

This background information is based on ‘InFocus’ documents published by CCPAS, the Churches’ Child Protection Advisory Service. They summarise key aspects of policy or legislation which affect safeguarding in our Quaker Meetings.

Key Documents, Concepts, Definitions and Government Expectations

The United Nations Convention on the Rights of the Child (UNCRC) is legally binding and incorporates the full range of human rights - civil, cultural, economic, political and social. In 1989, world leaders decided that there should be a convention specifically for children, because people under 18 years old often need extra care and protection. The leaders also wanted to make sure the world recognised that children have the same human rights as adults. In addition the Convention states that children everywhere have the right to:

- survival
- develop to their fullest potential
- protection from harmful influences, abuse and exploitation
- participate fully in family, cultural and social life

Every Child Matters

Every Child Matters is the government initiative from which the Children Act 2004 (England) came into being. The government’s aim is for every child, whatever their background or their circumstances, to have the support they need to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

The government’s expectations is that organisations involved with providing services to children - from hospitals and schools, to police and voluntary groups - will be teaming up in new ways, sharing information and working together, to protect children and young people from harm and help them achieve what they want in life. Children and young people will have far more say about issues that affect them as individuals and collectively.

www.everychildmatters.gov.org

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Child Protection

This refers to the activity which is undertaken to protect specific children who are at risk of suffering 'significant harm'. The following two terms elaborate on this.

Safeguarding

- Protecting children from maltreatment
- Preventing impairment of a child's health and development

Promoting Welfare

- Ensuring children are growing up in environments consistent with the provision of safe and effective care,
- Creating opportunities for children to have optimum life chances such that they enter adulthood successfully.

Safeguarding Adults

'Safeguarding Adults' procedures refer to the local area-based, multi-agency response which is made to every adult "who is or may be eligible for community care services" (National Health Service & Community Care Act 1990) and whose independence and wellbeing is at risk due to abuse or neglect.

The definition means all work which enables an adult 'who is or may be eligible for community care services' to retain independence, wellbeing and choice and to access their human right to live a life that is free from abuse and neglect. This definition specifically includes those people who are assessed as being able to purchase all or part of their community care services, as well as those who are eligible for community care services but whose need – in relation to safeguarding – is for access to mainstream services such as the police.

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Reporting a 'Serious Incident' to the Charity Commission

Under Charity Commission regulations a Serious Incident occurs where a result has, or could, entail '...a significant loss of funds or a significant risk to the charity's property, work, beneficiaries or reputation. They should be reported as soon as possible.

As far as allegations of abuse are concerned Charity Commission guidance states:

'You (the place of worship or organisation) should report this if any one or more of the following occur:

- There has been an incident where the beneficiaries of your charity have been or are being abused or mistreated while under the care of your charity or by someone connected with your charity such as a trustee, member of staff or volunteer
- There has been an incident where someone has been abused or mistreated and this is connected with the activities of the charity.
- Allegations have been made that such an incident may have happened regardless of when the alleged abuse or mistreatment took place
- You have grounds to suspect that such an incident may have occurred.'

The Charity Commission states that these are 'zero tolerance' issues which would always be investigated by them. Serious incidents also include not having adequate safeguarding policies in place and failure to carry out criminal records checks on workers and trustees (where legally possible); in summary, anything that could affect the good reputation of the charity.

Those charities whose incomes exceed £25,000 must declare all Serious Incidents as part of their Annual Returns. Failure in the latter respect also signifies failure regarding the charity's legal obligations. Charities can make a report in the following ways:

- **Writing** to Charity Commission Direct, P O Box 1227, Liverpool L69 3UG
- **Telephoning** 0845 300 0218
- **E-mailing** RSI@charitycommission.gsi.gov.uk

The guidance and further information can be found on the charity Commission website: www.charitycommission.gov.uk

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Safe from Harm Principles**ENGLAND: Safe from Harm (1993, Home Office) Summary of Recommendations**

1. Adopt a policy statement on safeguarding the welfare of children.
2. Plan the work of the organisation so as to minimise situations where the abuse of children may occur.
3. Introduce a system whereby children may talk with an independent person.
4. Apply agreed procedures for protecting children to all paid staff and volunteers.
5. Give all paid staff and volunteers clear roles.
6. Use supervision as a means for protecting children.
7. Treat all would-be paid staff and volunteers as job applicants for any position involving contact with children.
8. Gain at least one reference from a person who has experience of the applicant's paid or voluntary work with children.
9. Explore applicant's experience of working or contact with children in an interview before appointment.
10. Find out whether an applicant has any conviction for criminal offences against children.
11. Make paid and voluntary appointments conditional on the successful completion of a probationary period.
12. Issue guidelines on how to deal with the disclosure or discovery of abuse.
13. Train paid staff and volunteers, their line managers or supervisors, and policy makers in the prevention of child abuse.

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Statutory Definitions of Abuse (Vulnerable Adults)

The following definition of abuse is laid down in 'No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse (Department of Health 2000):

'Abuse is a violation of an individual's human and civil rights by any other person or persons. In giving substance to that statement, however, consideration needs to be given to a number of factors:

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it'.

Physical Abuse

This is the infliction of pain or physical injury, which is either caused deliberately, or through lack of care.

Sexual Abuse

This is the involvement in sexual activities to which the person has not consented or does not truly comprehend and so cannot give informed consent, or where the other party is in a position of trust, power or authority and uses this to override or overcome lack of consent.

Psychological or Emotional Abuse

These are acts or behaviour, which cause mental distress or anguish or negates the wishes of the vulnerable adult. It is also behaviour that has a harmful effect on the vulnerable adult's emotional health and development or any other form of mental cruelty.

Financial or Material Abuse

This is the inappropriate use, misappropriation, embezzlement or theft of money, property or possessions

Neglect or Act of Omission

This is the repeated deprivation of assistance that the vulnerable adult needs for important activities of daily living, including the failure to intervene in behaviour which is dangerous to the vulnerable adult or to others. A vulnerable person may be suffering from neglect when their general wellbeing or development is impaired

Discriminatory Abuse

This is the inappropriate treatment of a vulnerable adult because of their age, gender, race, religion, cultural background, sexuality, disability etc. Discriminatory abuse exists when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. Discriminatory abuse links to all other forms of abuse.

Institutional Abuse

This is the mistreatment or abuse of a vulnerable adult by a regime or individuals within an institution (e.g. hospital or care home) or in the community. It can be through repeated acts of poor or inadequate care and neglect or poor professional practice.

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Statutory Definitions of Abuse (Children)

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

Children may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults or another child or children.

Child protection legislation throughout the UK is based on the United Nations Convention on the Rights of the Child. Each nation within the UK has incorporated the convention within its legislation and guidance.

The four definitions of abuse below operate in England based on the government guidance 'Working Together to Safeguard Children (2010)'.

What is abuse and neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger for example, via the internet. They may be abused by an adult or adults, or another child or children.

Physical abuse

Physical abuse 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.

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. It may feature age or developmentally inappropriate expectations being imposed on children. 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 cyberbullying), 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.

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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.

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Working Together to Safeguard Children (2010): References to the Faith Sector**Section 2.189 – 2.193****Faith communities**

Churches, other places of worship and faith-based organisations provide a wide range of activities for children and young people. They are some of the largest providers of children and youth work, and have an important role in safeguarding children and supporting families. Religious leaders, staff and volunteers who provide services in places of worship and in faith-based organisations will have various degrees of contact with children.

Like other organisations that work with children, churches, other places of worship and faith-based organisations need to have appropriate arrangements in place for safeguarding and promoting the welfare of children. In particular, these arrangements should include:

- procedures for staff and others to report concerns that they may have about the children they meet that are in line with *What To Do If You're Worried A Child Is Being Abused* and LSCB procedures, as well as arrangements such as those described above;
- appropriate codes of practice for staff, particularly those working directly with children, such as those issued by the Churches' Child Protection Advisory Service (CCPAS), the Catholic Safeguarding Advisory Service (CSAS) or other denomination or faith groups; and recruitment procedures in accordance with safer recruitment guidance[Recruiting safely: Safer recruitment guidance helping to keep children and young people safe and associated materials. www.cwdcouncil.org.uk/safeguarding/safer-recruitment/resources]
- and LSCB procedures, alongside training and supervision of staff (paid or voluntary).

Where the police or local authority children's social care services wish to contact specific faith communities they should make contact with the relevant organisation who will assist in speaking to the appropriate person.

Specific considerations

As appropriate, churches, other places of worship and faith organisations should report all allegations against people who work with children to the local authority Designated Officer (LADO), and notify the Disclosure and Barring Service (DBS) of any relevant information so that those who pose a risk to vulnerable groups can be identified and barred. In addition where they are a charity all serious incidents need reporting to the Charity Commission.

It is essential that faith communities have in place effective arrangements for working with sexual and violent offenders who wish to worship and be part of their religious community. This should include a contract of behaviour stipulating the boundaries an offender would be expected to keep. Faith communities should consult the MAPPA Guidance (2009) issued by the National Offender Management Service Public Protection Unit which specifically addresses 'Offenders and Worship'.

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