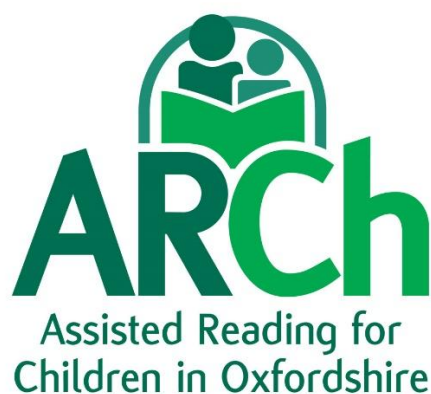




Safeguarding and Child Protection Policy

Version Control	
Approved by Board of Trustees (Date)	
Version	11
Signed	
Policy became operational on:	
Next Review Date	September 2027

Our Designated Safeguarding Leads

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Do you have a concern about a child's safety or wellbeing?

If you are worried for any reason, please contact one of ARCh's Designated Safeguarding Leads. In an emergency, call 999.

SAFEGUARDING

1. ARCh Safeguarding and Child Protection Policy

ARCh recognises its duty of care to safeguard children as detailed under the Children Acts 1989 and 2004 and Working Together to Safeguard Children 2026.

ARCh is fully committed to safeguarding and protecting the welfare of all children, taking all reasonable steps to promote safe practice and protect children from harm, abuse and neglect.

ARCh acknowledges its duty to act appropriately with regards to any allegations towards anyone working on its behalf, or towards any disclosures or suspicion of abuse.

ARCh believes that:

- The welfare of all children and young people is paramount
- All children, regardless of age, ability, gender, racial heritage, religious or spiritual beliefs, sexual orientation and /or identity, have the right to equal protection from harm or abuse
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- Working in partnership with children, their parents, carers and other agencies is essential in promoting young people's welfare.

The ARCh Board of Trustees is ultimately accountable for ensuring effective safeguarding procedures are in place.

2. ARCh Safeguarding Code of Practice

To keep children safe ARCh has a Safeguarding Code of Practice.

Everyone working for ARCh in a paid or voluntary capacity is expected to follow the Code of Practice to protect children, volunteers and staff, and to ensure that children are safe and valued within the ARCh environment.

ARCh Safeguarding Code of Practice

- Work in an open area with the child or with the door to the room open
- Do not give a child rewards or presents
- Do not take a child off the school premises
- Do not contact a child outside the school (including via social media)
- Set appropriate boundaries (both physical and emotional)
- Respect a child's right to personal privacy
- Encourage children to feel comfortable enough to point out attitudes or behaviour they do not like
- Do not do things of a personal nature that children could do for themselves. Ask the teacher if the child needs assistance
- Refrain from initiating physical contact. Do not allow or engage in remarks, gestures or touching of a kind which could be misunderstood. If a child seeks physical contact, for example, holding your hand, be sensitive but look to disengage and discourage that behaviour. Do not let the child sit on your lap, kiss them or initiate physical contact yourself
- Do not photograph the child without parental and school permission
- Do not have mobile phones in view (check school policy)

- No electronic gadgets
- Do not offer the child a lift home or seek to find out their home address
- Do not allow yourself to be drawn into inappropriate attention seeking behaviour by the child, such as tantrums or crushes Remember that caution is required, even in sensitive moments such as when a child is upset.
- When it comes to allegations of inappropriate behaviour, do not believe 'it could never happen to me' (although it is extremely rare always be aware of the possibility that an innocent person could be suspected of inappropriate behaviour)
- Actions may be misinterpreted, no matter how innocent
- Report any concerns, however small, that you have about a child to the school's Designated Safeguarding Lead

Do not assume someone else reported it (this has been one of the biggest assumptions in many serious cases of abuse).

This code is explored thoroughly at the initial volunteer training course. All volunteers must attend ARCh Refresher Safeguarding Training at least every 3 years. The code must be read at least annually by all volunteers, paid staff and Trustees.

Breaches of the Code of Practice will be dealt with very seriously under Section 4.

3. Definitions and Indicators of Abuse

The following table outlines the main categories of abuse as defined by the Department of Health 'Working Together to Safeguard Children' 2026 document. (Full definitions can be found in this document.) All staff and volunteers should be aware that the possible indicators are not definitive and that some children may present these behaviours for reasons other than abuse.

Type of Abuse	<u>Possible Indicators</u>
<u>Neglect</u> 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); • Ensure access to appropriate medical care or treatment; or • provide suitable education. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.	Signs that may indicate a child living in a neglectful situation: • Excessive hunger • Poor personal hygiene • Frequent tiredness • Inadequate clothing • Frequent lateness or non-attendance at school • Untreated medical problems • Not brought for routine and booked medical/dental appointments • Poor relationships with peers • Compulsive stealing and scavenging • Rocking, hair twisting and thumb sucking • Running away • Loss of weight or being constantly underweight (the same applies to weight gain, or being excessively overweight) • Low self esteem • Poor dental hygiene
<u>Physical Abuse</u> May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical 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.	Signs that may indicate physical abuse: • Physical signs that do not tally with the given account of occurrence, • Conflicting or unrealistic explanations as to the cause of an injury • Repeated injuries • Delay in reporting or seeking medical advice.
<u>Sexual Abuse</u> Involves forcing or enticing a child or young person to take part in sexual	Signs that may indicate sexual abuse include changes in:

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 can take place in family settings, in institutional settings, online, and technology can be used to facilitate offline abuse. Child sexual abuse material available online may have been generated in a family environment. Online abuse can also take the form of cyber- grooming or self-generated sexual content under coercion. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. Any child of any age or gender can be a victim of sexual abuse.	• Behaviour • Language • Social interaction • Physical wellbeing It is also important to recognise that there may be <u>no signs</u>.
<u>Emotional Abuse</u> The persistent emotional maltreatment of a child such as to	Signs that may indicate emotional abuse: • Lack of self-

cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child 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. It may feature age or developmentally inappropriate expectations being imposed on children. There may include interactions that are beyond a 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.	confidence/esteem • Sudden speech disorders • Self-harming (including eating disorders) • Drug, alcohol, solvent abuse • Lack of empathy (including cruelty to animals) • Concerning interactions between parent/carer and the child (e.g. excessive criticism of the child or a lack of boundaries)
<u>Child Sexual Exploitation (CSE)</u>	Signs that may indicate CSE: • Going missing from

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Exploitation does not always involve physical contact; it can also occur through the use of technology.	school/home/care placement • Associating with older people/adults • Isolation from family/friends/peer group • Physical symptoms including bruising/STI's • Substance misuse • Mental health • Unexplained possessions, goods and/or money The indicators can be spotted when speaking to the young person themselves or family / friends.
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Other types of abuse you should be aware of

Child Criminal Exploitation (CCE)

CCE and CSE occurs where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. CSE does not always involve physical contact; it can also occur through the use of technology.

CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting, or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to

others.

Children can become trapped by this type of exploitation, as perpetrators can threaten victims (and their families) with violence or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to.

It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Child Sexual Exploitation (CSE)

As mentioned in the previous table, CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include noncontact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

CSE can occur over time or be a one-off occurrence and may happen without the child's immediate knowledge for example through others sharing videos or images of them on social media.

CSE can affect any child who has been coerced into engaging in sexual activities. This includes 16- and 17-year-olds who can legally consent to have sex. Some children do not realise they are being exploited and believe they are in a genuine romantic relationship.

Domestic abuse

Can encompass a wide range of behaviours and may be a single incident or a course of conduct which can encompass a wide range of abusive behaviours, including: a) physical or sexual abuse; b) violent or threatening behaviours; c) controlling or coercive behaviour; d) economic abuse; and e) psychological, emotional, or other abuse such as 'honour' abuse, faith- or belief-based abuse, force marriage, female genital mutilation or reproductive coercion, harassment and stalking.

All children can experience and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members, including where those being abusive do not live with the child. Experiencing domestic abuse can have a significant impact on children. Section 3 of the Domestic Abuse Act 2021 recognises the impact of domestic abuse on children (0 to 18), as victims in their own right, if they see, hear, or experience the effects of abuse.

Young people can also experience domestic abuse in their own intimate relationships (teenage relationship abuse). All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn.

Forced marriage

A forced marriage (FM) is a marriage conducted without the valid consent of one or both parties and where duress is a factor. Forced marriage is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

Since 27 February 2023, it also states that it is an offence to carry out any conduct for the purpose of causing a child to enter into a marriage before the child's eighteenth birthday (whether or not the conduct amounts to violence, threats, any other form of coercion or deception).

FM is very different to an arranged marriage where both parties give consent.

Modern Slavery and Human Trafficking

Modern slavery can take many forms including the trafficking of people, forced labour, servitude and slavery. Victims can include adults and children and come from all walks of life and backgrounds. A quarter of all victims are children.

The Modern Slavery Act 2015 places a duty on specified public authorities to report details of suspected cases of modern slavery to the National Crime Agency.

Indicators of Modern Slavery can include:

- Lack of access to legal documents (e.g. passports)
- Appearance (malnourished, unkempt, etc)
- Untreated or unexplained injuries
- Attitude (withdrawn, frightened, unable to speak for themselves)
- Indebtedness or in a situation of dependence
- Frequent changes of location or restrictions on movement

‘Honour’-based abuse - So-called ‘honour’-based abuse (HBA) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving ‘honour’ often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBA, or already having suffered HBA.

Self-Harm

Deliberate self-harm is intentional self-poisoning or injury, irrespective of the apparent purpose of the act (www.nice.org.uk). Self-harm is an expression of personal distress, not an illness.

Self-harm can involve:

- Cutting, burning, biting
- Head banging and hitting
- Picking and scratching
- Pulling out hair
- Substance misuse
- Taking personal risk
- Self-neglect
- Disordered eating

- Overdosing and self-poisoning

Indicators of self-harm may include:

- Changes in eating/sleeping habits
- Changes in activity and mood
- Increased isolation from friends and family
- Talking about self-harming or suicide
- Expressing feelings of failure, uselessness or loss of hope
- Lowering of academic grades
- Abusing drugs or alcohol
- Becoming socially withdrawn
- Giving away possessions

Bullying

Bullying is not always easy to recognise as it can take a number of forms. A child may encounter bullying attacks that are:

- Physical: pushing, kicking, hitting, pinching and other forms of violence or threats
- Verbal: name-calling, sarcasm, spreading rumours, persistent teasing
- Emotional: excluding (sending to Coventry), tormenting, ridiculing, humiliating.

Persistent bullying can result in depression, low self-esteem, shyness, poor academic achievement, isolation, threatened or attempted suicide.

Indicators a child is being bullied can be:

- Coming home with cuts and bruises
- Torn clothes
- Asking for stolen possessions to be replaced
- Losing dinner money

- Falling out with previously good friends
- Being moody and bad tempered
- Wanting to avoid leaving their home
- Aggression with younger brothers and sisters
- Doing less well at school
- Sleep problems
- Anxiety
- Becoming quiet and withdrawn

Child on Child

Child on Child abuse is any form of physical, sexual, emotional and financial abuse, and coercive control, exercised between children and within children's relationships (both intimate and non-intimate).

Child on Child abuse can take various forms, including: serious bullying (including cyber-bullying), relationship abuse, domestic violence, child sexual exploitation, youth and serious youth violence, harmful sexual behaviour, and/or gender-based violence.

Prevent – Extremism

The Counter-Terrorism and Security Act 2015 places a safeguarding duty on settings to have “due regards to the need to prevent people from being drawn into terrorism”.

Settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas:

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff and volunteers have training that gives them the knowledge and confidence to identify children at risk of being drawn into

terrorism, and to challenge extremist ideas which can be used to legitimise terrorism

Preventing vulnerable adults and children from being drawn into extremism is a safeguarding concern. It is essential that frontline staff are able to spot the signs and make a safeguarding referral.

Indicators may include:

- Withdrawing from usual activities
- Accessing extremist literature/websites
- Expressing 'us and them' thinking
- Expressing feelings of anger, grievance or injustice

School staff will have undertaken specialist training on this as per government guidance under the Prevent Strategy. We therefore ask all our staff, volunteers and trustees to complete this training and undertake *an annual refresher* <http://www.elearning.prevent.homeoffice.gov.uk>

The Oxfordshire Safeguarding Children Partnership (OSCP) www.oscp.org.uk requires practitioners who have contact with children for 3 hours or more a month to complete OSCP Level 2 training. We therefore require our staff, volunteers and trustees to undertake training as below:

- **Level 1: Introduction to Safeguarding 2024 - 2025 eLearning (recommended course for Volunteers)**

This e-learning course will introduce you to the general principles of safeguarding children and young people. It will consider what abuse and neglect is and what it might look like.

This course will help you understand what you do when you are worried about a child or young person and will include good practice principles in the event that a child alleges harm that they are suffering.

It is recommended that you complete this safeguarding training every 3 years; the content will be updated with local and national policy and procedural changes.

<https://training.oscp.org.uk/elearning-detail/%3DYDNwYjM/Level-1-Introduction-to-Safeguarding-2024---2025-eLearning-recommended-course-for-Volunteers>

- **Level 2: Awareness of child abuse and neglect eLearning (2024 - 2025)**

This is the first part of the 'Level 2: Generalist Safeguarding' course. The OSCP Level 2 Awareness of Child Abuse and Neglect e-learning course is sufficient for ARCh volunteering and you do not need to complete the webinar.

ARCh Designated Safeguarding Leads/Deputy undertake OSCP Level 3 training

All ARCh staff, volunteers and trustees are also required to read and abide by the Keeping Children Safe in Education document (part one). An updated version is issued and circulated each September.

What to do if Abuse is Suspected

It is not the volunteer's (or ARCh representative's) responsibility to investigate abuse, but it is everyone's responsibility to report any concerns. There are simple rules about reporting abuse. The fundamental rule is that prompt action is paramount - doing nothing is not an option when any kind of abuse is suspected.

Every school has a Safeguarding and Child Protection Policy and named staff members acting as Designated Safeguarding Leads (DSL) who are available to discuss concerns about suspected child abuse and who are responsible for implementing the school procedures on child protection. The DSL names will be made known to ARCh staff and volunteers within the school and must be contacted by ARCh staff and volunteers as necessary. These details should be written down on a 'Safe from Harm card' and given to the volunteer at their introductory meeting with the school

If abuse is suspected it may be through comments that arouse a volunteer's concern, or signs such as those listed in section 3, perhaps observed over several sessions. In all cases, the volunteer should follow the procedure outlined in the next section.

3.1 What to do if Abuse is Disclosed

Four simple steps must always be followed:

LISTEN



REASSURE



REPORT



RECORD

LISTEN to what the child is telling you, do not probe or ask leading questions. A child who is freely recalling significant events should not be interrupted. Be aware that the events may not always be current.

REASSURE the child calmly and gently that they have done the right thing in telling and will not get into trouble. Tell him or her what will happen next i.e. that people who can help him or her will be informed. Do not promise to keep what they have told you a secret.

Children have a right to confidentiality under Article 8 of the European Convention on Human Rights. It's important to respect the wishes of a child or any person who doesn't consent to share confidential information

If you're not given consent to share information, you may still lawfully go ahead if the child is experiencing, or is at risk of, significant harm.

REPORT what you have been told promptly to the school's Designated

Safeguarding Lead. They will follow the school's Safeguarding and Child Protection Policy. Inform the ARCh Safeguarding Lead or ARCh Deputy Safeguarding Lead and your Field Worker so they are aware of the situation and can support you through it. Do not discuss this with anyone else.

RECORD what they have told you straight away while it is fresh in your mind. The actual words spoken by the child should be used as much as possible rather than an interpretation of what was said.

Specific facts relating to named people, dates, places, etc should be recorded accurately along with any details of injuries i.e. where they are and what they looked like. The school will probably have a standard form for you to complete and sign. Records should always be noted with the date and time.

The ARCh Designated Safeguarding Lead or the ARCh Deputy Safeguarding Lead and the Field Worker should keep a record of occasions when abuse has been reported by a volunteer and what action has been taken as a result of the report. This should be recorded on an Incident Record Form by the Safeguarding Lead or the Deputy Safeguarding Lead. A copy of the form must be kept securely at the ARCh office. Information will be stored legally, professionally and securely in line with the latest organisation policies and procedures.

ARCh Designated Safeguarding Lead/Deputy/Field Worker will contact the school involved to ask them to confirm receipt of the concern. Schools may not act on a report of abuse for a variety of reasons and it is important to understand why. If the Field Worker or volunteer is not happy with the reaction of the school to the report, the Field Worker will raise it with the ARCh Safeguarding Lead or the ARCh Deputy Safeguarding Lead.

3.2 What Will Happen Next

Each local authority has interagency teams charged with child protection.

These teams typically include members from Social Services, the police and community child health. The school's Designated Safeguarding Lead will call the Local Authority Designated Officer (LADO), who *deal with staff allegations*, or the Multi-Agency Safeguarding Hub (MASH) if a new referral or concern is being raised, or will speak to the local social care assessment team if it is regarding an open case. The assigned social worker may want to speak to the volunteer directly about the child. The volunteer may be able to provide useful background information about the child. ARCh will support any volunteer throughout this process.

Children's Social Care may be able to provide limited information about the action taken and whether the child is OK. However, they are bound by strict rules of confidentiality and may not be able to disclose much even though volunteers will often want to know what has happened.

It is important to remember that the Children's Act promotes children being cared for within families or communities and Children's Social Care will support that wherever possible.

Confidentiality

It is important to remember that any information the child tells you is confidential but is not secret. You should reassure the child that you will tell people who can help him or her confidentially. The Data Protection principles will also apply to any information provided by you and held on the child.

3.3 Dealing with the Effects and Impact of Abuse

The emotional impact of dealing with child abuse is a very real problem for most adults who come into contact with abused or neglected children. Child abuse, especially child sexual abuse, can arouse strong emotions in adults. Feelings of revulsion and anger are quite normal. If the volunteer knows the child well, this can be a particularly difficult time for the volunteer personally; they may need help and support in coping with their feelings. Section 7 contains details of support groups who may be able to offer professional support.

4 Breaches of the Code of Practice

If you think that someone may have breached the Code of Practice, you should contact the ARCh Designated Safeguarding Lead, Jane Rendle or the ARCh Deputy Safeguarding Lead, Elaine Adams immediately by telephoning 01869 320380. The Designated Safeguarding Lead will assess the situation, seek advice from the Local Authority Designated Officer (LADO) at Oxfordshire County Council, conduct an investigation if necessary and take appropriate action. Note the name and job title of the person to whom you are giving the information, together with the time and date of your call, in case any follow-up is needed.

ARCh will assume that any member of staff or volunteer who may be in breach of the Code is innocent until the outcome of the investigation is known, and their identity will be kept confidentially within the internal investigating team. They may be asked not to go into school until the investigation is complete. Malicious allegations will be dealt with under the ARCh Harassment Policy.

Individual incidents will be judged depending on the seriousness of the breach of the Code of Practice. However, given the Charity's commitment to the welfare of the child as paramount, any breach of the Code would be likely to be seen as serious.

If an allegation of abuse is made against a member of ARCh staff or volunteer then the ARCh Safeguarding Lead or the ARCh Deputy Safeguarding Lead will seek guidance from the LADO at Oxfordshire County Council or the NSPCC and a report will be made to relevant child protection agencies. It may be necessary to suspend the staff member or volunteer pending the result of the investigation.

5 Safeguarding Officer

The ARCh Joint CEO, Jane Rendle, acts as the Designated Safeguarding Lead and assumes lead responsibility for this policy. The ARCh Joint CEO, Elaine Adams, acts as the ARCh Deputy Safeguarding Lead.

The role of the Designated Safeguarding Lead is:

- To ensure that the ARCh Safeguarding and Child Protection Policy is communicated throughout the organisation
- To review the policy annually to ensure it is up-to-date and complies with regulations and good practice
- To ensure that the implementation of the policy is monitored
- To be the first internal point of contact in the case of a report about the Code of Practice being breached, or an allegation of abuse
- To conduct enquiries when there has been a breach of the Code of Practice
- To decide the action that needs to be taken
- To act promptly to protect children in the care of ARCh
- To act promptly to uphold the reputation of the Charity
- To ensure that staff involved in recruitment are aware of safeguarding issues
- To ensure that appropriate training is provided to staff and volunteers working with children
- To ensure that all Trustees and staff members are directed towards appropriate training specifically Prevent and OSCP Level 1 and 2
- To ensure that staff or volunteers reporting suspected child abuse are appropriately advised and supported
- To be trained in and keep up to date with safeguarding and child protection issues and of the correct contacts for making a referral and/or raising a concern
- To keep the ARCh trustees and the ARCh team informed as appropriate

6 Criminal Records and Child Protection

The information that the Designated Safeguarding Lead will receive regarding criminal convictions is extremely useful when deciding whether an individual is suitable to work or volunteer with ARCh. It is important to remember though that so few offences against children actually result in a conviction.

- The most common age of the convicted sexual offender is between 35 - 40 years, although there is growing evidence for abuse by adolescents

- Less than 5% of sex offences against children are known to have been committed by women
- The majority of abusers sexually assault children they know
- Sexual offenders come from all classes, professions, ability groups, religious, cultural and racial backgrounds.

6.1 The Legal Framework

This Policy has been developed in accordance with the principles established by the following legislation and guidance:

- Children Act 1989
- United Nations Convention on the Rights of the Child 1991
- Children Act 2004
- Equality Act 2010
- Children and Families Act 2014
- Special educational needs and disability (SEND) code of practice: 0 to 25 years
- Working Together to Safeguard Children 2026
- What to do if you are worried a Child is being Abused 2015
- Keeping Children Safe in Education
- Mental Health and Behaviour in Schools 2018
- Information Sharing – HM Government 2018
- Oxfordshire Safeguarding Children Board guidelines

This policy applies to all staff, including senior managers, committee members/board of trustees, paid staff, volunteers and sessional workers, agency staff, students or anyone in a position of trust.

A child is defined as a person under the age of 18 (The Children's Act 1989).

6.2 Disclosure & Barring Service (DBS) formerly The Criminal Records Bureau (CRB)

The aim of the DBS is to enable safer recruitment to protect children and vulnerable members of society through increased access to information, and to allow more informed recruitment decisions to protect an organisation's customers, staff, volunteers and the organisation itself.

The DBS provides a service called Disclosure. This service is available to employers and voluntary organisations. Disclosure is an additional recruitment tool to assess the suitability of the volunteer or member of staff.

Standard Disclosure

These are primarily for positions that involve regular contact with children. They contain details of all convictions on record (including 'spent' convictions) plus details of any cautions, reprimands or warnings. They also give information contained on government department lists of people considered unsuitable to work with children. The Independent Safeguarding Authority currently holds these lists.

Enhanced Disclosure

These are for posts involving greater contact with children, including training, supervising, caring for or being in sole charge of children. They contain details of all convictions on record (including 'spent' convictions) plus details of any caution, reprimands or warnings. They will also give information contained on government department lists of people considered unsuitable to work with children. The Independent Safeguarding Authority currently holds these lists. They also contain an extra level of checking with local police force records for any relevant non-conviction information.

ARCh requires all potential volunteers to apply for an Enhanced Disclosure. Staff and Trustees will also be required to apply for Enhanced Disclosures.

All staff must adhere to the Code of Practice regarding Disclosure information.

6.3 How to apply for a Disclosure

The application for a disclosure will vary slightly for staff and volunteer

recruitment. For staff and trustees the application to the DBS will only be made when the individual has been offered a position with ARCh, and the process will be managed by the Designated Safeguarding Lead, Jane Rendle, or the Deputy Designated Safeguarding Lead, Elaine Adams.

For volunteers, the process will be managed by the Designated Safeguarding Lead and will be as follows:

- The Designated Safeguarding Lead asks the potential volunteer to complete an application for an Enhanced Disclosure after being interviewed.
- The volunteer completes the disclosure application form online. When verifying the application, the ARCh staff member must check the volunteer's identity and that the details on the form are correct. The application is then submitted online and approved via Employment Check provided by HR Connect for Kent County Council who act as an umbrella body for ARCh in this process.
- The DBS will then process the application and send the disclosure certificate to the volunteer.
- ARCh disclosures are rechecked every 3 years as a minimum, via DBS update service or by staff members who are registered with Kent County Council as identity checkers.
- ARCh also obtains 2 personal references in relation to each potential volunteer's suitability to work with children.

6.4 Considering the Relevance of a Criminal Record

A risk assessment will be undertaken if the information provided on the Enhanced disclosure indicates a criminal record, cautions or warnings. There are certain offences i.e. those against children or vulnerable adults which mean ARCh could not offer the individual a paid or voluntary post. Special consideration also needs to be taken around sexual offences against adults, violent offences or drug or alcohol related offences.

The risk assessment will be based on:

- An examination of circumstances leading up to an offence

- Repeat offences
- The length of time since an offence took place
- The nature of the job, workplace environment, exposure to money, property and vulnerable people
- The extent of the job supervision
- An individual's attempt to reform and live a law-abiding life
- Further information provided by their Probation Officer or Social Services where relevant.

The welfare of the child is paramount but just because someone has a criminal record does not mean they are unsuitable to work with children.

Advice will be sought from the Oxfordshire County Council or LADO in this circumstance.

6.5 What is a Criminal Record?

A criminal record arises from a conviction. There are also police records but these are not criminal convictions. They include cautions, reprimands and final warnings. Cautions (for adults) and reprimands or warnings (for youths) depend on the seriousness of the offences. They do not have to be declared, but a person with a criminal record must declare a caution.

Should it transpire that an employee or a volunteer failed to disclose a conviction or made a dishonest declaration full consideration would be given to the case and a course of action agreed by Jane Rendle, the Designated Safeguarding Lead.

Similar consideration will be given in cases of pending legal proceedings against a volunteer or member of staff.

6.6 The Rehabilitation of Offenders Act (1974)

Offences against children are never considered to be spent, and offenders are not legally allowed to seek positions to work with children either paid or unpaid. Under the Rehabilitation of Offenders Act any conviction for a criminal offence can be regarded as spent provided that:

- The conviction did not carry a sentence excluded from the Act, such as a

custodial sentence of over two and a half years

- No further convictions occurred within the rehabilitation period

Once a conviction is regarded as 'spent', the rehabilitated person does not have to reveal its existence in most circumstances and can answer 'no' to the question 'do you have a criminal record'.

Positions, either paid or voluntary working with children are exempt from the Rehabilitation of Offenders Act, and therefore convictions that are spent or unspent must be declared.

6.7 Criminal Records in Context

ARCh takes great care over how we seek and use information about convictions for offences. A substantial minority of people in the community have been convicted for offences which have no relevance to their ability or suitability to work with children.

- It has been estimated that a fifth of the working population has a criminal record
- More than five million people in the UK have convictions for crimes that could have involved imprisonment
- Less than 10% of convictions are for violence to the person
- One in three men under the age of 30 have criminal records
- 82% of offenders are male
- 70% of female offenders are first convicted for theft or handling stolen goods
- 50% of offenders are under 21 years of age

Seven golden rules for information sharing

1. Remember that the Data Protection Act 1998 and human rights law are not barriers to justified information sharing, but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.

3. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.
6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Whistleblowing

We recognise that children cannot be expected to raise concerns in an environment where those in a position of trust fail to do so. All those in a position of trust should be aware of their duty to raise concerns about dangerous or illegal activity, or any wrongdoing within their organisation. Please see the ARCh policies for Whistleblowing and Bullying and Harrassment.

7 Useful Contacts

Assisted Reading for Children (ARCh)
Designated Safeguarding Lead: Jane Rendle
Deputy Designated Safeguarding Lead: Elaine Adams
Gobles Court, 7 Market Square
Bicester, Oxon OX26 6AA Tel: 01869 320380

Email: info@archoxfordshire.org.uk

Local Area Designated Officer
Oxfordshire County Council
County Hall, New Road
Oxford OX1 1ND
Tel: 01865 810603
Email: LADO.safeguardingchildren@oxfordshire.gov.uk

Multi-agency Safeguarding Hub (MASH)
Tel: 0333 014 3325 or 0345 050 7666

The Disclosure and Barring Service helpline
Tel: 0870 9090811
Website: www.gov.uk/disclosure-barring-service-check

Kingfisher Team
01865 309196 (out of hours calls will divert to Thames Valley Police Referral Centre)

If you still have concerns that do not require an immediate safeguarding response, you should contact the Locality and Community Support Service (LCSS). You can then discuss the situation with them and they will advise you on what to do next. If a referral needs to be made they will advise you of this.

- LCSS Central: 0345 241 2705
- LCSS North (including Banbury, Witney, Bicester, Carterton and Woodstock): 0345 241 2703
- LCSS South (including Abingdon, Faringdon, Wantage, Thame, Didcot and Henley): 0345 241 2608
- If you have a concern out of office hours call Emergency Duty Team on 0800 833 408

All individuals in a position of trust should have access to this policy. This document will be made available to all volunteers, employees and trustees.

It is a requirement of ARCh that all Staff, Volunteers and Trustees connected with the charity will read, agree, sign and return this declaration page to:

The ARCh Administrator
Suite E Gobles Court
7 Market Square
Bicester
Oxon OX26 6AA

Email: info@archoxfordshire.org.uk

I am connected with this charity in my capacity as:

- ☐ Member of staff
- ☐ Volunteer
- ☐ Trustee

I confirm I have read, understood and will adhere to ARCh's Safeguarding and Child Protection Policy (Version 10)

Signed

Print name

Date