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LIVE BORDERS

Safeguarding Guidance

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Introduction

Live Borders is committed to making our communities healthier, happier and stronger. We value

- Collaboration
- Honesty
- Inclusivity
- Positivity
- Productivity

Live Borders is committed to ensuring every child, young person and adult taking part in cultural, leisure and / or sport activities, has a positive experience and has the freedom to participate to their full potential.

Every child, young person or adult has the right to participate in Culture, Leisure and sport, without fear of any abuse or inappropriate behaviour towards them.

Live Borders is committed to collaboratively safeguarding the safety and wellbeing of children, young people and adults at risk who undertake activity or employment with Live Borders and takes all reasonable steps to safe guard individuals and staff.

All members of staff have a duty of care to protect and safeguard such groups from any situation where they may suffer;

- Physical abuse
- Emotional abuse (including bullying)
- Sexual abuse or exploitation
- Neglect
- Any other inappropriate behaviour towards them.

This guidance should be read in conjunction with the safeguarding policy.

Definitions

Abuse can be categorised by seven generic types of behaviour:

Neglect – the persistent failure to meet a child, a young person or adult’s basic physical and/or psychological needs

Physical Abuse – may involve the actual or attempted physical injury to a child, young person or adult; this may be a deliberate act, but also includes acts of omission (e.g. failure to seek medical attention or failure to ‘protect’)

Emotional Abuse – the persistent emotional ill-treatment of a child, young person or adult such as to cause severe and adverse effects on their emotional development

Bullying – is particularly hurtful behaviours usually, but not always, repeated over a period of time, where it is difficult for those being bullied to defend themselves

Sexual Abuse (including child or adult sexual exploitation) – forcing or enticing a child, young person or adult, to take part in sexual activities whether or not they are aware of, or consent to, what is happening, may include non-contact activities such as forcing children, adults to look at or be involved in the production of pornographic material, or to watch sexual activities or encouraging them to behave in sexually inappropriate ways.

Negative Discrimination – children, young people or adults, may experience harassment or unwanted attention because of their race or ethnic origin, socio-economic status, culture, age, disability, gender, sexuality or religious beliefs.

Financial abuse – vulnerable adults are at risk of financial abuse where people target them and take advantages of their finances.

Grooming – is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking. Children and young people or vulnerable adults can be groomed online, face to face, by a stranger or by someone they know, including family members, friends.

Children are normally defined as being under 16 years of age in Scotland. Some legislation defines children as being under 18 years of age - see Appendix 3.

Adults are normally recognised as being 16 years of age or over.

Vulnerable Adults - these are adults at risk of harm who are:

- unable to safeguard their own well-being, property, rights or other interests
- at risk of harm because they are affected by disability, mental disorder, illness or physical or mental infirmity and
- are more vulnerable to being harmed than adults who are not so affected

PVG scheme – the Protecting Vulnerable Groups membership scheme is managed and delivered by Disclosure Scotland. It helps make sure people whose behaviour makes them unsuitable to work with children and/or protected adults, can't do 'regulated work' with these vulnerable groups.

Disclosure – any child, young person or adult may make an allegation of abuse. This is called a disclosure. This may be:

- a suspicion or allegation of misconduct against a member of staff or contracted agent
- a suspicion or allegation of abuse or inappropriate behaviour against a member of staff or contracted agent
- a suspicion or allegation of inappropriate behaviour or abuse against someone external to Live Borders

Employees Responsibilities

1. This includes contracted third party suppliers, coaches and helpers.
2. Ensure that you read, understand and comply with the information contained in guidance, policy and with any training or information you are given.
3. If you have reason to believe or suspect that an instance of abuse has occurred or will occur in the future you must immediately and appropriately (refer to Social Work/Police) and refer to your line manager.
4. If any child, young person or adults makes a disclosure to any member of staff or contracted agent it should be dealt with immediately and appropriately (refer to Social Work / Police) and refer to your line manager.
5. If at any point a member of staff is unsure, they should discuss the matter with their Line Manager.
6. See Appendix 2 for useful contact numbers out with Live Borders.

What to do if a Child, Young Person or adult makes a disclosure?

- **LISTEN**
- **RESPOND**

- **REPORT**
- **RECORD**

Listening to a disclosure:

- React calmly, and make no adverse comment which could cause the person reporting, more distress
- Take the allegation / disclosure seriously
- Stay calm and try to get another witness, if it does not compromise the situation
- Only ask questions for clarification. The use of open questions e.g. What, Where, When, Who, is advisable. Do not ask leading questions which suggest certain answers as this could compromise evidence. Report what happened immediately.
- Listen carefully and quietly and if possible take a note of what the child, young person, or adult is saying verbatim, using their words, do not paraphrase
- Reassure the person that they were in the right to tell you about this and that they themselves have done nothing wrong
- If the person has communication difficulties, or if English is not their first language, seek professional advice or help as soon as possible – see useful contacts in Appendix 2
- Find an appropriate opportunity to explain that it is likely that information will need to be shared with other responsible people. **Do not promise to keep secrets.**
- Tell them what you will do next and who you will inform
- Record all details you are aware of on an Incident Report Form as soon as possible

Actions to avoid when listening to a report of abuse / disclosure:

- Try not to panic, show shock or distaste
- Avoid probing for more information than is offered
- Avoid speculating and making assumptions
- Do not make negative comments about the person against whom the allegation is being made
- Do not introduce personal information from either your own experiences or those of other children, young people or adults.

Reporting Concerns or Allegations

All allegations must be taken seriously.

Although false allegations of abuse do occur from time to time, they are few and infrequent statistically.

All staff should react in accordance with this policy and guidance.

All staff and contractors are responsible for ensuring that personal information is held in accordance with the Data Protection Act 2018 and the GDPR Regulation.

It is **NOT** the responsibility of any member of staff or contracted agent to decide whether or not an abuse has taken place, or to investigate it.

It is the responsibility of all staff to report any concerns / disclosures to their line manager / Social Work department and/or Police as appropriate.

Recording an allegation, suspicion or disclosure

On receiving information that leads to a suspicion or allegation of abuse, it is essential that important information be recorded as soon as possible after disclosure. This can then be forwarded to the Social Work department or Police to assist them with their investigation; copy to your line manager.

A full written record should include the following (if available):

1. Name, age and date of birth of child, young person or adult
2. Home address and telephone number
3. Date, time and place the alleged incident(s) took place and any other detail i.e. the activity the child was taking part in at the time
4. Date, time and place the disclosure was made
5. The detail of the allegation, in the person's own words
6. A description of any injuries or bruising visible when the person is dressed as usual. Do NOT attempt to examine the person making the disclosure
7. Details of any other person that the child, young person or adult may have reported the incident to
8. Details of any witnesses to the incident, as described by the child, young person or adult
9. Whether the person making the report is expressing their own concerns or the concerns of another person
10. Details of anyone else that may have been contacted regarding the correct procedure for reporting disclosures e.g. line manager.

Compliance

All incidents of alleged poor practice, misconduct and /or abuse, by staff or contracted agents will be taken seriously and may result in disciplinary action.

Related Policies, Forms and Information

- Safeguarding Policy
- Safeguarding guidance
- Recruitment Procedure
- PVG Policy
- Harassment and Bullying Policy
- Data Protection Policy

Good Practice that can help prevent "Child" abuse

- a) Avoid situations where teacher/coach/club official/staff and child are alone
- b) Ascertain the child's and the parent /carers views about manual support for children who need this kind of help particularly when they are in the water
- c) If it is necessary to do things of a personal nature for children who are young or disabled, make sure you have another adult with you. Get the child's consent if possible and certainly get consent from the parent/carer. Let the child know what you are doing and why.
- d) Ask parents/carers or nominated officials to be responsible for children in changing rooms
- e) Get teacher/coach/club official/staff to work in pairs if classes or groups of children have to be supervised in changing rooms
- f) Ensure that male and female teacher/coach/club official/staff always act with mixed teams

- g) Don't allow any physically rough or sexually provocative games or inappropriate talking or touching by anyone in a group for which you have responsibility.
- h) In competitions/ activity/events, look out for people who don't appear to be relatives or friends of children who are participating but, nevertheless seem to spend a lot of time videotaping or photographing them. Report these incidents to the organisers immediately.

Bullying

The lives of many people are made miserable by bullying. Victims of bullying can feel lonely, isolated and deeply unhappy. It can have a devastating effect on a child, young person or adult's self-esteem and destroy their self-confidence and concentration. They may become withdrawn and insecure, more cautious and less willing to participate to their full potential.

To ensure Live Borders creates an atmosphere where bullying of children young people or adults **is totally unacceptable** and to help employees manage bullying issues, guidelines for identifying and managing bullying have been developed.

In some cases of abuse, it may not be an adult abusing child, young person or adult, these groups may be responsible for peer group bullying, when they gang up on the victim. Bullying is particularly hurtful behaviour repeated over a period of time, where it is difficult for those being bullied to defend themselves. Children, young people and adults may be bullied by adults, their peers and in some cases their families.

Bullying can take many forms including:

1. Physical e.g. hitting, kicking, theft (may be criminal)
2. Verbal (including teasing) e.g. racist remarks, spreading rumours, threats, name calling
3. Emotional e.g. isolating a child or vulnerable adult from activities or social acceptance of peer group
4. Harassment e.g. using abusive or insulting behaviour in a manner intended to cause alarm or distress

Managing Bullying

1. **ALL** signs of bullying **must** be taken seriously
2. Encourage all children, young people and adults, to speak out and share their concerns
3. **Take action** to ensure victim(s) is/are safe
4. **Speak** with the bully(ies) and victim(s) separately
5. **Reassure the victim** that you can be trusted and will help them, however you should not promise to keep secrets
6. **Keep records** of what is said (who, what, when and if appropriate why?)
7. **Report and concerns** to your line manager and if appropriate, the organiser/ responsible person, for any other organisation involved

Action towards the bully(ies)

1. Talk with the bully (ies). Explain the situation and try to get the bully(ies) to understand the consequence of their behaviour.
2. Seek an apology from the bully to the victim
3. Inform the parents/ guardians/ carers
4. Impose sanctions as necessary
5. Encourage and support the bully(ies) to change their behaviour
6. Keep a written record of action taken

7. If a member of staff is involved this must be reported to your line manager immediately. Staff suspected of bullying will be dealt with through Live Borders Disciplinary procedures.

Photography, video and filming of children and adults

Arrangements for filming activities or activity/events

It is common practice to film or otherwise record footage of children, young people and adults at activities and activity/events. It is important to ensure that no inappropriate footage is recorded. The following procedures have been developed to protect children, Young people and adults:

1. All materials promoting Live Borders' activities or activity/events shall state if a booked/ briefed photographer will be present
2. Parents/ guardians/ carers will be informed of the presence of a Live Borders' photographer and will have the opportunity to object to any filming / photography of their child/ dependant
3. Anyone wishing to use photographic/ film/ video equipment at a venue **must** obtain the approval of Live Borders. Parents/ guardians/ carers will be informed of these arrangements prior to the activity or activity/event, usually through the application and / or selection procedure
4. Live Borders' photographers, film and video operators will wear a Live Borders' lanyard
5. No unsupervised access or one-to-one sessions will be permitted unless prior approval has been sought from Live Borders, the child, young person, or adult involved and the parent/ guardian/ carer where appropriate
6. Live Borders reserves the right at all times to prohibit the use of photography, film, video at any activity/event or activity with which it is associated
7. The requirements above are publicly promoted to ensure all those at the activity or activity/event understand the procedure and aware of whom to contact with any concerns

Any concerns with photographers, video or film operators are to be reported to the Social Work department and/ or the Police

Photographs of children or adults in publications and on the internet

Sport, culture and recreational websites and publications provide excellent opportunities to broadcast achievements of individuals to the world and to provide a showcase for the activities of children, young people or adults. However, in some cases displaying information about children, young people and adults could place them at risk.

Our publications and information on the Internet adheres to the following:

1. Publications or information on a website should not include personal information that could identify a child, young person or adult, for example, home address, email address or phone number
2. Written consent should be obtained from the child, young, person or adult or appropriate parent/ guardian/ carer before publishing photographs or using film footage. Parents/ guardians/ carers must be informed of any changes in the use of material and consent given to the changes
3. The content of the photographs or film footage should not depict provocative poses or those of partial state of undress (other than that appropriate to the sport or activity)
4. For photographs or videos of groups/ teams of children, young people and adults, ensure that only the group, organisation or team is referred to, not individual members. Credits for achievements should be restricted to first names only.

5. Particular care must be taken to ensure no photographs of children, young people or adults involved in child protection investigations or custody disputes are used, if known.

Any concerns with publications or website content material should be reported to Live Borders.

Guidance re confidentiality and sharing information

Confidentiality

Confidentiality is not an absolute right and not all information needs to be treated as confidential. Local guidance can be found on the Child Protection website:

[Getting it right for every child](#)

Best practice means, where appropriate you should obtain permission to pass on information, but where it is believed that the information needs to be shared, in relation to the safety or wellbeing of a child, young person or adult, this can be done without consent.

Sharing of Information

Confidentiality does not prevent you from sharing a concern about a child or young person's wellbeing – and legislation such as the Data Protection Act 2018 enables you to share the information lawfully, as long as it is "appropriate and proportionate", which means relates to any form of alleged abuse as detailed in this policy.

The legal framework

There is **nothing** in the following pieces of legislation / legal principles to prevent sharing information when you are genuinely concerned about the health/ wellbeing/ safety of a child, young person or adult where any allegation of abuse is concerned. We are responsible for adhering to the GDPR principles.

- Data Protection Act 2018
- Human Rights Act 1998
- Common Law
- Freedom of Information Acts 2000 & (Scotland) 2002

Appendix 1:

Short guidance for the protection of children, young people and adults during activity/events, including 'lost' or 'found' children.

Contents:

Overview
Appendix 1A – **Lost child**
Appendix 1B – **Found child**

Overview Child and Adult Protection

We encourage you to give full consideration as to how children, young people and adults will be protected and kept safe during your activity/event and to the safe management of a **'lost' child or 'found' child**.

The following short guidance is designed to help you consider how best to manage a 'lost' child or a 'found' child safely, however, it does not imply any responsibility on the part of Live Borders at your activity/activity/event for which you are responsible for organising.

In any activity/activity/event attended by children, there is the potential for them to become separated from their parents or responsible adults.

If the child is not reunited quickly, or any doubt exists, a log of the information should be made:

See Appendix 1A 'Lost' child
See Appendix 1B 'Found' child

This should be signed by both adults and passed to the Police if required.

When a child is successfully reunited with the parent/ responsible adult, do not forget to tell all those originally involved in the search, including the Police if appropriate.

All staff/ volunteers and organisers should be informed where children are to be taken (e.g. Activity/event office, contact point or mobile Police office if on site), in the activity/event of them becoming separated from their parents or other responsible adult.

You may wish to note this in your programme or notices for members of the public – **Where to report a 'lost' child or take a 'found' child.**

Any **'found'** child looked after at the **contact point**, should be in the presence of **at least two adults, at all times.**

If your activity/event is organised, personally or under an umbrella organisation, it is advisable that **at least one of the adults responsible for receiving 'lost children' should be vetted through Disclosure Scotland.** This will include a check against the Disqualified from Working with Children list established under the 'Protection of Children (Scotland) Act 2003'.

Where this is not possible, a declaration should be received from the adult in charge of looking after any 'found' children to state:

"I am not listed in the 'Disqualified from working with children' list established under the 'Protection of Children (Scotland) Act 2003' and have never been convicted of an offence against a child or young person".

In this circumstance, it is especially important that two adults are with the child at all times.

Lost child (see Appendix 1A below)

Where parents are reporting a lost child, the Police **must** be notified if the child has not been found within a pre-determined time-frame suitable to the size of the venue **usually no longer than 15 minutes.**

Take details:

1. Name of person reporting (if the parent/responsible person does not have a working mobile phone for immediate contact they **must** remain at the contact point whilst others search for the child. This is to ensure that resources are not deployed when the child is found)
2. Details of the missing child to include; name, age and what clothes they had on
3. Where and when the child was last seen
4. How long have they been missing. **If more than 15 minutes, contact the Police immediately.**

Found child (see Appendix 1B below)

1. Find out the child's name and age where possible.
2. Make a public announcement stating **only** that a child has been found, and where they can be collected.
3. **Do not** give the name or description of the child.
4. When an adult comes to collect the child, **make sure you are satisfied as to their identity.** You should ask for identification.
5. **You must ask for identification if you are in any doubt, or if the child's behaviour or demeanour gives you any cause for doubt.**

Where doubt exists, the Police should be contacted immediately.

The Police should be contacted if the parent/ responsible adult fails to appear within 15 minutes (or a similar predetermined time, relative to the size of the activity/event), after the first announcement has been made.

For more advice and information before an activity/event, please contact:

CPC Training and Development.
01835 825080

During an activity/event

<http://onlineborders.org.uk/community/cpc> for up to date contact numbers

During an activity/event but outside normal office hours please contact:-

Children and Families Duty Team 01896 753 111 - for ALL new referrals.

Out of Office Hours (weekends and all Social Work call: 01896 752111)

or

Police on either 101 or emergency 999.

Appendix 1A

Lost child reported – details you must log

Important, suggested after 15 minutes Police are contacted

1. Time and area last seen
2. Name/ address/ details and working mobile phone number of person reporting lost child
3. Name and age of child lost/missing
4. What clothes the child was wearing when last seen
5. Any warning issues if any re: health and/or disability

If the person reporting a lost child to the contact point **does not have** a working mobile telephone, they should remain at the contact point until the child is found and re-united with them.

Appendix 1B

Found child at activity/event – details you must log

1. Time/ date
2. Where the child was found at the activity/event
3. Who found the child; their name and working mobile phone number
4. Name of child if able to be ascertained
5. What clothes the child is wearing

Statement to be released

“A child has been found within the activity/event, and can be collected by their parents or responsible person at the contact point” (Details of the collection point to be given). **No other details are to be released.**

6. Time announcement was made
7. Time police were contacted if no parent/ responsible person appears within 15 minutes
8. Time collected by parent/ responsible person
9. Details of who collected them; name, address, ID (if seen) and working mobile number

Note: If there are any concerns as to why the child went missing, contact the Police immediately.

Appendix 2:

Useful contacts

CHILDREN

Children and families duty team 01896 662787

Out of hours emergency duty team 01896 752 111

<http://onlineborders.org.uk/community/cpc>

ADULTS

Duty Social Work Hub 0300 100 1800 option 4

Out of hours emergency duty team 01896 752 111

<http://onlineborders.org.uk/community/cpc>

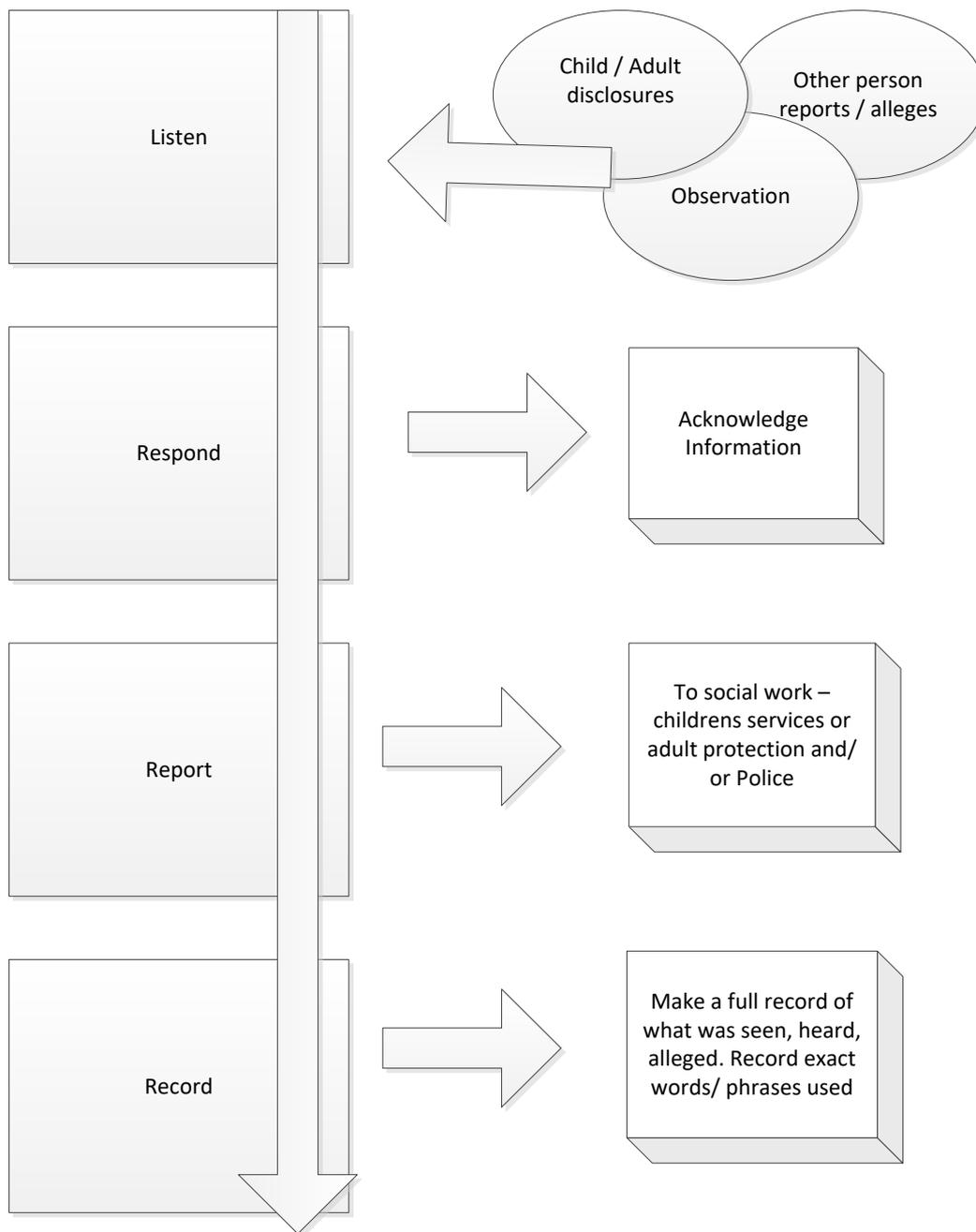
In all cases, children or adults, should you consider the matter is an emergency, always contact the Police 999.

If you are in doubt as to whether the young person is a child or an adult (16 to 18 years of age) discuss with your line manager, or the most appropriate social work department, or in case of emergency the Police.

Appendix 3:

Useful legislation and guidance

- PVG (Scotland) Act 2007
- Children (Scotland) Act 1995
- Children's Hearing's (Scotland) Act 2011
- Children and Young People's (Scotland) Act 2014
- United Nations Convention on the Rights of the Child
- Adult Support and Protection (Scotland) Act 2007
- Adult Support and Protection Guidance ensuring rights and preventing harm 2013
- A Practitioners Guide to Information sharing
- National Guidance for Child Protection in Scotland 2014



Sign and date the report which can then be forwarded to the appropriate social work department and/ or the Police.