Child Protection Policy (Scotland)

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Remember it is everyone's responsibility to tell someone if you have concerns that a child is being harmed or is at risk of harm.

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1. Introduction

This Child Protection policy refers to the processes and practices that need to be followed when it is believed that a child has been harmed or is at risk of harm. Please note that harm does not need to have occurred. It is sufficient that the child is at risk of harm. Staff need to know what action to take in such circumstances. The Scottish Government is responsible for child protection in Scotland by providing policy, legislation, and statutory guidance on how child protection measures should operate. Child Protection Committees (CPC's) are responsible for multi-agency child protection policy, procedure, guidance, and practice. They work with local agencies, such as children's social work, health services and the police to protect children.

2. Who is a child?

In Scotland, a child legally becomes an adult when they turn 16, but statutory guidance which supports the Children and Young People (Scotland) Act 2014 includes children/young people up to the age of 18. Where concerns are raised about a 16- or 17-year-old, agencies may need to refer to the Adult Support and Protection (Scotland) Act 2007, depending on the situation of the child/young person at risk. Section 21 of the National Guidance for child protection in Scotland (2023) explains how professionals should act to protect children/young people from harm in different circumstances.

3. Children's rights

The United Nations Convention on the Rights of the Child (UNCRC) 1989 sets out the wider basic human rights of children/young people everywhere, without discrimination. Children/young people have the right to:

- Survival.
- develop to the fullest.
- protection from abuse, neglect, and exploitation.
- be treated as an individual.
- have their views heard and taken into account.
- participate fully in family, cultural, and social life.
- any intervention by a public authority should be properly justified and should be supported by services working in collaboration.

It is good practice for staff to be aware of the United Nations Convention on the Rights of the Child (UNCRC) and for children to have opportunities to learn about their rights under the Convention. A commitment to children's rights is a common theme throughout residential childcare. Pebbles Care has a duty to ensure that the views, wishes and feelings of children, sit at the heart of all we do in line with 'The Promise.' Children learning about their rights also learn that others have rights too – and that they must not treat others in a way that infringes upon their rights. This is a healthy educative process. The European Convention on Human Rights is incorporated by the Human Rights Act 1998 and the Scotland Act 1998. This includes:

- Article 3 – freedom from torture and inhuman or degrading treatment
- Article 8 – people's right to respect for their private and family life, home, and correspondence.

Education professionals must balance the rights of children and the rights of parents regarding Article 8. The role of public services must be concerned with measures to protect children where children's right to health and moral protection is not met by parents or where parents need support in this role. Treatment concerning children/young people should respect children's dignity.

4. Children's wellbeing

The Children and Young People (Scotland) Act 2014 is committed to improving the wellbeing of children/young people in Scotland. The Act is wide-ranging and includes key parts of the Getting It Right For Every Child approach, commonly known as GIRFEC. Wellbeing sits at the heart of the GIRFEC approach and reflects the need to tailor the support and help that children/young people and their parents are offered to support their sense of wellbeing. Guidance which supports the Children and Young People (Scotland) Act 2014 includes all children and young people up to eighteen years of age. A child/young person's wellbeing is influenced by everything around them and the different experiences and needs they have at different times in their lives. Every child/young person has the right to be, and feel, safe and protected from any avoidable situation or acts of commission or omission by others that might affect their wellbeing. Such as:

- being physically, sexually, or emotionally harmed in any way.
- being put at risk of physical, sexual, or emotional harm, abuse, or exploitation.
- having their basic needs neglected or experiencing that their needs are met in ways that are not appropriate to their age and stage of development.
- being denied the sustained support and care necessary for them to thrive and develop normally.
- being denied access to appropriate medical care and treatment.
- being exposed to demands and expectations which are inappropriate to their age and stage of development.

Being safe is also about having a positive state of mind. Children and young people should be helped to develop the knowledge and skills that will enable them to keep themselves safe in situations at home, at school or in the community. Being safe means that children and young people feel secure and protected within trusted relationships where adults are not only acting in their best interests but also listening to them and taking account of their views, preferences, and feelings.

5. What is Abuse?

Abuse and neglect are forms of maltreatment of a child/young person. Somebody may abuse or neglect a child/young person by inflicting harm, or by failing to act to prevent harm. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children/young people 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/young person or children/young people. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol and drug use.

Neglect consists in persistent failure to meet a child's basic physical and/or psychological needs, which is likely to result in the serious impairment of the child's health or development.

6. What is child protection?

Child protection refers to the processes involved in consideration, assessment, and planning of required action, together with the actions themselves, where there are concerns that a child may be at risk of harm. Child protection guidance provides overall direction for agencies and professional disciplines where there are concerns that a child may be at risk of harm. Child protection procedures (as described in Part 3) are initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of significant harm.

7. Definitions of Abuse

National Guidance for Child Protection in Scotland 2021 – updated 2023

8. Physical Abuse

Physical abuse is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after. There may be some variation in family, community, or cultural attitudes to parenting, for example, in relation to reasonable discipline. Cultural sensitivity must not deflect practitioners from a focus on a child's essential needs for care and protection from harm, or a focus on the need of a family for support to reduce stress and associated risk. Signs that may indicate physical abuse include:

- bruising in or around the mouth, on the back, buttocks, or rectal area.
- finger mark bruising or grasp marks on the limbs or chest of a small child
- bites.
- burn and scald marks.
- large numbers of scars of different sizes or ages.
- fractures to arms, legs, or ribs in a small child - Fractures should be suspected if there is pain, swelling or discolouration over a bone or joint. The most common non-accidental fractures involve long bones.

9. Emotional abuse

Emotional abuse is persistent emotional ill treatment that has severe and persistent adverse effects on a child's emotional development. 'Persistent' means there is a continuous or intermittent pattern which has caused, or is likely to cause, significant harm. Emotional abuse is present to some extent in all types of ill treatment of a child, but it can also occur independently of other forms of abuse. It may involve:

• conveying to a child that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person

• exploitation or corruption of a child, or imposition of demands inappropriate for their age or stage of development

• repeated silencing, ridiculing, or intimidation

• demands that so exceed a child's capability that they may be harmful

• extreme overprotection, such that a child is harmed by prevention of learning, exploration, and social development

• seeing or hearing the abuse of another (in accordance with the Domestic Abuse (Scotland) Act 2018) National Guidance for Child Protection in Scotland 2021 - updated 2023 Part 1: The context for child protection 13 Version 2.0, August 2023.

Signs that may indicate emotional abuse include:

- excessively clingy or attention-seeking behaviour
- very low self-esteem or excessive self-criticism
- excessively withdrawn behaviour or fearfulness; a 'frozen watchfulness'
- despondency
- lack of appropriate boundaries with strangers
- eating disorders

10. Sexual abuse

Child sexual abuse (CSA) is an act that involves a child under 16 years of age in any activity for the sexual gratification of another person, whether, or not, it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether, or not, the child is aware of what is happening. For those who may be victims of sexual offences aged 16-17, child protection procedures should be considered. These procedures must be applied when there is concern about the sexual exploitation or trafficking of a child. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or in the production of indecent images, in watching sexual activities, using sexual language towards a child, or encouraging children to behave in sexually inappropriate ways. Signs of sexual abuse may include:

- Injuries in the genital area.
- Infections or abnormal discharge in the genital area.
- Excessive sexual awareness or knowledge of sexual matters which is inappropriate for the child's age.
- Acting in a sexually explicit manner.
- Other signs and symptoms.
- Sudden changes in behaviour or school avoidance.
- Displays of affection in a sexual manner which are inappropriate to the child's age.
- Tendency to cling or need constant reassurance.

- Tendency to cry easily.
- Regression to younger behaviour.
- Complaints of genital itching or pain.
- Bleeding or swelling in the genital area.
- Distrust of a familiar adult.
- Unexplained gifts of money.
- Depression and withdrawal.
- Secrecy.
- Wetting, day, or night.
- Sleep disturbances or nightmares.

11. Child Sexual Exploitation (CSE)

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a person under 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact. It can also occur through use of technology. Children who are trafficked across borders or within the UK may be at particular risk of sexual abuse.

12. Child Criminal Exploitation (CCE)

Criminal exploitation refers to the action of an individual or group using an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator. Violence or the threat of violence may feature. The victim may have been criminally exploited, even if the activity appears consensual. Child Criminal Exploitation may involve physical contact and may also occur using technology. It may involve gangs and organised criminal networks. Sale of illegal drugs may be a feature. Children and vulnerable adults may be exploited to move and store drugs and money. Coercion, intimidation, violence (including sexual violence) and weapons may be involved.

13. Child Trafficking

Child trafficking involves the recruitment, transportation, transfer, harbouring or receipt, exchange, or transfer of control of a child under the age of 18 years for the purposes of exploitation. Transfer or movement can be within an area and does not have to be across borders. Examples of and reasons for trafficking can include sexual, criminal, and financial exploitation, forced labour, removal of organs, illegal adoption, and forced or illegal marriage.

14. Female genital mutilation

This extreme form of physical, sexual, and emotional assault upon girls and women involves partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Such procedures are usually conducted on children and are a criminal offence in Scotland. FGM can be fatal and is associated with long-term physical and emotional harm.

15. Forced marriage.

A forced marriage is a marriage conducted without the full and free consent of both parties and where duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional abuse. Forced marriage is both a child protection and adult protection matter. Child protection processes will be considered up to the age of 18. Forced marriage may be a risk alongside other forms of so called 'honour-based' abuse (HBA). HBA includes practices used to control behaviour within families, communities, or other social groups, to protect perceived cultural and religious beliefs and/or 'honour.'

16. Extremism and radicalisation

Extremism and radicalisation may also fall under the definition of child protection. Children under 16 years of age have been recruited to join extremist/terrorist groups. Many of the vulnerabilities that can lead to a child being groomed for exploitation can also, in some circumstances, lead to a child being groomed for extremism and terrorism. Indicators of vulnerability include:

More critical risk factors could include:

- being in contact with extremist recruiters.
- accessing violent extremist websites, especially those with a social networking element.
- possessing or accessing violent extremist literature.
- using extremist narratives and a global ideology to explain personal disadvantage.
- justifying the use of violence to solve societal issues.
- joining or seeking to join extremist organisations.
- significant changes to appearance or behaviour.
- experiencing a high level of social isolation resulting in issues of identity crisis or personal crisis.

17. Definition of Neglect

National Guidance for Child Protection in Scotland 2021 – updated 2023

There can be single instances of neglectful behaviour that cause significant harm. Neglect can arise in the context of systemic stresses such as poverty and is an indicator of both support and protection needs. 'Persistent' means there is a pattern which may be continuous or intermittent which has caused or is likely to cause significant harm. However, single instances of neglectful behaviour by a person in a position of responsibility can be significantly harmful. Early signs of neglect indicate the

need for support to prevent harm. GIRFEC SHANARRI indicators set out the essential wellbeing needs. Neglect of any or all of these can impact on healthy development. 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); to protect a child from physical and emotional harm or danger; to ensure adequate supervision (including the use of inadequate caregivers); to seek consistent access to appropriate medical care or treatment; to ensure the child receives education; or to respond to a child's essential emotional needs. Faltering growth refers to an inability to reach normal weight and growth or development milestones in the absence of medically discernible physical and genetic reasons. This condition requires further assessment and may be associated with chronic neglect. Malnutrition, lack of nurturing and lack of stimulation can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. For very young children the impact could quickly become life-threatening. Chronic physical and emotional neglect may also have a significant impact on teenagers.

18. Harm and significant harm

It is important for all staff to realise that it is sufficient for the risk of harm to be present for child protection measures to be triggered, even though actual harm may not have occurred. In all cases of harm, the extent to which the harm is 'significant' needs to be part of a multi-agency discussion. For additional information on 'harm', 'significant harm' and definitions of significant harm as a concept, please see page 13, The National Guidance for Child Protection in Scotland 2021 – updated 2023.

Risk is a part of everyday life and can be positive as well as negative. In the context of this policy, risk is the likelihood or probability of a particular outcome given the presence of adverse factors in a child's life. Children/young people may be harmed by abuse or neglect, either suddenly or over a longer period. Children/young people may be harmed by adult members of the family, siblings, carers, adult friends, teachers, youth leaders, other children/young people, or strangers.

Residential childcare workers can notice the more subtle signs which may be indicative of abuse and may present as lower-level concerns which develop into patterns over time. Factors which increase children and children/young people's vulnerability include:

- domestic violence.
- unstable parental relationships.
- parental misuse of drugs or alcohol.
- parental mental illness.

Staff should be aware of signs and indicators of abuse and neglect, such as:

- physical injury caused by others.
- physical punishment by blows to the head, shaking or punishment using an implement.
- sexual abuse or organised abuse such as prostitution or ritual abuse.
- failure to thrive, even though they have no specific medical condition.
- emotional abuse.

- physical neglect.
- being emotionally or physically affected by parental drug or alcohol abuse.
- racial abuse.
- being forced to accept cultural practices such as circumcision or forced marriage.

Staff should be able to judge when children's and children/young people's behaviour puts them at risk, or when their behaviour may be a response to the trauma of abuse or neglect, such as:

- inappropriate use of computers or social media.
- ill-judged relationships.
- inappropriate social behaviour such as bullying.
- misuse of drugs or alcohol.
- sexually explicit language or behaviour.
- eating disorders.
- self-harming.
- running away.

Staff should also recognise that children with additional support needs or complex disabilities are more vulnerable to abuse for many reasons, including:

- inability to recognise inappropriate behaviours.
- reduced opportunities for socialisation.
- increased experiences of intimate care, sometimes from multiple carers.
- impaired communication skills.
- low self-esteem and self-image.
- increased family stresses.
- hesitancy to report concerns due to no obvious alternative supports.

19. Responding to concerns, disclosures, and allegations

Concerns regarding children/young people are likely to emerge in one or more of the following ways:

- the child/young person discloses abuse.
- a member of staff observes an injury which may be indicative of abuse.
- sustained concerns about the presentation or behaviour of a child which may be indicative of abuse.

- the home is contacted by another agency as part of a child protection inquiry or investigation.
- a parent, friend of the child or member of the public, may express concern or make an allegation of child abuse.

Children/young people often take time to seek out and test adults to whom they wish to disclose abuse. Disclosure is more often a process than an event. Whoever receives the information from the child/other should:

- listen carefully.
- let the child/young person tell their story.
- reassure the child/person.
- explain that they will have to share the information with the Designated Child Protection Lead (DCPL).
- inform the Designated Child Protection Lead.

Whoever receives the information from the child/young person, must not:

- promise to keep secrets/guarantee confidentiality.
- express their views on the matter.
- interview the child or inquire into details – this is the responsibility of social work or police as the investigating agencies who are trained in investigative interviewing of children.

Staff may experience strong emotions if they come across signs of children/young people being harmed. Managers must ensure that any disclosure is communicated to the child or young person's social worker. Staff, in the first instance must notify a manager or the Designated Child Protection Lead who will advise as to which other agencies need to be notified. It is the duty of social worker to investigate matters of concern in relation to child protection concerns; contextual or otherwise for young people from their area who are looked after away from home. The social worker will decide if a child protection investigation is required, as part of a multi- agency approach.

Please Note: Your primary responsibility before taking any other action is to ensure the safety of the child.

20. Recording and reporting

Where a child has made a disclosure, a written factual record, using the child/young person's words, should be made. Where no disclosure has been made, but a member of staff has concerns regarding the welfare or wellbeing of a child/young person, they should create a written account of such concerns using the home's Child Protection Notification form on ACCESS. This will ensure information from members of staff is logged and collated, so that essential information is not

overlooked. Copies of the concern/report form will be stored to allow updates as required. Records should be dated and signed, with the name of the signatory printed and signed.

Recorded child protection concerns should be passed to the Designated Child Protection Lead as soon as possible and in any case within twenty hours. In some cases, it may be necessary to pass concerns verbally to the Designated Child Protection Lead and follow it up in writing soon after. Concerns that appear initially to be trivial may turn out to be vital pieces of information, so it is important to give as much detail as possible. The Designated Child Protection Officer will make a professional judgment about what action needs to be taken. The incident report should include:

- date of the incident.
- date and time of the record being made.
- name and date of birth of the child/young person concerned.
- a factual account of what happened, and the location where the incident took place.
- a note of any other people involved.
- action taken and any future.
- details of any other agencies informed.
- printed name, job role and signature of the person making the record.

In the case of a disclosure, the record should also include:

- as full account as possible of what the child/young person said.
- an account of any questions put to the child/young person.
- time and place of disclosure.
- who was present at the time of the disclosure.
- the demeanour of the child/young person.

Any handwritten notes after the event, for example, a disclosure, can act as evidence of them being written at the time in any future court case. Therefore, these should not be destroyed if the details are recorded more formally, but instead kept securely attached to the child/young person protection concern/referral form on ACCESS. The child protection file should contain:

- a detailed chronology, updated on a regular basis, at the front of the file.
- any concerns raised by staff.
- safeguarding/concern reports, notes and correspondence referring to the child/young person.
- any child protection information received from schools or other agencies.
- notes/minutes of any Child Protection Conferences and Core Group Meetings etc.

21. Communication with parents/carers

The guiding principle to remember in relation to communication with parents or carers is that parents should always be informed by the designated Child Protection Officer. The exception to this would be if the designated Child Protection Officer believes a child may have been harmed by a parent or carer, a criminal offence may have been committed against the child/young person by a family member, or by doing so, the child/young person would be placed at a higher level of risk. In these circumstances, the designated Child Protection Officer should discuss and agree with the child/young person's social worker on informing the parents/carers. Often means and methods of communication with parents/carers and others will be agreed at a strategy meeting.

22. Police involvement

Child protection concerns will always be passed to social work, who will involve the police in due course in line with local inter-agency guidelines. The home should only consider contacting the police when:

- there are immediate concerns for a child/young person's safety.
- staff suspect a crime has been committed or is about to be committed.
- there are threats or intimidation of staff or children by a parent (or a non-contact parent/relative) or another adult.
- there are concerns about the motivation of an individual seen in the vicinity of the home.
- a child/young person reports an incident or crime to a member of staff.

23. Supporting children/young people involved in child protection.

Staff need to be able to anticipate children's support needs when they are experiencing or have experienced traumatic events or are coping with the processes that follow a disclosure or allegation. Staff should be willing to support a child/young person's choice of staff to support them. This may not always be the staff with the most experience in child protection. The designated Child Protection Officer should guide and support the chosen member of staff. A child/young person may change their mind about who they want to support them, and the level of support they want. This should be respected too – children/young people should feel as much in control as possible about who hears their story in interviews and meetings.

24. Allegations against members of staff

Relationships between staff and children/young people in our home are positive and based on mutual respect. Occasionally, however, information may come to light, or allegations may be made against a member of staff about inappropriate conduct towards one child/young person. Staff should be alert to the need to ensure their behaviour is appropriate.

It is vital to both staff and children/young people that any action taken in response to information or allegations is conducted to support thorough investigation if this is necessary. Rumours and gossip can be damaging to the children/young people and staff unless treated seriously and dealt with

properly. It is also essential that a decision is taken in the earliest stages as to whether the matter requires to be addressed as a child protection or criminal matter.

A child/young person's involvement in any discussions or investigations must be handled carefully. Whilst sufficient information will have to be gained from the child/young person to judge the seriousness of the concerns and to enable senior managers to make informed decisions, detailed interviewing of the child/young person is not appropriate at this stage. This may require to be carried out by police officers, and social workers, if the matter is deemed to be one of criminality or child protection.

Whenever a designated Child Protection Officer must consider such a matter, a level of professional judgement will be required where child protection concerns arise. If a situation should arise whereby personal relationships or other circumstances may mean that making impartial judgements and decisions might be difficult, advice should be sought from the manager and senior managers, parties around the child and any multi-agency teams involved.

25. Minimising risk

Staff should consider the appropriateness of their behaviour and that of their colleagues. Staff and children/young people alike should feel confident about discussing behaviour which they do not like, or which makes them uncomfortable. A positive environment helps build a climate of openness where this can happen.

The designated Child Protection Officer should ensure staff have a good understanding of the professional code of conduct expected of staff and should use this as a guide to interactions with children/young people. Where a member of staff feels that their actions have been, or might have been misinterpreted, they should make a written report to their line manager without delay. In the event of an investigation subsequently being undertaken in response to this or any future allegations, this report will form part of the investigation.

Several day-to-day activities in the home should be considered by staff in relation to approaches to helping and supporting children/young people to meet their needs, e.g.:

- Private meetings with children/young people – If one-to-one meetings are necessary, they should take place in a room with visual access or where possible, with the door open.
- Physical contact with children/young people – This is likely to occur through reassurance or comfort when a child/young person is distressed. Contact should be minimal and respectful of the child's preferences.
- Relationships – If a staff member is concerned that a child/young person has feelings for them beyond the bounds of a professional relationship, they should seek the advice of their line manager.
- Restraint – When necessary to protect the child/young person or others from harm, and **always** as a last resort (after other attempts to de-escalate or defuse a situation), it may be necessary to physically intervene with a child/young person. If so, the minimum force necessary should be used and, if possible, another member of staff should witness and assist. Where staff are required to physically restrain children/young people on a regular

basis, they should receive regular and specialised training. Incidents of restraint should be logged - dated and signed - in a log kept specifically for that purpose.

- Verbal banter – Positive relationships between staff and children/young people can often involve humour. Staff should, however, be aware that there is a fine line between remarks perceived as fair and humorous and those which are felt to be hurtful, humiliating, and embarrassing.

26. Supporting staff

Staff who become involved in child protection matters, contribute to decisions that make a profound impact on the lives of children and whole families. At times, staff may feel a strong emotional response including guilt, anger, frustration, despair and doubting of their suitability for the profession.

Since it is often children/young people who choose which member of staff they will disclose information to, it may be younger inexperienced staff that children/young people will approach. Child protection training will remain abstract until the reality of a child's experience of abuse or neglect is presented to a staff member in living reality. Staff welfare and support systems must be in place to help staff cope with this. In addition, there are additional issues which should be taken into consideration:

- Certain staff supporting children/young people may feel a strong attachment to the case.
- The member of staff may later be rejected by the child/young person or may feel displaced by other professionals who take on a statutory or support role. Good debriefing for staff involved with children/young people will help this to be discussed.
- Staff should always be allowed to set limits as to what support they feel able to provide to children and regarding their level of involvement in child protection proceedings. Even where a child/young person has approached them for support, staff should feel confident to defer to other staff and should never feel under pressure to become involved in situations where they feel out of their depth.
- Staff may support children/young people to attend Hearings, Reviews or may attend case conferences, in which they may hear information about children/young people and families that they were previously unaware of, and which is traumatic for them. Good debriefing must be arranged for staff following their involvement.
- Many adults have experienced abuse in the past, which they may not have come to terms with. Staff faced with the experiences of children/young people may become overwhelmed by buried emotions for which they require support and counselling themselves. Some staff may be particularly zealous because of their experiences, for which they should also be provided with support and counselling. Some of these issues may not come to light unless there is good debriefing for staff as a matter of course.

- Staff who experience health problems following their involvement in cases may have a stress-related illness. The home should not wait until this occurs to offer support but should ensure following any time off, there is an appropriate back-to-work discussion to consider further support needs.
- The formal expectation by the home of an individual debriefing for staff following involvement in each stage of a child protection case helps guard against staff perceiving the seeking of support as stigmatising.

Staff debriefing should:

- take place after each stage of an investigation and subsequent action, and at any time afterwards when staff feel the need for it.
- be provided by a consistent member of senior staff, ideally trained for this role.
- involve discussion and be a separate process from reporting and recording.
- allow the member of staff to reflect, express feelings and seek reassurance.

It may be helpful to keep a brief record of these meetings. Staff welfare and support systems back up the formal debriefing, and must be:

- confidential and discreet.
- available for as long as it is required and may begin sometime after involvement in a case if it is not desired immediately.
- must be presented as a service for both experienced and inexperienced staff, male and female.

Support must not be associated or judged as personal weakness, personal problems, or lack of professional skill. It is an aspect of professional development open to staff. It may be beneficial to be out with the home and with neutral and impartial staff.

27. Staff recruitment and selection

The recruitment and selection policy reflects the recommendations of the 1992 Warner Report entitled, 'Choosing with Care', and Safer Recruitment for Safer Services commissioned by The Scottish Executive from the Children's Safeguards Review 1997. No staff members are exempt from the requirements of this policy regardless of their experience or status. Staff members working with children/young people and families must be registered with the SSSC within six months service with the Company. Staff members are subject to enhanced criminal background checks and must complete a 6-month probationary period before being offered permanent contracts. A clearly defined Induction programme must also be satisfactorily completed before a new staff member can actively begin to undertake the role for which they were appointed. It will be made clear at interview and induction, that staff members have a responsibility to report any suspicious, they may have that

a child/young person has been subjected to any form of abuse, either within the home or in any other place, in the past or in the present.

The Protection of Vulnerable Groups (Scotland) Act 2007 does two things: It ensures that those who have regular contact with vulnerable groups do not have a history of inappropriate behaviour, and it excludes people who are known to be unsuitable based on past behaviour. The PVG (Scotland) Act 2007 places a duty on organisations to make a referral to Disclosure Scotland in certain circumstances when one or more of the referral grounds are met. To make a referral, the prerequisite is that the individual must have done one or more of the following:

- harmed a child/young person.
- placed a child/young person at risk of harm.
- engaged in inappropriate conduct involving pornography.
- engaged in inappropriate conduct of a sexual nature involving a child/young person.
- given inappropriate treatment to a child/young person.

Concerns about a professional competence are not by themselves a ground for referral such concerns should be addressed by the relevant professional regulatory body who will decide whether the person is fit to continue, e.g. SSSC, GTC, NMC, etc. Please note that SSSC/GTC and Disclosure Scotland must both be contacted separately.

28. Reporting concerns

It is the responsibility of every staff member to report concerns, suspicions or allegations of abuse or harm. You must without delay report immediately to the most senior member of staff on shift and the Designated Child Protection Officer must be notified.

29. Legislative framework and guidance

Please click on the underlined links below to access information.

- Getting it Right for Every Child (GIRFEC)
  GIRFEC is Scotland's national approach for improving outcomes, providing a framework to ensure that children and young people get the right support at the right time.
- National guidance for child protection in Scotland 2021 (Updated 2023)
  This is key guidance for anyone working with children and young people. It explains how professionals should act to protect young people from harm in different situations.
- Children and young people (Scotland) Act 2014
  This legislation defines children and young people as those up to the age of 18.
- National action plan to prevent and tackle child sexual exploitation
  This delivery report reflects the range of work delivered over the last three years as part of the 2016 Action Plan and highlights the collective response in tackling child sexual exploitation (CSE).

- What is Child Sexual Exploitation?

  A guide to understanding Child Sexual Exploitation and spotting the signs that a child or young person may be being exploited.

- Statutory Guidance on Children's Services Planning (2020)

  Local authorities and their respective health board each prepare a three-year Children's Services Plan. This covers services who are significant in relation to the well-being of children, and, or are of benefit to them. The Scottish Government (2020) has provided guidance on children's services planning,

- Children (Care and Justice) (Scotland) Act 2024 (Care and Justice) (Scotland) Act 2024

  This legislation treats everyone Under 18 in the care and justice systems as children ensuring they have access to the children's hearing system and are not sent to Youth Offender Institutions.

- National Framework for Child Protection Learning and Development (2024)

  A framework providing training and competency descriptors for different workforce groups.

- Children (Equal Protection from Assault) (Scotland) Act 2019

  This is legislation which ensures protection from physical assault in Scotland for all children under 16 by fully abolishing what was considered to be "reasonable chastisement".

30. Revision history

Date of next review: July 2027

Name	Document Owner:	Reviewed by	Version:	Review Date:
Child Protection Policy	Care Operations	Annette Steedman	01	May 2020
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