



# **DOWN DISTRICT COUNCIL CHILD PROTECTION POLICIES AND PROCEDURES**

## FOREWORD BY CHIEF EXECUTIVE

This 'Keep Safe' Policy and Code of Conduct is designed to afford protection to children and vulnerable adults using the extensive and diverse range of facilities and services provided by Down District Council.

The Policy is also intended to protect Council staff whilst carrying out their duties.

Down District Council has an important role to play in the protection of our children therefore I see the implementation of this Policy as central to our commitment to the care of our citizens.

With training our staff and volunteers will be given the appropriate skills to deal with any potential abuse.

Our Child Protection Policy covers a wide range of child centres services which include:

- Art Centre
- Community Centre Activities
- Crèche Facilities
- Delamont Country Park
- Leisure Centres
- Museum
- Physical & Sports Activities
- Summer Schemes
- Other Council organised events

The policy is for all who work with children and vulnerable adults including full time, part time, seasonal and on call staff, student placements, volunteers and external service providers.

I know that both members and staff will collectively play their part in ensuring the protection of our children and vulnerable adults and providing a safe environment in which they can grow into young and confident citizens of Down District.

John McGrillen  
Clerk & Chief Executive

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

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## **Statement Of Intent**

Down District Council is committed to the creation and maintenance of a safe and secure environment for all those who use its facilities and services. It is especially committed to the protection of children, young people and vulnerable adults who avail of these services.

This policy details the procedures to be followed by Councillors, employees and groups or individuals acting on behalf of the Council. In providing a duty of care for children, safeguarding their well being and providing protection from all forms of abuse or harm when using services organised or provided by the Council.

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

### In Meeting its Commitment Council Will Ensure the Following Standards are met:

- The adoption and implementation of child protection guidelines and policies and that these shall extend to include vulnerable adults.
- Sharing information and concerns with the appropriate statutory bodies.
- Sharing and dissemination of information about child protection and good practice.
- Providing effective management through good supervision and support.
- Introduction of a regime of on-going training for staff, volunteers and contracted providers of services.
- Taking appropriate and effective action in response to issues concerning child protection and protection of vulnerable adults which occur on council property, council functions and/or involve council staff, volunteers or contracted providers.
- By nominating Designated Officers and Key Workers who will be responsible for the co-ordination, implementation and overseeing the Child Care and Protection Policy.
- By the registration of all relevant facilities with South Eastern Health and Social Care Trust and by undergoing regular checks.
- By following a strict recruitment and hiring policy which ensures that candidates for posts involving supervision or contact with children and vulnerable adults are properly vetted and appropriately qualified for the post.
- By taking appropriate steps to ensure that all organisations, coaches, entertainers etc., who are engaged by Council or use council facilities adhere to and are conversant with council's policy on child protection.
- By implementing a Code of Conduct for adults who may be co-users of facilities with children and vulnerable adults- this code will incorporate council's present code of practice in relation to use of mobile-phones in council facilities particularly where they have a camera facility- it will also incorporate our policy on photography.

## **Training in Child Protection and the Protection of Vulnerable Adults:**

- All staff to which this policy applies shall receive awareness training in child protection and the protection of vulnerable adults. This training will include familiarisation with the Child Protection Policy
- Training will include all full time, part time, seasonal and on call staff, student placements, volunteers, line managers, supervisors and policy makers.
- Training will be provided at two different levels:
  1. Level 1 – Introduction and Awareness
  2. Level 2 – Full Child Protection Training

For further details see **Appendix 1** – Training

## **Dealing with Complaints of Child Abuse.**

### **This consists of two elements:**

1. Allegations of Child Abuse made against a member of staff: [internal]
2. Cases where staff are concerned or suspect that a child has been abused or there is an allegation against another child [external]

# **RECRUITMENT AND SELECTION**

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

The recruitment of all posts in council is centralised in the Human Resources Section.

Applicants to all posts where there is access to children irrespective of the tenure of the post are required to complete an application which includes reference to:

- The terms and provisions of the Rehabilitation of Offenders [Exceptions] [Amendments] Order [NI] 1979 [as amended by the Rehabilitation of Offenders [NI] Order 1987.
- This provides that even spent convictions must be disclosed if the individual will be working with children and/or vulnerable adults. These provisions also allow employers to take into account these spent convictions when deciding whether to engage the applicant.
- Asks the applicant to list on the application form any convictions, cautions or any binding over.
- Asks the applicant to provide written consent for a POCVA check to be carried out.
- Points out that failure to provide such consent could result in a refusal of the application.
- Checks are only carried out after the applicant has been recommended for the post but prior to appointment to the post.
- Checks are only carried through the Nominated Officer to preserve confidentiality.

Where agency staff are employed in posts where there is child contact or the potential for child contact, Council **WILL** ensure that the agency will carry out the checks and will ensure the suitability of the staff provided.

# **Code of Behaviour on Child Protection for Council Staff**

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

### **INTRODUCTION:**

It is not possible to provide a definitive set of rules which will meet every contingency and every event that may arise when dealing with children and vulnerable adults.

Nevertheless there is a recognised minimum standard which should apply and which if adhered to will avoid many difficulties.

It should also be noted that this code is not only for the benefit of the safety of the child but is also designed for the protection of council staff.

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

### **STAFF MUST:**

- Implement the child protection policy at all times.

### **STAFF MUST NEVER:**

- Engage in rough physical games or enter into any form of horseplay with children or vulnerable adults.
- Allow inappropriate touching of any kind, nor engage in any form of inappropriate touching.
- Do things for a child that the child can do for itself, or that their parent or guardian can do for them.
- Physically restrain a child except in cases where the use of such force, as is reasonable\* in the circumstances, is required to prevent the child committing any offence or causing personal injury to, or damage to the property of, any person (including the child him/herself).
- Make sexually suggestive comments to or innuendo remarks to or within the earshot of children or in their presence.
- Have children, young people or vulnerable adults on their own in a vehicle.
- In extreme cases of emergency if a child or young person or vulnerable adult requires transportation in their vehicle, they must be accompanied by another member of staff in the vehicle. Where transportation is required and no member of staff is available to accompany the person, then the member of staff must contact an appropriate person immediately.
- Take a child to the toilet unless another adult is present or has been made aware.
- Spend time alone with a child on his or her own. A member of staff who finds themselves alone with a child should make sure that they can be clearly seen and observed by others.

\* See Appendix 7 for guidance on the use of reasonable force and restraint

**COUNCIL REGARDS BREACH OF ANY OF THE ABOVE AS A MATTER OF GROSS MISCONDUCT AND COULD LEAD TO DISCIPLINARY ACTION AGAINST THE MEMBER OF STAFF.**

## HOW TO REACT AND WHAT TO DO IN REPORTING SUSPECTED CHILD ABUSE

DO CODE	DON'T CODE
<p><b>STAY CALM</b></p> <p><b>LISTEN</b> AND HEAR GIVE THE PERSON TIME TO SAY WHAT THEY WANT TO SAY</p> <p><b>REASSURE</b> THEM THAT THEY HAVE DONE THE RIGHT THING IN TELLING YOU</p> <p><b>ONLY</b> QUESTION FOR CLARIFICATION</p> <p><b>EXPLAIN</b> WHAT WILL HAPPEN NEXT</p> <p><b>RECORD</b> IN WRITING WHAT WAS SAID AS SOON AS POSSIBLE</p> <p><b>REPORT</b> THE MATTER TO A DESIGNATED OFFICER / KEY WORKER</p> <p><b>RECORD</b> YOUR REPORT</p>	<p><b>PANIC</b></p> <p><b>ASK LEADING QUESTIONS</b> (QUESTIONS THAT INFLUENCE THE PERSON TO GIVE A PARTICULAR ANSWER)</p> <p><b>PROMISE</b> TO KEEP SECRETS</p> <p><b>ASK</b> FOR DETAILS OF WHAT HAPPENED</p> <p><b>MAKE THE CHILD REPEAT</b> THE STORY UNNECESSARILY</p> <p><b>MAKE</b> OR PASS JUDGEMENT ON ALLEGED ABUSER</p> <p><b>TAKE</b> SOLE RESPONSIBILITY</p>

**DESIGNATED OFFICER  
AND  
KEY WORKERS**

## **DESIGNATED OFFICER**

Council has a duty to report all incidents of child abuse or suspected child abuse to the appropriate authority. This in the case of Down District Council is the South Eastern Health and Social Care Trust.

As is appreciated these are highly sensitive issues which if not properly handled could cause harm or additional harm.

To this end council have appointed a Designated Officer for each Department who has overall responsibility for referring incidents to the appropriate authority.

### **Main Duties:**

To record disclosure of abuse made by a child to a member of staff.

To record staff suspicions of child abuse.

To seek advice from the relevant agencies and report if appropriate

To record all action taken and where appropriate give advice to the relevant line management. Detail of information provided will be on a need to know basis.

To make available a list of key workers who may substitute for the Designated Officer in his or her absence.

To ensure that all written records in relation to child protection issues are secured in a confidential and safe manner.

To establish contact with Child Protection Teams within the South Eastern Health and Social Care Trust if:

[a] an allegation of child abuse has been made against a member of staff; or;

[b] a member of staff has observed or has been made aware of alleged child abuse or suspects that a child has been abused either by a member of staff or an external person

Liaise with key workers.

Keep up to date with relevant Child Protection legislation, good practice and developments.

Meet at least twice a year to review the operation of the DDC Child protection Policies and Procedures

**AS THE ROLE DEVELOPS AND CHANGES - THE ROLE OF THE DESIGNATED OFFICER MAY CHANGE.**

## **DUTIES OF THE KEY WORKER.**

Key Workers have been appointed by Council across all Departments. All staff will be made aware of the key worker in their area of work.

The role of the key worker will be to:

- Act as the first point of contact for members of staff who have concerns or are witnesses to or have been informed of an incident of child abuse
- Assist in the gathering of information from staff concerned regarding incidents of alleged abuse.
- Be instrumental in any decision to refer the matter to South Eastern Health and Social Care Trust and PSNI.
- Pass all information to the Designated Officer for referral.
- In the absence of the Designated Officer the Key Worker will act as the referring agent.
- To pass all copies of all incidents to the designated officer for secure filing.

Key Workers will also be expected to:

- Keep up to date with relevant Child Protection legislation, good practice and developments.
- Liaise with the Designated Officer to ensure the ongoing implementation and review of the Council's Child Protection Policy and Procedures

# **PROCEDURES FOR DEALING WITH ALLEGATIONS OF CHILD ABUSE**

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

These procedures are of paramount importance and it is imperative that all members of staff should adhere to them in all circumstances.

If a member of staff should have any concerns or doubts they should refer the matter immediately to either the Key Worker for your section or department or the Designated Officer.

This point cannot be emphasised enough.

These matters involve very serious allegations and should be treated as matters of grave concern and with utmost confidentiality.

### **Introduction**

Allegations of child abuse arise in a number of circumstances:

[a] An allegation of abuse made by the alleged abused to a member of staff concerning another member of staff.

[b] An allegation of abuse made by the alleged abused to a member of staff concerning some other person who is not a member of staff but who may be a family member or another user.

[c] A member of staff suspects that a child has been subjected to abuse from another member of staff.

[d] A member of staff suspects that a child has been subjected to abuse from some other person who is not a member of staff.

Whilst these scenarios provide differing problems they should all be dealt with in the same fundamental way;

## **PRIMARY RULES:**

ALL allegations should be dealt with in a sensitive way.

ALL allegations should be afforded the utmost confidence and discretion-the detail and existence of the allegations should not go beyond those concerned.

ALL records, notes and memoranda of allegations should be maintained safely and securely.

ALL allegations are of grave concern to the child or vulnerable person, to the members of staff involved and to the Council and should be treated as such.

WHERE allegations are made or emanate from a child or vulnerable person they should be treated as being authentic and **MUST** be reported following the appropriate procedure.

Under no circumstances should allegations of this nature be treated as otherwise.

Allegations may well prove to be fictitious, erroneous or misconceived after investigation but members of staff should not make that decision.

## **THE PRIMARY RULE IS REPORT AND REPORT IMMEDIATELY.**

### **Reporting.**

All allegations and suspicions should be recorded and should be reported **immediately** to the **Key Worker**; unless the key worker is involved then the report should be made to the **Designated Officer**.

The Designated Officer should then report the matter to the **Children's Service Downpatrick** and Down Council Human Resources.

**This action puts the matter into the domain of the experts and the proper bodies to conduct further investigation.**

Just as **Reporting** is a primary rule of equal importance is **Recording.**

## **Recording**

Where an incident has been reported to a member of staff, or has been witnessed by a member of staff, full details of the incident should be meticulously recorded.

The recorder should only record facts. The recorder should not record opinion or be interpretive of the facts.

The record should be made immediately or as soon as is practicable after the event.

There should be no discussion with anyone other than the appropriate Key Worker or Designated Officer.

## **Suspected Abuse of a Child or Vulnerable Adult.**

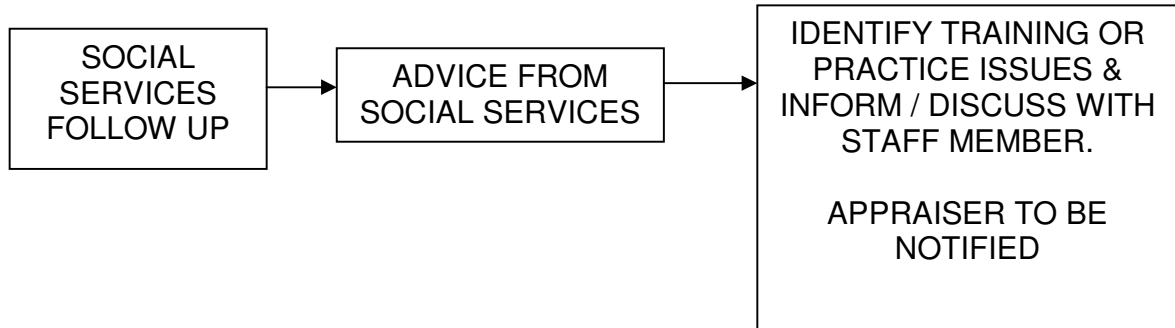
Where a member of staff suspects through his or her own observations that a child or vulnerable person has been subjected to child abuse they should take immediate action by reporting the matter to a Key Worker or Designated Officer.

If the matter has been reported to the Key Worker he / she should then discuss the matter with the member of staff.

The Key Worker should then inform the Designated Officer who should inform the Children's Services Downpatrick and the PSNI.

As part of their training staff will be aware of key signs to look for both physical and psychological and should be able to identify poor practice in relation to possible abuse.

**Staff should report all cases or instances were they reasonably believe that there has been an instance of child abuse.**



## **INTERNAL ISSUES**

Once the matter has been reported to the proper authorities Council must still deal with the matter internally particularly where the incident concerns a member of Council Staff or where it has occurred on Council property.

Where the allegations involve an allegation made by a child or vulnerable adult against a member of staff or where the allegation involves a situation where a member of staff has reasonable suspicion, that another member of staff is responsible for acts of abuse, then Council must investigate and should do so in accord with the normal disciplinary rules and procedures.

Where the allegations involve an external person and the incident has occurred on Council property, or in a situation under Council's care and control- Council should initiate an investigation.

The focus of this investigation should be to ensure that Council's procedures and rules for protecting the child or vulnerable adults has not been compromised, and to ensure that Council has done all that is reasonable to protect the child or vulnerable person under its common law duty of care and the Occupier's Liability Act [NI] 1957.

**Investigation:**

Where an allegation has been made against a member of staff- and the external process has been triggered an internal investigation then becomes a sensitive issue.

Any investigation should be conducted through Human Resources who should carry out a preliminary investigation.

This should not be done until the employee has been spoken to and has made his/her statement to the PSNI and/ or South Eastern Health and Social Care Trust.

If there has been a formal interview and formal charge then Council should suspend the member of staff with pay pending Council's own internal investigation.

Council should then conduct its own investigation and follow its own procedures.

Council is concerned with the issue of a breach of contract and not the criminal investigation.

It is not essential for a criminal conviction to be found for a breach of contract to be established and a possible dismissal for gross misconduct to follow.

To this end council should follow its normal disciplinary procedures and members of staff to adhere to the principles and procedures set out in this document.

If a member of staff has a concern or is in doubt they should always consult the key worker with their concerns or doubts, unless those concerns and doubts involve the key worker when resort should be made to the Designated Officer.

**CODE OF CONDUCT FOR USERS OF FACILITIES  
IN DOWN DISTRICT COUNCIL**

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

The use of arts, cultural, recreational and leisure facilities brings members of the public, including children and vulnerable adults into contact with each other. In areas such as swimming pools, concert halls, changing rooms or where there are concerts or other activities where there is contact between adult users and children and vulnerable adults sharing the same facility.

These areas present the opportunity in which acts of abuse to children and vulnerable adults may take place through selecting targets, grooming children; etc, and vigilance is required.

Furthermore in these circumstances where people come together in social interaction situations are created in which there may well be accidental or innocent incidents involving members of the public, sharing the facility with children and vulnerable adults, which could be interpreted erroneously as acts of abuse.

To this end it is vital that there be in place a set of rules to guide members of the public when sharing facilities with children and vulnerable adults; raising their awareness of safeguarding issues and the standard of behaviour which Council expects of them towards children and vulnerable adults in such circumstances. Such a code presents staff with guidance as to what is acceptable and what is unacceptable behaviour in Council facilities and allows them to deal more effectively with instances of poor or bad behaviour on the part of members of the public when the need arises.

### **Council has adopted the following Code of Conduct for Users:**

This Code will be displayed in all Council facilities and will be enforced by all members of staff.

These facilities have been created or provided for the use and / enjoyment of all residents of and visitors to Down District.

Down District Council anticipates and expects all users to have maximum enjoyment of these facilities. In order to do so it is necessary that all users have mutual respect for their fellow users and the staff who are there to assist them in their use.

To this end all Members of the public using these facilities must be made aware of the following:

At all times you should be aware of the presence of children and vulnerable adults and we would ask that you adhere to the following basic rules for the safety and enjoyment of all users of our facilities:

At no time will Council permit without consent photography on its premises.

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

Consent in this instance means not only the consent of Council but also parental consent being obtained.

At no time will Council permit without authority or consent the use of mobile phones in its recreation or leisure facilities particularly those phones and devices which have a photographic facility.

At all times we would ask adult users to act with proper decorum in dressing rooms, toilets etc.

At all times we would ask adult users to refrain from using vulgar or abusive language or language of a sexual nature including innuendo whilst in the presence of or within earshot of children.

Adult users should also refrain from horseplay with children or other adults whilst using council facilities.

We would ask that adults should not engage in horseplay particularly with children or vulnerable adults whilst using council facilities.

**\*\*\* Any person contravening this code will be asked to leave the premises or facility and may be refused admission on future occasions. \*\*\***

## Appendix 1

# Training

### Aim

To increase awareness of child protection issues to include the identification or indications of child abuse.

To increase staff awareness in terms of their own protection from false or erroneous allegations.

To ensure that **All Staff [including volunteers]** are aware of the reporting procedures and the necessity of adhering to those procedures.

All training should be reviewed annually and when required by changes in the law of accepted or recommended practice and additional or re-training provided.

Level one training should be reviewed every three years after initial or introduction training or when required by changes in the law or by changes in accepted or recommended training.

### **TRAINING WILL BE PROVIDED BY COUNCIL AT TWO DIFFERENT LEVELS:**

#### **LEVEL ONE – Introduction and Awareness**

Staff who have general contact with children, vulnerable adults and the public the extent of the training will be:

- Awareness of child abuse- including what is abuse and who is likely to abuse.
- Codes of Behaviour for staff, child and parents
- Categories of Abuse – Physical, Emotional, Sexual, Neglect and Bullying
- Familiarisation with Child Protection Policy
- Disclosure
- Policy and Reporting Procedures
- Contact telephone numbers
- Reporting forms

**LEVEL TWO – Full Child Protection Training**

Staff who work directly with children and may be in a position of unsupervised access and who may be involved in the selection and recruitment of staff / volunteers etc:

- Awareness Training
- Codes of Behaviour for staff, child and parents
- Disability Awareness and dealing with those with a disability
- Identification Training
- Policy and Procedures
- Reporting forms
- Recruitment Training
- Supervision and Support Training
- Contact telephone numbers

## **Appendix 2**

### **Clubs And Organisations Using Council Facilities**

All clubs, organisations, individual tutors or their Governing Bodies that use Council facilities or services, must have an acceptable Child Protection Policy in place.

As a minimum requirement, all such clubs and organisations must accept and apply the standard of care outlined within this Policy. A copy of the Policy will be made available on request.

## Appendix 3

### Adult / Child Ratios – Council Run Children’s Activities

#### Child Supervision Levels at Children's Activities

The number of children registered for and able to participate in Council run activities depends on spaces, numbers of staff and volunteers available. Where other related guidelines and governing body recommendations exist Council staff will adhere to these guidelines and illustrate by risk assessment that controls are in place and implemented.

#### Minimum Supervision Levels

**Age 3 - 4 years** - Maximum of 8 children per adult and a minimum of 2 adults, preferably 1 of each gender in the facility

**Age 5 - 7 years (centre based)** - Maximum of 10 children per adult and a minimum of 2 adults, preferably 1 of each gender in the facility

**Age 5 - 7 years (away trips)** Maximum of 10 children per adult and a minimum of 2 adults, preferably 1 of each gender in the facility

**Age over 8 years (centre based)** - 1 adult per 20 children and a minimum of 2 adults, preferably 1 of each gender in the facility

**Age over 8 years (away trips)** -1 adult per 15 children and a minimum of 2 adults, preferably 1 of each gender

Where there are insufficient staff/volunteers to meet ratio requirements, activities/trips may be cancelled or numbers restricted.

It is recommended that no journey / visit should be undertaken without a minimum of two adults in attendance, one of whom must be an employee.

It should be the aim to ensure that no adult is in a one to one situation with a child. Where an adult is on their own with a group another adult must be readily available e.g. caretaker, supervisor or manager

The group leader has received appropriate training

The ratio of staff and volunteers to children with disabilities should be assessed on an individual ‘case-by-case’ basis after discussion with the child’s carers in relation to their abilities and individual needs.

Where there is a mix of females and males in a group it is recommended that there is a gender mix of supervisors or a gender mix is readily available.

## Appendix 4

### Incident Report Form For Allegations or Suspicions of Abuse

REF: DDC – C/AB1

Number: \_\_\_\_\_ (to be sequentially numbered)

Facility / Location: \_\_\_\_\_

Area Where Incident is Reported to Have Occurred: \_\_\_\_\_

If Possible / Appropriate Draw An Outline Map of Location on A separate Page

Time of Incident: \_\_\_\_\_ Date: \_\_\_\_\_ Time Reported: \_\_\_\_\_

Child / Vulnerable Adult First Name: \_\_\_\_\_ Second Name: \_\_\_\_\_

Age: \_\_\_\_\_ Male / Female \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Parents / Guardians First Name: \_\_\_\_\_ Second Name: \_\_\_\_\_

Address (if different from address above):  
\_\_\_\_\_  
\_\_\_\_\_

Post Code: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Have they been contacted: Y / N Date: \_\_\_\_\_

**Contact Details Of Other Adults if Accompanying Child / Vulnerable Adult**

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Post Code:** \_\_\_\_\_

**Home Telephone:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**Childs Account of Incident**  
(Continue on Additional Sheet if Necessary)

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**Details of person allegedly causing concern to the child:**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Witness(es)**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Witness Statement(s) :** \_\_\_\_\_  
(Continue in Additional Sheet if Necessary)

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**Any Other Information:** \_\_\_\_\_  
(Continue on Additional Sheet if Necessary)

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DDC –CHILD PROTECTION POLICIES AND PROCEDURES

**Action Taken By Officer In Charge:** \_\_\_\_\_

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**Staff Attending The Incident:**

**Names:** \_\_\_\_\_

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**Signed:** \_\_\_\_\_

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**Report Completed By**

**Name:** \_\_\_\_\_ **Job Title:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Forwarded to Designated Child Protection Officer on Date:** \_\_\_\_\_

<p><b>Designated Officers Report</b></p> <p><b>Date of Notification:</b> _____</p> <p><b>Action Recommended:</b></p>    <p><b>Referred to ( Social Services, Other) _____</b></p> <hr/> <p><b>On Date:</b></p>
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## Appendix 5

Down District Council Designated Officers

\_\_\_\_\_ Corporate Services

\_\_\_\_\_ Cultural & Economic Development

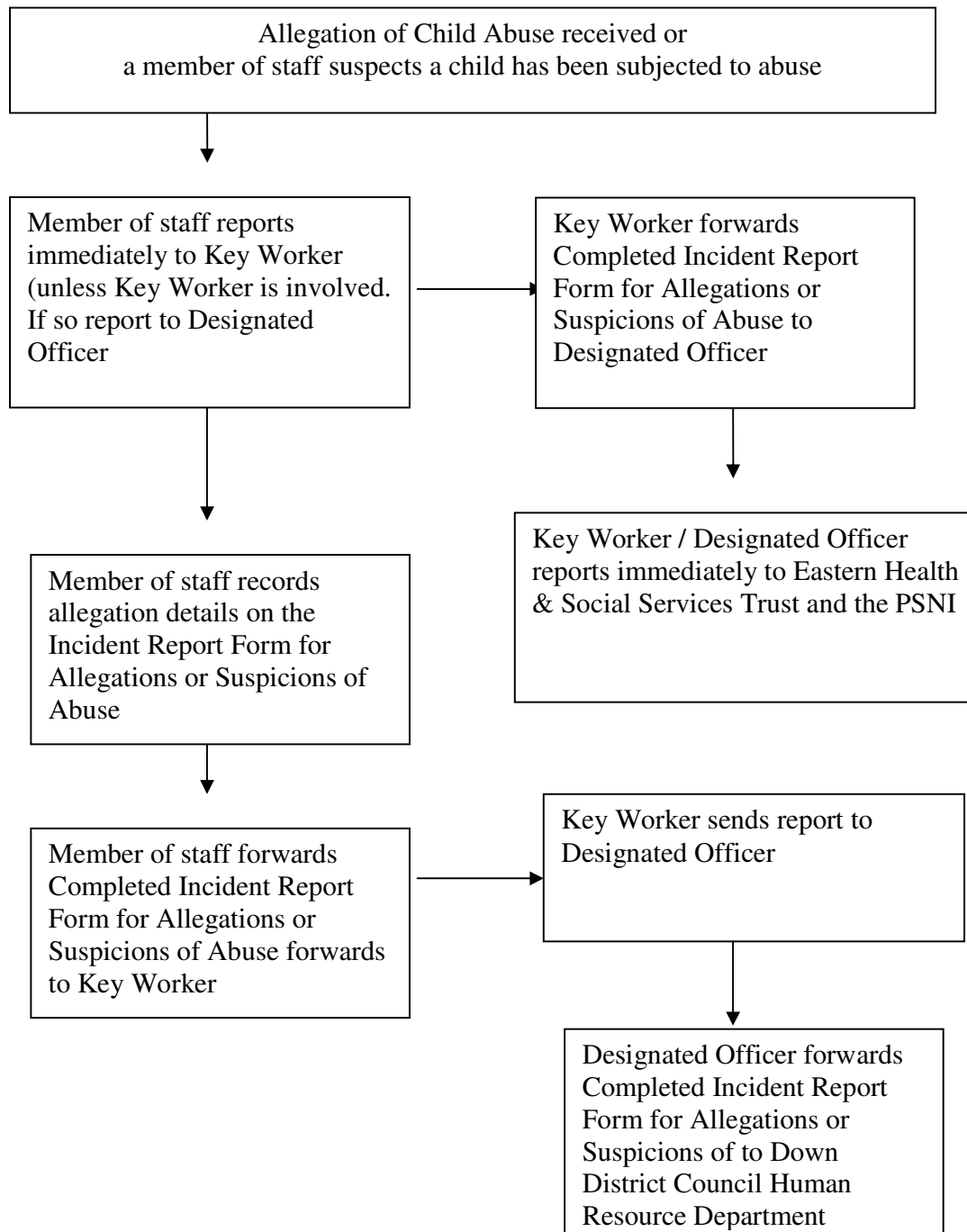
\_\_\_\_\_ Environmental Services

\_\_\_\_\_ Recreation

\_\_\_\_\_ Building Control

## Appendix 6

### Allegation of Child Abuse Report Flow Chart



## Appendix 7

The following is guidance for staff on the use of reasonable force and restraint and is not deemed to be an exhaustive list of definitions or situations.

### **1. Definition of Reasonable Force:**

The working definition of “reasonable force” is the minimum force necessary to prevent a child from physically harming him/herself or others or seriously damaging property, but used in a manner which attempts to preserve the dignity of all concerned. The use of reasonable force will always depend on the circumstances of the case and staff should take the following into consideration:

- whether it is reasonable to use force and the degree of force that could reasonably be employed, given inter alia the age, sex, physical strength, size, understanding and any known medical conditions of the child.
- the use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant the use of physical force. Therefore physical force could not be justified to prevent a child from committing a trivial misdemeanour, or in a situation that clearly could be resolved without force.
- the degree of force employed should be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. Any force used should always be the minimum needed to defuse the situation.

### **2. Use and Forms of Reasonable Force**

**(a)** When might it be appropriate to use reasonable force?

Reasonable force should be limited to emergency situations and used only as a last resort in situations where:

- A child attacks a member of staff or another child.
- Children are fighting.
- A child is causing, or at risk of causing, injury or damage by accident, by rough play, or by misuse of dangerous materials, substances or objects;
- A child is running in an area or on a stairway in which he/she might cause an accident likely to injure him/herself or others.

**(b)** Physical intervention in these circumstances may take several forms eg:

- physically interposing between children;
- blocking a child’s path;
- holding;

## DDC –CHILD PROTECTION POLICIES AND PROCEDURES

- leading a child by the hand or arm;
- shepherding a child away by placing a hand in the centre of the back; or
- (in extreme circumstances) using more restrictive holds.

**(c)** The law strictly prohibits the use of force, which constitutes the giving of corporal punishment. The use of force as a punishment or to intentionally cause pain, injury or humiliation, such as the examples below, (which are not exhaustive) should not be permitted under any circumstances;

- holding around the neck;
- any hold that might restrict breathing;
- kicking, slapping or punching;
- forcing limbs against joints;
- tripping;
- holding by the hair; and
- holding the pupil face down on the ground.

**(d)** When used, physical intervention should avert danger by preventing or deflecting a child's action or perhaps by removing a physical object which could be used to harm him/herself or others. It should, at all times, be carefully applied and may be eased by degrees as the child calms down in response to the physical contact. The child should be advised throughout that physical intervention will cease when he/she calms down.

**(e)** The use of restraint is only likely to be needed in exceptional circumstances if a child appears to be unable to exercise self-control of emotions and behaviour and is presenting a threat to him/herself or others. The use of reasonable force should involve calm and measured approach by staff at all times.

**(f)** There may be times when members of staff should not intervene in an incident without help. Assistance should be sought when dealing, for example, with:

- an older child;
- a physically large child;
- more than one child;
- when the staff member believes that he/she may be at risk of injury.

In those circumstances where the member of staff has decided that it is not appropriate to restrain the child without, he/she should:

- remove other children who might be at risk;
- summon assistance from colleagues;
- where necessary, contact the police;
- inform the child/children that help will be arriving; and
- continue to attempt to defuse the situation orally, and try to prevent the incident from escalating

### **3. Record Keeping**

**3.1** All incidents involving the use of reasonable force should be recorded in a detailed, contemporaneous written report in accordance with Council procedures. Such records may be required for future reference. Immediately following any such incident the member of staff concerned should inform the senior member of staff and provide a written report.

**3.2** Staff should keep their own copy of written report.

### **4. Complaints**

**4.1** If an incident occurs in a Council facility involving the use of reasonable force by a member of staff, the procedures governing such incidents should be followed.

**4.2** In the event of a subsequent complaint made against a member of staff either by or on behalf of the child, this should be dealt with in accordance with the Council's complaints procedures. A dispute about the use of force by a member of staff might lead to an investigation either under disciplinary procedures, or by the police and Social Services Department under child protection procedures.

**4.3** Staff who themselves are subject to physical violence or assault should be supported, as appropriate, in taking any necessary action against an assailant.

### **5. Training and Development**

**5.1** Although it is anticipated that incidences involving the use of reasonable force or physical intervention will be infrequent, all staff members should be made aware of the issues relating to the use of reasonable force and physical intervention as well as procedures and practices relating to the Council's child protection procedures. As part of the Council's training and development policy, all staff should receive appropriate training in the use of preventative strategies and approaches for managing difficult situations when they arise.

### **6. Complaints in Relation to the user of Reasonable Force.**

**6.1** Involving parents when an incident occurs with their child, and having a clear policy about the use of reasonable force that staff adhere to, should help to avoid complaints from parents/guardians. It will not, however, prevent all complaints, and any complaint from a parent/guardian about the use of reasonable force on his/her child should be dealt with in accordance with the Council's existing procedures.

**6.2** The possibility that a complaint might result in a disciplinary hearing or a criminal prosecution, or in a civil action brought by a child or parent/guardian, cannot be ruled out. In these circumstances it would be for the disciplinary panel or the court to decide whether the use and degree of force was reasonable in all the circumstances. In doing so, the disciplinary panel or court would have regard to the Council's policy on the use of reasonable force, whether that had been followed, and the need to prevent injury, damage, or disruption, in considering all the circumstances of the case.

## Appendix 8

### Contact Numbers

Children’s Services Downpatrick	(028) 4461 3522
Emergency Out of Hours	(028) 9056 5444
Police Service Northern Ireland	0845 600 8000
Police Emergency	999
South Eastern Health & Social Care Trust	(028) 9266 9111
Child Line	0800 1111
NSPCC	0808 800 5000
Child Protection in Sport Unit	(028) 9035 1135