

SWANSCOMBE AND GREENHITHE TOWN COUNCIL
CHILD PROTECTION POLICY

(This Policy was adopted by the full Council at its AGM held on 15 May 2024, minute 20/24-25.)

INTRODUCTION

This policy applies to all activities of the Town Council where children and young people under 18 years of age are present and to those working in such activities whether as an employee, volunteer, representative or otherwise.

OBJECTIVE

The objective of the Town Council's Child Protection Policy is to contribute to the personal safety of all children using the facilities and resources of the Town Council, through actively promoting awareness, good practice and sound procedures.

IMPLEMENTATION

The Town Council shall appoint the Town Clerk as the Responsible Officer (RO) for all aspects of child protection awareness and implementation of this Policy.

The RO will be responsible to the Town Council for;

1. ensuring the policy is implemented throughout the Town Council's activities;
2. ensuring all necessary child-protection related enquiries, procedures and investigations (if any) are carried out;
3. ensuring secure and confidential records relating to child protection matters;
4. instruction of staff members to ensure implementation and strict adherence of the policy by all staff and volunteers;
5. liaison with Social Services and/or the Police at a formal and informal level on child protection matters;
6. the reporting of allegations and suspicion of abuse to the appropriate authorities;
7. ensuring there is adequate induction and training relating to child protection matters;
8. ensuring that each activity carried out by the Town Council which involves any exposure to children adheres to good practice with regard to personnel, practises and premises;
9. checking all incident reports made by staff and volunteers, countersigning them, and making such reference to authority as is appropriate.

PERSONNEL CHECKS

The Town Council's aim is to ensure, as far as is possible, that anyone, paid or voluntary, who seeks to work with children and young people and gains substantial access to them is as safe to do so in child protection terms as can be guaranteed.

The Town Clerk will ensure that the following checks are carried out on all prospective and current employees whose work may create a situation of substantial access to children and young people;

- a Criminal Records Bureau (CRB) check at enhanced level
- a personal referee (a person who is not related to the applicant and who preferably knows of the applicant's character, trustworthiness, any previous experience of working with/looking after children and young people), nominated by the applicant

The consent of the applicant must be obtained to enable such enquiries to be made. No application may proceed unless such consent is given by the applicant.

At all times the onus is on the applicant/employee/volunteer/contractor to reveal any conviction, caution, bind over, probation order or pending prosecution, whether imposed prior to, or within the period the applicant/employee works for the Town Council.

The Town Clerk has the discretion to accept or not any previous reference, police check, social services endorsement etc. provided by an applicant/employee in substitution for the above enquiry process.

REPORTING OF ENQUIRY RESULTS

The Town Clerk will indicate to the Town Council whether an applicant/employee is suitable to work for the Town Council, as revealed by the results of the checks.

Where a Schedule One offence is indicated by the above process, the Town Clerk acting on behalf of and with the full endorsement of the Town Council must rule the applicant unsuitable, and that person must not undertake any form of work or help with the Town Council. If such an attempt is made by a convicted Schedule One Offender or by any person prohibited under legislation from working with children and young people or from being in proximity to places where they may gather etc. the Town Clerk is obliged to immediately inform Social Services and the Police.

The Town Clerk will inform a meeting of the Personnel Committee on the approval or otherwise of applicants or employees.

The Town Clerk shall be authorised to undertake any additional enquiries as considered appropriate and sanctioned by the applicant as may assist the making of a recommendation to the Town Council.

PERSONNEL RECORDS

The Town Clerk shall maintain a confidential file on each applicant/employee in which shall be kept:

- copies of all forms, consents and replies as above;
- notes for file on all communications regarding the processing of enquiries

The file of an unsuccessful applicant shall be kept for six months and then safely destroyed by the Town Clerk – this period will be increased to twelve months from the date of leaving the Town Council's service for any successful applicant who commences work with the Town Council.

Anyone working with the Town Council has the right to inspect their own confidential records and may do so upon written request to the Town Clerk who shall not withhold consent unreasonably. The Town Clerk may only withhold such agreement and access if to do so might potentially jeopardise a Police or Social Services investigation relating to child

protection matters or might lead to a child's welfare and safety being compromised. The Town Clerk need give no reason for such withholding of consent. The Town Clerk will report such a situation to the Town Council simply that a request was made and refused for reasons relating to the welfare of children.

The Town Mayor may have access to such records kept as above, with the same caveat applying.

ACTIVITIES

Prior to any activity/site/programme being commenced, the Town Clerk shall ensure that adequate child protection procedures are in place.

In consultation with appropriate hirers of the all Council owned premises the Town Clerk shall ensure a site audit/visit is undertaken to ascertain the layout of premises/site, helpers and supervision required to achieve adequate personal safety of children and young people.

There may be a need to audit/visit an existing site if in the opinion of the Town Clerk there have been significant changes to the last use of that site.

REPORTING OF CONCERNS

Those working for the Town Council or on Town Council activities have a duty to ensure that any suspicion, incident, allegation or other manifestation relating to child protection is reported to the Town Clerk.

Disclosure of evidence for concern may occur in any number of ways. This may be by what a child says, about itself or another child or children. It may be through interception of a written item, or through observation of activity or behaviour giving cause for concern. It may be through changes in behaviour or attitude. There may be physical, emotional pointers such as bruising, staining, inappropriate behaviour or knowledge. These and many other signs can be picked up by employees.

IT IS VITAL FOR THE SUCCESSFUL OPERATION OF THIS POLICY THAT ALL INCIDENTS, OBSERVATIONS, HOWEVER INSIGNIFICANT, ARE REPORTED TO, AND LOGGED BY, THE TOWN CLERK.

The employees concerned will make a verbal report to the Town Clerk and also make a written report outlining in adequate detail what was heard, seen, reported, alleged etc. Verbatim quotes from a child are important, as is the retention of anything which gave cause for concern. The employee will sign and date the report. The Town Clerk will countersign the report and at the latest, the next working morning, draw the attention of the report to the Town Mayor and the Chairman of the Executive & Emergency Committee.

If more than one employee has an observation on the same incident on the day in question, a separate report is to be made by each employee and treated as above. The Town Clerk will ensure the reports are cross-referenced and dealt with as one.

THE BASIC PRINCIPAL IS THAT THERE CANNOT BE TOO MUCH DETAIL OR DISCUSSION WHERE THE PROTECTION OF CHILDREN IS CONCERNED.

Many reports will be purely minor in nature, however, it is important to treat them with due seriousness in case there may already be existing information concerning a child.

The Town Clerk will take an appropriate course of action as follows;

- Immediate report to Social Services and/or the Police: this covers any situation where, in the judgement of the Town Clerk, there is perceived to be an immediate danger to a child or detection of criminal offences or other form of obvious ongoing/future/recent serious harm.
- Where a child seems at imminent harm of danger/injury or worse then the Town Clerk is authorised to make a complaint to the Police in order to secure immediate action and protection of a child.

ALLEGATIONS AGAINST EMPLOYEES

If a child or parent/carer makes allegations to the Town Council against any person working for the Council, whether paid or unpaid, the following procedure will come into force;

- The person receiving the complaint will contact the Town Clerk who will immediately inform the Town Mayor. On receipt of the complaint the Town Clerk will contact Social Services to apprise them of the situation. Normally this will be by informal channels but if there is a criminal allegation, the contact will be formal to the duty social worker and/or the Police.
- The Town Clerk should inform the person against whom an allegation has been made as soon as possible (unless there appears to be a cast that this might prejudice a criminal investigation). This will require consultation with the Police.

The course of action to be taken from thereon will be decided by the nature of the allegation(s).

If a criminal allegation e.g. of sexual abuse and impropriety is made, or physical assault, or inappropriate behaviour, the Town Clerk will activate the Staff Disciplinary Procedures and suspend the person under the heading of Gross Misconduct. If warranted, this may be without pay, for example, an employee found in a situation of actual wrongful behaviour. The matter must then be reported immediately to the Police and Social Services. The suspension will remain in force unless/until the Police and/or Social Services confirm there was no substance to the report. An incident report will be made and treated as confidential.

If there is no criminal allegation the Town Clerk will gather as much detail from available sources of information as possible but not including seeking to interview any child if there is a criminal allegation (which is a matter for the authorities). Where appropriate the Town Clerk should consider whether suspension of the employee is advisable and recommend accordingly to the Town Mayor and Executive & Emergency Committee Chairman. This may include a situation which, though non-criminal, could lead to a decision of gross misconduct.

The Town Clerk will report to the Town Council on the outcome of such an investigation and will recommend whether the circumstances constitute grounds either;

- to treat the matter as a disciplinary issue, either as a misconduct or gross misconduct, with associated rights of appeal or;

- to dismiss the allegations as unfounded, or to make such other non-disciplinary recommendations as are appropriate.

The Town Mayor shall consider such recommendations and report to the next meeting of the Executive & Emergency Committee. The person against whom such non-criminal allegations are made should be afforded ample opportunity to give an explanation or answer to any allegation at an interview conducted by the Town Clerk, Town Mayor and Chairman of the Executive & Emergency Committee.

MONITORING AND REVIEW

The Town Council shall, from time to time, monitor and review this Policy and its effectiveness, the Town Clerk shall ensure that any new statutory legislation is incorporated accordingly as well as seeking the views, where appropriate, of employees.