

Appendix E

Promoting Good Practice with Children and Adults at Risk

Code of Conduct for the Protection of Children and Adults at Risk

It is possible to limit the situations where the abuse of children and adults at risk may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all employees, elected members and volunteers when in contact with children or adults at risk. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure.

East Staffordshire Borough Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults at risk.

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When working with children and adults at risk all parties should:

- Adhere to the children and adults at risk policy and procedure at all times.
- Treat all children and adults at risk equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults at risk
- Ensure that personal care is delivered in a dignified manner that meets the needs of the individual.
- Involve parents, guardians and carers wherever possible
- Build balanced relationships on mutual trust that empower children and adults at risk to share in the decision making process

Social Networking sites.

Employees shall work to their employing organisation's policies and procedures, including for example:

- Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures
- Code of Conduct
- Whistle blowing
- Safer Recruitment
- Bullying and Harassment

First Aid and Treatment of Injuries

If a child or adult at risk requires first aid or any form of medical attention whilst in the care of an employee, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required.
- Keep a written record of any injury that occurs, along with the details of any treatment given
- Where possible, ensure access to medical advice and / or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/ adult at risk, in language that they understand, and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible
- The child's or adult at risk, parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to do so.
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer.

For Transporting Children and Adults at Risk Away From Home

If it is necessary to provide transport to take children or adults at risk away from home or school the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or adults at risk
- Always tell another member of staff that a child or adult at risk is being transported, giving details of the route and the anticipated length of the journey
- Never transport a child or adults at risk unaccompanied, other than in exceptional circumstances. Plan pickups and drop offs to minimise the risk of being alone with a child or adult at risk.
- Ensure all vehicles are correctly insured and well maintained.
- Ensure drivers hold current, appropriate driving licenses, and have undergone training as appropriate (e.g. minibus driving, use of wheelchair hoist)
- All reasonable safety measures must be taken, e.g. children in the back seat behind the driver, seatbelts worn and booster seats in place

- Ensure where possible at least one male and one female accompany mixed groups of children or adults at risk. These adults should be familiar with and agree to abide by the Council's Child and Adult at Risk of Abuse and Neglect Policy and Procedure
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

Use of Contractors

Contractors must comply with the principles set out in:

- The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.
- The Department for Education '*Revised guidance on safeguarding children and safer recruitment in education* (2015).
- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011).

East Staffordshire Borough Council and its employees, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the Council are monitored appropriately. Service Level Agreements or contracts in place for these contractors should therefore specify this requirement.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or adults¹ and take part in 'regulated activity'² (as defined within the new definition with effect from September 2012 – Updated Jan 2018) must have an appropriate DBS check.

There are four types of check that are available. Further guidance is provided on the DBS website (www.gov.uk/government/organisations/disclosure-and-barring-service) to enable employers to establish, which, if any, level of check is required. The checks that are available are:

¹ The DBS definition of regulated activity relating to **adults** no longer labels adults as 'vulnerable'. Instead the definition identifies the **activities** which, if any requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity. Further guidance is on the DBS website: www.gov.uk/government/organisations/disclosure-and-barring-service

² The full definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Further information can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf

The types of check are as follows:

- a basic check, which shows unspent convictions and conditional cautions
- a standard check, which shows spent and unspent convictions and adult cautions, from the Police National Computer which have not been [filtered in line with legislation](#)
- an enhanced check, which shows the same as a standard check plus any information held by local police that's considered relevant to the role
- an enhanced check with a check of the barred lists, which shows the same as an enhanced check plus whether the applicant is on the adults' barred list, children's barred list or both

Where there is potential for contact with children or adults at risk it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Disclosure and Barring Service (DBS) check has been satisfactorily completed.

Guidelines on Children and Adults at Risk in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and adults at risk. In some cases, however, displaying certain information about children and adults at risk could place them at risk.

The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or adult at risk. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or adult at risk, written consent must be obtained from the child, adult at risk or the parent / guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes.
- The content of photographs or videos must not depict a child or adult at risk in provocative pose or in a state of partial undress. Children and adults at risk must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults at risk ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or adult at risk is to be restricted to first names only.

- All published events involving children or adults at risk must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/ adult at risk events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or adults at risk who are considered particularly vulnerable e.g. the subject of a child or adult at risk issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's **Safeguarding Officer**.

Guidelines on Use of Photography, Videoing and Filming of Children and Adults at Risk – (Including Mobile Phone Technology)

There is evidence that some individuals have used public events as an opportunity to take inappropriate photographs or film footage of children. The following best practice is to be adopted to protect children and adults at risk who are being photographed or videoed.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities organisers must ensure that they make expectations clear in relation to child and adult at risk.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and / or filming of a child or adult at risk must be obtained prior to the event or activity.
- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.
- An activity or event specific identification badge/sticker must be provided and clearly displayed at all times by the accredited photographers, film and video operators on the day of the activity or event.
- Unsupervised access must not be allowed to children or adults at risk or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services or at a child or adult at risk's home.
- It is recommended that the names of children or adults at risk should not be used in photographs or video footage, unless with the express permission of the child, adult at risk or the parent or guardian.

- The Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event. The recommended wording is,

“In line with the recommendation in the Councils Safeguarding Children and Adult at Risk of Abuse and Neglect Policy and Procedure, the promoters of the event request that any person wishing to engage in any video, zoom or close range photography should register their details with staff at the spectator’s entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoter’s conditions.”

Any concerns with photographers or video or film operators are to be reported to **Joanne Barrington** the Council’s Safeguarding Officer and where relevant, the Police.

Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of our expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, adults at risk and parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the incident report forms and pass on to the Safeguarding Officer to take appropriate action.

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

“In line with East Staffordshire Borough Council’s Safeguarding Children and Adults at Risk of Abuse and Neglect Policy, any person wishing to engage in zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness”

An example form for use at Events and taking photographs, video material is given at **Appendix F**.

Best Practice in the recruitment of staff and volunteers

Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and adult at risk.
- The use of the Disclosure and Barring Service procedures to promote safe recruitment and selection processes.

Applicant Information

All applicants, whether for paid or voluntary, full or part-time positions, should complete an application form which should elicit the following information:

- Name, address and National Insurance Number.
- Past career, relevant interests, any gaps in employment and reasons for leaving.
- Relevant experience, educational qualifications, job specific qualifications and training.
- Any criminal record.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of , and suitability for, working with children or adults at risk where it is a requirement of the job or volunteering role,
- And a willingness to assist in the completion of a DBS check

Checks and References

Staff and volunteers recruited to work in services for children and adults at risk must be checked for any possible irregularities (or issues), which may give reason for concern.

A minimum of two references should be taken up, one of which must be the previous employer and if available, at least one should be associated with former work with children or adults at risk. References should include the applicant's suitability to work with children or vulnerable adults where it is a requirement of the job. Where references are given verbally, they must follow a prescribed format and a written record kept.

In accordance with guidance from the Disclosure and Barring Service (DBS) all posts that have direct contact with children and adults at risk will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

If a DBS check highlights an unspent conviction a risk assessment will be carried out to assess the suitability of the applicant to work with children or adults at risk. This will be carried out by the line manager and Human Resources Officer.

Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and adult at risk protection issues.

Induction and Training

Checks are only part of the process to protect children and adults at risk from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and adults from possible abuse.

The induction and training should include:

- An assessment of the training needs required carried out by the local manager.
- Clarification, agreement and signing up to the Council's Code of Conduct for Employees. This is not a separate document for LDC and forms part of Disciplinary which are referred to at induction but not handed out./signed for.
- Clarification, agreement and signing up to the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure.
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.
- As a minimum the Council expects all staff to have undergone formal children and or adult at risk training related to their job within 6 months of commencement of employment with the Council. Refresher training will be required every 3 years. This is the responsibility of line managers in services where children and/or adults are clients/customers.

Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role, other than casual or agency staff.

All members of staff who have contact with children and adults at risk will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line managers should be sensitive to any concerns about poor practice and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

Particular care must be taken to monitor casual and agency staff, whose less frequent employment reduces the opportunities for regular supervision and training and who may therefore be less familiar with policies and procedures.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service
- Staff appraisals, mentoring and providing feedback on performance
- Children's and adults' feedback on the activities or services

Rehabilitation of Offenders

East Staffordshire Borough Council is committed to the fair treatment of its employees (both paid and voluntary), potential staff or volunteers or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working or volunteering with the Council. This will depend on the nature of the position, the nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.