will still need to be raised and as a minimum a record must be made of the concern, as well as the adult's decisions with reasons. A record should also be made of what information the person at risk was given."

Note:

Not all adult safeguarding concerns will result in a safeguarding process and an adult may just request signposting to another service. To prevent a delay in raising concerns, alerts or referrals to the Local Authority should usually be made by contacting:

Hampshire Adult Services on 0300 555 1386

h Making Safeguarding Personal

- The Council is committed to the principles of safeguarding personal and empowering adults at risk to improve or resolve their situations and, where necessary, will use the [Making Safeguarding Personal Toolkit \(4th Edition, Local Government Association, 2015\)](#).

5. Safer Recruitment

Whilst few posts within the Council involve directly supervising or working with children, young people and adults at risk, many posts involve contact with the general public and give opportunity for staff to nurture relationships with vulnerable groups.

- a. All Council staff will:
 - i. be recruited as safely as possible, proportionate to their job role and contact with vulnerable groups
 - ii. receive induction safeguarding information within two weeks of appointment, detailing this policy and procedures
 - iii. attend child and adult safeguarding training, including mental capacity awareness, every three years face to face (or two years for online) as appropriate to their job roles
 - iv. treat all children, young people, adults at risk, their families and carers with respect
 - v. do everything they can to ensure their services are delivered safely and with care
 - vi. respond to any safeguarding concerns and allegations appropriately
 - vii. understand how to “whistleblow” if worried about that a safeguarding concern has not been managed appropriately in line with this policy
- b. The council will meet key safeguarding standards for recruitment with all managers/recruiters understanding and following these standards, with disciplinary consequences of non-compliance and by focussing on safeguarding as appropriate to job role throughout the process of recruitment and beyond by:
 - i. maintaining a central staff tracking record to give an overview for all staff detailing name, date of birth, address, next of kin, job role, application date, interview dates, references taken up and dates, right to work in the UK checks, documents seen, issue numbers and dates, DBS checks and dates, induction delivered and date, ongoing training records and supervision or appraisal dates as relevant
 - ii. issuing full and detailed job descriptions including a responsibility for safeguarding if appropriate to job role
 - iii. ensuring all advertisements include a statement which confirms both Councils' commitment to safeguarding and safer employment
 - iv. only using application forms, CVs are not acceptable; including a specific question as to whether the applicant has been subject to any investigation or complaint for vacancies that are "regulated activities" which will need a DBS (Disclosure & Barring Service) check. For jobs where a [DBS](#) may be carried out, this question should be included:

“Criminal Convictions - This post is exempt from the [Rehabilitation of Offenders Act 1974](#) and as such the successful candidate will need to be DBS checked before being confirmed in post. If you are applying for a job supervising, caring for or otherwise connected with people from the following list, you must always declare any convictions for criminal offences, even where they have been spent. For these purposes, this includes working with children, older people, people who are

dependent on alcohol or drugs and people with mental or physical disabilities, illness, injury or deformity, including those who are blind, deaf or without speech. Declaring a criminal conviction will not be taken into account unless relevant to the job”

- v. working to a template outline for interviewing to cover any gaps in employment, discrepancies of information, rechecking if the applicant wishes to declare anything in the light of the requirement of a DBS check (where relevant) and to assess if the applicant has capacity to safeguard vulnerable groups as relevant to job role
- vi. carrying out face to face interviews with a minimum of two interviewers (one who holds current safer recruitment training, if relevant) and recording notes against the template interview outline
- vii. requesting a minimum of two written references including one direct from the last employer, and another who can comment about the applicant's suitability to the post, and following up any discrepancies verbally and recording what was said. Where relevant, referees should be asked if they have any concerns or knowledge about the applicant's suitability with vulnerable groups, including any safeguarding investigations and / or disciplinary issues
- viii. when employing agency staff, always taking up references from the last place of employment
- ix. in accordance with the [Asylum and Immigration Act 1996](#), checking the eligibility of all applicants to work in the UK. All applicants are asked to bring along to interview a document to evidence this. This is in the form of either a passport confirming that they are a British citizen or European Economic Area National or a United Kingdom Residence permit. Only original documents must be seen for any check, carefully compared against the application form for discrepancies and the essential details of unique numbers, provider and date of issue should be recorded on the single central staff tracking record
- x. carrying out DBS checks, including a check against the [Barred Childrens' or Adults' List](#) as appropriate for all posts which are regulated activity under the [Safeguarding Vulnerable Groups Act 2006](#) as amended by the [Protection of Freedoms Act 2012](#). In the case of both Councils' services and activities, regulated activity with children includes (but is not limited to) the teaching, training, supervision of children for once a week or more, overnight, or 4 or more times in any 30 day period. Regulated activity with adults includes providing personal care, assistance with finances (if required due to age/ illness/disability) and conveyance to/from a place of care.
- xi. not allowing newly appointed staff to start work without a DBS check in regulated activity without full supervision unless there is documented evidence of an acceptable DBS check, and a documented risk assessment undertaken and approved by an authorised manager carrying out a [Status DBS Update Service](#) check for relevant applicants who are registered with the Update service where the outcome will be one of the following:
 - *"This Certificate did not reveal any information and remains current as no further information has been identified since its issue."* This means that the individual's Certificate contains no criminality or barring information and no new information is available.

- *“This Certificate remains current as no further information has been identified since its issue”.* This means that the individual’s Certificate did contain criminality or barring information and no new information is available.
 - ***“This Certificate is no longer current. Please apply for a new DBS check to get the most up to date information.”*** This means that the individual’s Certificate should not be relied upon as new information is now available and you should request a new DBS check.
- xii. risk assessing any positive information disclosed on a DBS check, and seeking expert advice from the LADO or DASM where an applicant has been barred from working with vulnerable groups or there is a concern that s/he may be unsuitable to work in regulated activity.
 - xiii. ensuring that, in cases where low level information is received on the criminal records check but where the manager nevertheless wishes to appoint, there must be a clear, recorded risk assessment approved by a senior manager
 - xiv. pursuing any failure to receive an outcome from a checking process and reviewing the employee’s position at regular intervals.
 - xv. making all offers of employment subject to having satisfactory references and any other relevant checks completed within a fair timescale, as appropriate.
 - xvi. ensuring that, in cases where staff side step from non-regulated activity to regulated activity in either Council, a DBS check is carried out before the member of staff begins work
- c. Post-employment
- i. Induction and probationary periods for all employees will facilitate the development of employee understanding and grounding in the safeguarding policies, ethos and culture of the Council;
 - ii. Guidance for safe working practices when in contact with vulnerable groups will be provided to staff and elected members by managers, as appropriate to job role and Service including:
 - Home visits
 - Non-routine events, such as festivals
 - The use, supervision and handling of text and photographic media
 - Appropriate touch
 - One to one working
 - Working in public spaces
 - iii. Both the newly appointed worker and his/her line manager will make a signed record that this part of the induction process has been completed satisfactorily. The record is kept on the single central staff tracking record
 - iv. All employees receive supervision on a regular basis.
 - v. All employees are offered support with professional issues via one to one meetings with their line manager as appropriate.

d. Staff Training

"employers are responsible for ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating an environment where staff feel able to raise concerns and feel supported in their safeguarding role;" [Working Together to Safeguard Children 2015](#)

Organisations should:

- *"ensure that everyone, both individuals and organisations, are clear about their roles and responsibilities*
- *create strong multi-agency partnerships that provide timely and effective prevention of and responses to abuse or neglect*
- *support the development of a positive learning environment across these partnerships and at all levels within them to help break down cultures that are risk-averse and seek to scapegoat or blame practitioners"*

[Care and Support Statutory Guidance issued under the Care Act 2014](#)

- i. The Council facilitates mandatory training to give a sound understanding of key guidance and practices about safeguarding, updated regularly and embedded in performance management systems;
- ii. All staff and elected members receive induction safeguarding information within two weeks of appointment, detailing this policy, procedures, clear codes of conduct and safe working practice guidelines
- iii. All staff and elected members who deal with the public face to face will attend child and adult safeguarding training every three years face to face (or two years for online) as appropriate to their job roles in line with guidance in [Working Together to Safeguard Children 2015](#) and the [Care Act 2014](#)
- iv. Those who recruit staff will attend additional safer recruitment training every two years.
- v. All managers are accountable for evidencing that such training for themselves, as relevant to their job role; and their staff has been undertaken;
- vi. Relevant training, beyond induction, is mandatory for employees who do not have direct contact with children, young people or adults at risk, but who do have access to information systems containing the details of these client groups.
- vii. Under the [Counter-Terrorism and Security Act 2015](#) and accompanying [Channel Duty Guidance 2015](#) all front line staff and elected members who work directly with the public will also undergo government approved free and certificated [Channel](#) online training.
- viii. The senior managers who lead on safeguarding for the Council will attend face to face local training Workshop to Raise Awareness of Prevent (WRAP) as available
- ix. Under the [Serious Crime Act 2015](#) all front line staff and elected members who work directly with the public will also undergo government approved free and certificated [FGM \(Female Genital Mutilation\)](#) online training
- x. All safeguarding training is delivered by appropriate qualified staff, kept up-to-date, certificated and recorded on the single central staff tracking record, with copies of the certificate kept on the employees' personnel files

e. Safer Working Culture

- i. All employees have an obligation for safeguarding children, young people and adults at risk in their area of work and it is important that these groups are listened to and any concerns in relation to their welfare are acted upon promptly;
- ii. All employees are monitored by their line managers both in the probationary period and beyond to ensure that all staff comply with expected behaviours and attitudes that constitute best practice in relation to safeguarding and their job role
- iii. Such monitoring is evidenced through performance management and professional development arrangements such as training and appraisal systems.
- iv. All staff and elected members will work within their professional boundaries as defined in the Councils' Code of Conduct (employees only) and Code of Members' Conduct ; and ensure they work with the public professionally, and within the law, at all times

f. Complaints

- i. A rigorous complaints policy is in place for the Council to ensure that all concerns about staff conduct are reported and acted upon in a fair and timely manner; this includes those against drivers, premises and licence holders
- ii. The Council will evidence that the complaints procedure is being used appropriately to improve outcomes and that complaints are fully investigated and recorded accurately.

g. Managing Allegations Against Council Staff or Elected Members

The Council will make clear distinction between an allegation, a concern about the quality of care or practice or a complaint. and when there is a safeguarding concern, complaint or allegation that a member of staff or elected member has :

- behaved in a way that has harmed, or may have harmed a child or adult at risk
- possibly committed a criminal offence against or related to a child or adult at risk; or
- behaved towards a child or adult at risk in a way that indicates they may pose a risk of harm to vulnerable groups

Under the [Safeguarding of Vulnerable Groups Act 2006](#) if an individual (paid worker or unpaid volunteer) is removed from "regulated" activity such as looking after children or adults at risk (or would have, had the person not left first) because the person poses a risk of harm to children or adults at risk , the Council will make a [referral](#) to the DBS . It is an offence to fail to make a referral without good reason.

Under the [Safeguarding of Vulnerable Groups Act 2006](#) if an individual (paid worker or unpaid volunteer) is removed from "regulated" activity such as looking after children or adults at risk (or would have, had the person not left first) because the person poses a risk of harm to children or adults at risk , the Council will make a [referral](#) to the DBS as soon as possible and , in any case, within 5 days of closure of the case . It is an offence to fail to make a referral without good reason.

- i. ALL council staff and elected members will contact the Council's Lead (or Deputy if the Lead is unavailable) without delay. They are the Safeguarding Allegations Management Advisors (SAMA) in line with [Hampshire Safeguarding Adults Board Allegation Framework 2016](#)

S/he will contact:

For children:

LADO Barbara Piddington, Eric Skates or Mark Blackwell

Tel: 01962 876364

Fax: 01962 876229 (secure line)

E-mail: child.protection@hants.gcsx.gov.uk

For adults at risk:

Hampshire Adult Services
0300 555 1386

Or if out of hours: 0300 5551373

In cases where a child or adult at risk might be in immediate danger s/he will contact the police on 999.

The Lead or Deputy will follow the latest [LSAB Allegation Management Framework June 2016](#):

- ii. S/he will ensure the person with the direct concern has factually record their concerns in writing and on the same day on the Council's safeguarding concern form; timed, dated & signed, including job role
- iii. S/he will ensure the Council follows the LADO's or Adult Services' advice, fulfils any requests for action and inform the Chief Executive and Head of HR of progress.
- iv. S/he will record the outcomes of discussions on the Council's safeguarding concern form, date, time and signed
- v. The LADO or Adult Services will advise on next steps, media management, communication with other staff, safeguarding risk assessments, possible suspension of the member of staff or elected member and, for those in regulated activity possible referral to the DBS which should be made within 5 days of the closure of the case at the latest
- vi. The Council's Lead (or Head of HR) will ensure that the staff involved will be made aware of their rights under employment legislation and any internal disciplinary procedures.

For the most current local arrangements for managing such allegations refer to:

For children:

Hampshire [Local Safeguarding Children Board \(LSCB\)](#)

For adults at risk:

Hampshire [Safeguarding Adults Board \(LASB\)](#)

6. Monitoring systems

- a. Monitoring systems and quality assurance are embedded in the Council's management processes to ensure that this policy is followed through into practice by:
 - Formal audits of sufficient quality and quantity being conducted regularly, allowing ample time for improvements to be made post audit, with results recorded and reported effectively;
 - Managers monitoring the day to day work environment;
 - Employees demonstrating, where relevant, their commitment to providing a protective environment for children, young people and adults at risk, for example, they monitor the supervision of these groups and demonstrate good practice in relation to physical and /or face to face contact with vulnerable groups.

7. What is Abuse?

a. Children and Young People

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

Emotional Abuse: Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone; may feature age or developmentally inappropriate expectations being imposed on children.

Sexual abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect: Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);

- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Other Issues Include:

- Children under 16 years old living away from home with someone who is not a close relative. If this happens for more than 28 days, their parent/carer (or anyone else if this has not been done, or not possible) need to register the private fostering arrangements with [Hampshire Children's Services](#)
- Children going missing from home for whatever reason as they may be exploited or trafficked
- Young unaccompanied asylum seekers who have no responsible adults with them
- Peer abuse including bullying as children can be abusers too
- [Radicalisation](#) - understand why people may be vulnerable to being drawn into terrorism and describe indicators which may suggest so and provide guidance on the support that can be provided to safeguard those at risk of being drawn into terrorism.
- Violent extremism is when groups or individuals who condone violence as a means to a political end is a particular risk for some children. Any concerns should be reported
- [Sexual exploitation](#) - 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' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/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.
- [Female genital mutilation](#) - FGM is a criminal offence – it is child abuse and a form of violence against women and girls, and therefore should be treated as such. FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.
- [Forced marriage](#) - Forced marriage is a criminal offence – it is a form of child/ adult/ domestic abuse and has to be treated as such; ignoring the needs of victims should never be an option. Forced marriage affects people from many communities and

cultures, so cases should always be addressed using all of your existing structures, policies and procedures designed to safeguard children, adults with support needs and victims of domestic abuse.

- Concealed pregnancy when a mother of any age does not seek medical help or support so the unborn baby may be at risk of harm as a result of not accessing maternity services
- [Child trafficking](#) - Children are trafficked for many reasons, including sexual exploitation, domestic servitude, labour, benefit fraud and involvement in criminal activity such as pick-pocketing, theft and working in cannabis farms. There are a number of cases of minors being exploited in the sex industry. Trafficked children may not only be deprived of their rights to health care and freedom from exploitation and abuse, but may also be denied access to education.
- [eSafety](#) - when children, young people or adults at risk may be targeted online for sexual abuse, financial gain, radicalisation and / or other crimes
- [Domestic violence](#) when an individual exercises control over another in an intimate or family relationship. It takes many forms and can include neglect, physical, sexual, financial, property and / or emotional abuse
- [Coercive behaviour](#) in the family or in a person's intimate relationships is a criminal offence. Controlling or coercive behaviour does not relate to a single incident, it is a purposeful pattern of behaviour which takes place over time in order for one individual to exert power, control or coercion over another. It is a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- [Modern slavery](#) - Modern slavery is a complex crime that takes a number of different forms. It encompasses slavery, servitude, forced and compulsory labour and human trafficking. Traffickers and slave drivers coerce, deceive and force individuals against their will into a life of abuse, servitude and inhumane treatment. Victims may be sexually exploited, forced to work for little or no pay or forced to commit criminal activities against their will. Victims are often pressured into debt-bondage and are likely to be fearful of those who exploit them, who will often threaten and abuse victims and their families. All of these factors make it very difficult for victims to escape.
- Child abuse linked to faith or belief which includes belief in concepts of witchcraft and spirit possession, demons or the devil acting through children or leading them astray. It includes neglect, physical, sexual and/or or emotional abuse

b. Adults at Risk:

Abuse is defined as a violation of an individual's human and civil rights by another person or persons.

It may involve:

a single or repeated act or omission occurring within a personal or professional relationship whether there is an expectation of trust which causes harm to an adult at risk.

Significant harm includes:

- ill-treatment (including sexual abuse and forms of ill treatment that are not physical).
- the impairment of, or an avoidable deterioration in, physical or mental health.

- the impairment of physical, emotional, social or behavioural development.
- Abuse may be by commission or omission that causes harm to an adult at risk.

Behaviours Include:

Physical Abuse: Hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual Abuse: Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological Abuse: Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or Material Abuse: Theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. It can be online, by phone or face to face.

Neglect and Acts of Omission: Ignoring medical or physical care needs, failing to provide access to appropriate health, social care, welfare benefits or educational services, withholding the necessities of life such as medication, adequate nutrition and heating.

Discriminatory Abuse: Racism, sexism or acts based on a person's disability, age or sexual orientation. It also includes other forms of harassment, slurs or similar treatment such as disability hate crime.

Domestic Abuse: Psychological, physical, sexual, financial, emotional abuse, [coercive behaviour](#) in the family or intimate relationships, and so called 'honour' based violence.

Organisational Abuse: Neglect and poor care practice within a care setting such as a hospital or care home or in relation to care provided in someone's own home ranging from one off incidents to on-going ill-treatment. It can be neglect or poor practice as a result of the structure, policies, processes and practices within a care setting.

Modern Slavery: Encompassing [slavery](#), [human trafficking](#), forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Self-Neglect: Covers a wide range of behaviour including neglecting to care for one's personal hygiene, health or surroundings and behaviour such as hoarding.

Hate and "Mate" Crime: A form of hate crime in which a vulnerable person is manipulated or abused by someone they believed to be their friend.

Forced Marriage: When one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In cases of vulnerable adults who lack the capacity to consent to marriage, coercion is not required for a marriage to be forced.

8. Mental Capacity

- a. The primary purpose of the [Mental Capacity Act 2005](#) is to promote and safeguard decision-making within a legal framework. It does this in two ways:
- by empowering people to make decisions for themselves wherever possible, and by protecting people who lack capacity by providing a flexible framework that places individuals at the heart of the decision-making process
 - by allowing people to plan ahead for a time in the future when they might lack the capacity, for any number of reasons

It is a criminal offence for anyone to ill-treat or wilfully neglect a person who lacks capacity.

- b. It is vital for all Council staff to understand and work to the 5 key principles of Section 1 the [Mental Capacity Act 2005](#):

Principle 1: A presumption of capacity – every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.

Principle 2: Individuals being supported to make their own decisions – a person must be given all practicable help before anyone treats them as not being able to make their own decisions. This means you should make every effort to encourage and support people to make the decision for themselves. If lack of capacity is established, it is still important that you involve the person as far as possible in making decisions.

Principle 3: Unwise decisions – people have the right to make decisions that others might regard as unwise or eccentric. You cannot treat someone as lacking capacity for this reason. Everyone has their own values, beliefs and preferences which may not be the same as those of other people.

Principle 4: Best interests – anything done for or on behalf of a person who lacks mental capacity must be done in their best interests.

Principle 5: Less restrictive option – someone making a decision or acting on behalf of a person who lacks capacity must consider whether it is possible to decide or act in a way that would interfere less with the person's rights and freedoms of action, or whether there is a need to decide or act at all. Any intervention should be weighed up in the particular circumstances of the case.

- c. The [Mental Capacity Act Code of Practice](#) explains how the Mental Capacity Act works on a day-to-day basis and provides guidance to those working with people who may lack

capacity. The Code explains the key features of the Mental Capacity Act in more detail, as well as some of the practical steps that people using and interpreting the law need to take into consideration. Any staff who work with people who lack capacity and are a professional and/or are paid for the work they do have a legal duty to have regard to the Code. It is also relevant to unpaid carers who will be helped and guided by it.

- d. Council staff who work directly with the public may have particular questions about:
- an individual's capacity to consent
 - the legal status of a carer's or friend's [Power of Attorney](#) (ability to make a decision on behalf of the person lacking capacity)
 - the appointment of an [Independent Mental Capacity Advocate](#) (IMCA) for an adult who does not have family or friends who can represent them
- and should refer to their Head of Service who will seek advice and guidance from Hampshire Adult Services on **0300 555 1386**

9. Handling Disclosures

- a. All staff need to know:

A disclosure may be made verbally or behaviour by a child, young person or an adult at risk and it is important for everyone to remember the following:

- Keep calm
- Reassure the child/young person/adult at risk
- Consider who else can hear
- Listen carefully
- Do not ask leading question or promise confidentiality
- Inform your Line Manager without delay

Remember to record the child/adult's words as accurately as possible and as soon as you can on the safeguarding concern form *Sign/date/time, include your name and job role*

Important: The reliance the court will place upon the information obtained from the people involved (particularly from a child) may be reduced if it is known that someone has discussed the issues with the child /adult outside the normal investigation process

- b. Managing concerns about the welfare of a child, young person or an adult at risk

Staff may become concerned by:

- their own observations and concerns;
- being told by another person that they have concerns;
- what the child or adult says;
- what others say;
- what the abuser says;
- a complaint (including anonymous) from the public

Also, staff may not always be working directly with the child or adult at risk but may become concerned because of difficulties experienced by others in their family or close community:

- domestic issues
- mental health issues

substance and alcohol abuse incidents

c. Adults at risk

In all cases when an adult lacks capacity, i.e. cannot make an informed decision about:

- a safeguarding alert / referral
- actions which may be taken under multi-agency policy and procedures
- their own safety or that of others, including an understanding of longer term harm as well as immediate effects
- their ability to take action to protect themselves from future harm.

The concern must be referred to the relevant Line Manager as soon as possible and recorded on the Council's safeguarding concern form.

- Under the MCA, people who lack capacity and are alleged to be responsible for abuse, are entitled to the help of an Independent Mental Capacity Advocate, to support and represent them in the enquiries that are taking place. This is separate from the decision whether or not to provide the victim of abuse with an independent advocate under the [Care Act](#).

If an adult has capacity and does not consent to a referral, s/he should be signposted to sources of help if s/he should change their mind in the future. Staff must assess, where possible, that the adult's decision not to consent has not been made under duress. In any case the concern must still be referred to the Head of Service, recording the concern on the Safeguarding Concern Form, including the adult's decision and what information was given to him/her at the time. Sign/date/time. Include name and job role.

d. Making a Referral

In both cases, the Line Manager will refer the concern to, or seek advice and discuss the situation with Hampshire Adult or Children's services, or the police if a crime has, or may have been, committed. S/he should say "I want to make a child /adult protection referral" and, if ringing social care services ask to speak to a duty social worker.

- S/he should record, on the safeguarding concern form; who was spoken to, if a referral was accepted, or not, with reasons, along with any actions agreed. *Sign/date/time. Include name and job role.*
- A copy of the completed safeguarding concern form should be forwarded to the agency concerned on the same day

e. All Staff Should Remember:

- i. Do not delay.
- ii. Do not investigate.
- iii. Refer to, and seek advice from, the Head of Service as soon as possible.
- iv. Record concerns on the safeguarding concern form.

f. Flowchart for the Referral of Safeguarding Concerns, Complaints and Allegations

Step One

You are concerned a child, young person or adult is at risk or has been abused because:

- You have seen something
- A child or adult says they have been abused
- Somebody else has told you they are concerned
- There has been an allegation against a member of staff
- There has been an anonymous allegation
- An adult has disclosed they are abusing a child or adult at risk
- An adult has disclosed they were abused as a child.

Step Two

Talk to your line manager and record your concern on the Safeguarding Concern Form

(Sign/date/time. Include name and job role)

Step Three

- You with the support of your line manager should refer the concern to Hampshire's Children's or Adults Services and or the local Police (101). If a crime has, may have been committed or it is an emergency (999)
- You should say "I want to make a child/adult protection referral"
- You should record on the Safeguarding Concern Form, who was spoken to, if the referral was accepted or not, with reasons, along with any actions agreed.
Sign/date/time. Include name and job role
- *A copy of the completed safeguarding concern form should be forwarded to the relevant service on the same day and also the designated Safeguarding Lead.*

Notes

In the cases of concern about a member of staff or elected member you should talk to the shared Councils operational and management lead or deputies if they are unavailable.

The LADO (Local Authority Designated Officer) or the DASM (Designated Adult Safeguarding Manager) will co-ordinate the next steps for any staff/elected member complaints or allegations.

Anyone can "whistle blow" directly to the police or social services if they feel their concerns will not be managed appropriately by the Council/s.

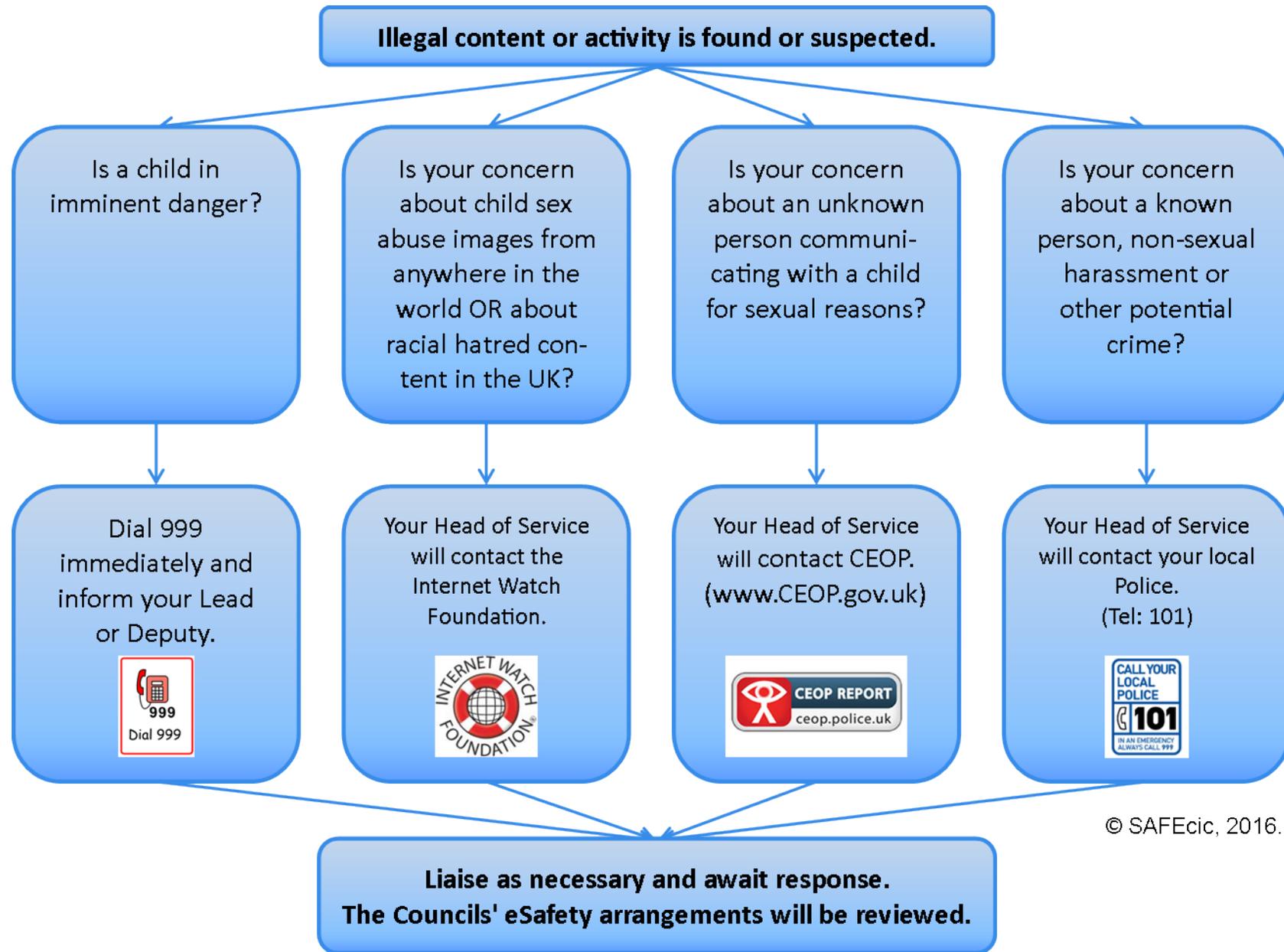
All media enquires should be referred to the shared Councils' Lead or Deputies.

EVERYONE should observe confidentiality with colleagues, family and friends.

10 eSafety

- a. All online safeguarding concerns will be dealt with in line with this policy, particularly in terms of referral and recording procedures
- b. All members of staff and elected members will be advised of the Councils' IT Acceptable User Policy (AUP) policy and will agree to adhere to it.
- c. Staff may become concerned about children, young people and adults at risk if they are:
 - accessing illegal websites or inappropriate "lifestyle" or for their age and ability
 - receiving unwanted or upsetting text or e-mail messages or images
 - being "groomed" by a responsible adult with a view to meeting the child, young person or adult at risk for their own illegal purposes including sex, drugs, radicalisation or crime
 - viewing or receiving socially unacceptable material such as inciting hatred or violence
 - sending or receiving bullying messages or posting malicious details about others
 - scamming for financial gain
 - ignoring copyright law by downloading music, videos
 - becoming secretive about where they are going or who they are meeting
 - secretive about what they are accessing on-line
 - using a phone or pad in a closed area, away from other people
 - accessing the web or using a hand held device for long periods and at all hours
 - constantly clearing their browsing history
 - receiving unexpected money or gifts from people they meet online
 - "sexting", sending sexually inappropriate images of themselves to others
- d. Staff may become concerned about a member of staff or elected member who:
 - befriends or communicates with members of the public who they work with; especially children, young people and adults at risk, by their personal phone, online, by messaging and social media etc
 - is secretive about what they are doing and who they are meeting
 - takes images of Council's activities with their own phone or pad without permission of their line manager
 - does not seek parental permission for taking images of children and young people under 16 years of age
 - constantly clearing their browser history
 - is viewing adult pornography at work
 - is viewing child pornography at any time
 - is promoting discrimination, illegal acts or racial or religious hatred of any kind
 - sharing confidential or sensitive information
 - circulating or messaging any information which may be offensive

e. eSafety Referral Flowchart



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11 Specific Issues

a. Licensing

The Council has a very clear administration, or an enforcement role, under the

- [Licensing Act 2003](#) for the safeguarding of children and the
- [Gambling Act 2005](#) for the protection of children and other vulnerable persons from being harmed or exploited by gambling and, whilst the police act as the responsible authority in these matters, the Licensing Service team will report any concerns to the appropriate person or organisation.
- Particular attention will be paid to the proprietor's or organisers' safeguarding risk assessments for the licensing of all premises and events
- [Town Police Clauses Act 1847](#) as amended by the [Local Government \(Miscellaneous Provisions\) Act 1976](#) for the licensing of both Hackney and Private Hire Drivers who must supply a satisfactory enhanced DBS check. Any positive information detailed on a DBS check will be risk assessed, with the advice of the LADO or DASM if relevant. Both Councils have a detailed procedure to deal with Hackney and Private Hire Drivers who are convicted of any offences during the term of their licence.

b. Housing and Environmental Health

Front line staff may become aware of housing conditions that could have an adverse impact on children, young people and adults at risk. Under [Part 1 of the Housing Act 2004](#), the Council takes account of the impact of health and safety hazards in housing when deciding on the action to be taken by landlords to improve conditions. The Council takes particular care in safeguarding vulnerable young people who are pregnant, leaving care or a secure establishment

c. Working with the Public

Staff and elected members who work face to face with the public, or visit domestic premises, may become concerned if they observe:

- use of inappropriate language, swearing, bullying or other behaviour by adults in the presence of children, young people or adults at risk
- possible health hazards in the home including animal excrement, cockroaches, discarded needles, mouldy leftovers, etc.
- the nature of any CDs, DVDs, photographs, images etc. which may be in the home depicting the abuse of a child/young person,
- lack of washing facilities, heating, food, beds or bedding, doors in the home
- inadequate electrical wiring, no access to external doors
- young children who sit very quietly without moving for extended periods of time
- homes where there are children but no obvious signs of them or their toys, or a belt, stick or cane kept close to hand
- a change in ability of an adult at risk to pay bills/unexplained shortage of money

d. Unsupervised Children or Adults at Risk

If a young child, under 5 years, or an adult who appears to have no capacity nor ability to

look after themselves independently appear to be home alone, or out in public, and unsupervised, stay in the area and call the police on 999. Inform your Line Manager about the situation and the Police. Record everything on the Safeguarding Concern Form as soon as possible. *Sign/date/time. Include name and job role*

e. Work Experience Placements

All managers overseeing work experience should ensure a full risk assessment is in place, in liaison with the school or college. This risk assessment should cover specific activities where the student or supervisor may be more vulnerable including one to one working, transporting a young person in Council vehicles. Students will be inducted with the Council's safeguarding policy and who to contact if they themselves have a safeguarding concern within their placement

f. Public events and Activities

Managers will ensure that there is an appointed Lead and Deputy for safeguarding in attendance on site and a detailed event risk assessment to cover particular safeguarding issues including adult child ratios, managing children's behaviour, coping with medical and other emergencies, photography, children who are found or go missing, one to one working, supervision of toilets and changing rooms,

All staff and volunteers will be briefed about all relevant arrangements

No children under 8 will attend such events unaccompanied by a responsible adult except when the activity is registered with Ofsted, in which case specific procedures will be adopted.

g. Contracted Out Services

All contractors delivering commissioned services directly to the public will confirm adoption of or suggest revisions to the Child and Adult Safeguarding Policy at Schedule 13 of their contract within the first three months of the commencement of the Contract and to adhere to these Council guidelines regarding safeguarding of children, young people and adults at risk. Each contractor is required to have a nominated Safeguarding Officer and Deputy/ies at each venue to cover all operational hours; DBS check all staff in regulated activity and train all staff in safeguarding at the appropriate level for their job role. They also have to inform the Council without delay should there be any allegations of abuse made against their staff involved with any activities or services commissioned by the Council.

12 Policy Date and Review Schedule

This policy was agreed and disseminated on *DDMMYYYY* by the below signatories and will be reviewed annually or when there are substantial organisational or legal changes.

Policy Date: *DDMMYYYY*

Policy Review Date: *DDMMYYYY*

Signed: Signatures, names and job roles.

A separate record for staff signatures should be maintained to evidence they have seen and understand this policy.

TEMPLATE SAFEGUARDING CONCERN REPORT FORM

CHILDREN & YOUNG PEOPLE

This form should be completed factually and ONLY with information already known, take care to highlight anything which is recorded and only opinion or hearsay

Be careful not to investigate, or question the child or young person

Service or department	
Your Name	
Job Role	
Contact number, mobile	
Email	
Child's name	
Child's date of birth	
Child's address	
Parent / carer name & address	
Contact number	
Has the parent/carer's consent been sought for this referral? If not, why not?	
Is this the first concern for this child / young person?	Record details, including dates here
Date and time of concern	
Details of concern, including any witnesses	
Actions taken so far – who referred to	

To be completed by Lead, Deputy or Head of Service:

Name of contact & agency	Name:	Date:
	Tel:	Time:
Was the concern an emergency? Yes / no	Name:	Date:
	Tel:999	Time:
Actions agreed		

If a referral not made	Detail reasons here:
Future actions	
Signature	
Name	
Job Role	
Date	
<p>Remember to maintain confidentiality at all times. Do not discuss this incident with anyone other than those who need to know.</p> <p>NB This form should be kept by the relevant Lead, Deputy or Head of Service and passed to the relevant agency as soon as possible</p>	

TEMPLATE SAFEGUARDING CONCERN FORM

ADULTS AT RISK

This form should be completed factually and ONLY with information already known, take care to highlight anything which is recorded and only opinion or hearsay

Be careful not to investigate or question the adult at risk

Service or department	
Your Name	
Job Role	
Contact number, mobile	
eMail	
Adult's name	
Adult's date of birth	
Address	
Parent / carer name & address	
Contact number	
Has the adult's consent been sought? If not why not?	
Is this the first concern for this adult?	Record details, including dates here
Date and time of concern	
Details of concern, including any witnesses	

Actions taken so far – who referred to	
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To be completed by Lead, Deputy or Head of Service:

Name of contact & agency	Name:	Date:
	Tel:	Time:
Was the concern an emergency? Yes / no	Name:	Date:
	Tel:999	Time:
Actions agreed		

If a referral not made	Detail reasons here:
Future actions	
Is this the first concern for this adult?	Record details, including dates here
Signature	
Name	

Job Role	
Date	

Remember to maintain confidentiality at all times. Do not discuss this incident with anyone other than those who need to know.

NB This form should be kept by the relevant Lead, Deputy or Head of Service and passed to the relevant agency as soon as possible