



## Child Protection - Policy and Procedure

### Who is the procedure aimed at?

- |                              |                                     |                                     |
|------------------------------|-------------------------------------|-------------------------------------|
| All employees                | <input checked="" type="checkbox"/> |                                     |
| Managers only                |                                     | <input checked="" type="checkbox"/> |
| Specific Employees (specify) | <input type="checkbox"/>            |                                     |
| Volunteers                   |                                     | <input checked="" type="checkbox"/> |

This policy applies to all at Watford Mencap, paid and unpaid.

### Why is this procedure needed?

- |                                     |                                     |                                     |
|-------------------------------------|-------------------------------------|-------------------------------------|
| It is a legal requirement           |                                     | <input checked="" type="checkbox"/> |
| It is a regulatory requirement      | <input checked="" type="checkbox"/> |                                     |
| It is core Watford Mencap procedure |                                     | <input checked="" type="checkbox"/> |
| It is subject to local discretion   |                                     | <input type="checkbox"/>            |

### What are the key points?

This policy says what Watford Mencap will do to protect children from abuse. It says how Watford Mencap will report concerns and allegations of abuse.

It shows a commitment to protecting and safeguarding children against potential harm or actual harm. It fully accepts and promotes the principle enshrined in the Children Act 1989 that the welfare of the child is paramount.

The policy also demonstrates a commitment to working with statutory bodies, voluntary agencies and other faith communities to promote the safety and welfare of children and acting promptly whenever a concern is raised about a child or about the behaviour of an adult. Watford Mencap will work with the appropriate statutory bodies when an investigation into child abuse is necessary

# Index

Introduction .....	2
Important Contacts .....	3
Responsibilities of individuals in implementing this policy and procedure.....	3
Policy Statement.....	5
Legal Framework .....	6
Recognising abuse and neglect.....	7
Definition of abuse.....	7
Physical Abuse (including when masqueraded as discipline and chastisement) .....	7
Emotional Abuse.....	8
Sexual Abuse.....	9
Neglect.....	10
Child Sexual Exploitation .....	10
Child Criminal Exploitation .....	12
Effects of Domestic Abuse.....	13
Extremism.....	14
Bullying and Cyberbullying.....	14
Steps to follow if you are worried about a child or if a child confides in you .....	15
Safer staffing and DBS (Disclosure & Barring Service) checks .....	17
Managing allegations against an adult who works with children or young people .....	18
Confidentiality .....	19
Managing activities involving Children and Young People .....	20
Specific Guidance for those working with Faith Communities.....	20
Forced Marriage .....	21
Female Genital Mutilation (FGM).....	22
Male Circumcision .....	25
Spirit Possession .....	27
Modern Slavery and Human Trafficking.....	29
Useful Contacts/Support Organisations.....	35

## Introduction

We will endeavour to safeguard children and young people by:

- Valuing them, listening to respecting them
- Adopting child protection guidelines through procedures and a code of conduct for staff and volunteers
- Recruiting staff and volunteers safely ensuring all necessary checks are made
- Sharing information about child protection and good practice with children, parents, staff and volunteers
- Sharing information about concerns with agencies who need to know, and involving parents and children appropriately
- Providing effective management for staff and volunteers through supervision, support and training.
- Reviewing our policy and good practice annually.

Watford Mencap will endeavour to safeguard the children who are members or who attend activities we organise or facilitate by following the procedure if a concern is raised about a child's welfare.

The definition of a child for the purpose of this document is anyone under the age of 18 years.

## Important Contacts

**Watford Mencap** has an appointed individual who is responsible for dealing with any safeguarding concerns. In their absence, a deputy will always be available for workers to consult with.

The Designated Safeguarding leads for Child Protection within **Watford Mencap** are:

<b>Designated Safeguarding Lead:</b>	Ruth Murray
<b>Work telephone number:</b>	01923 969113
<b>Emergency contact no:</b>	07939098401
<b>Deputy Designated Safeguarding Lead:</b>	Sarah Sullivan
<b>Work telephone number:</b>	01923 220816
<b>Mobile number:</b>	07580 815738
<b>Emergency Number:</b>	07904 958085

### Other Key Contacts:

<b>The Gateway at Hertfordshire CC</b>	0300 123 4043 (including out of hours)
<b>Police (CAIU)</b>	0845 33 00 222 (or in an emergency 999)
<b>NSPCC</b>	0808 800 5000
<b>NSPCC Whistleblowing Advice Line</b>	0800 028 0285

Further useful contacts are listed on page 15

## Responsibilities of individuals in implementing this policy and procedure

All members of Watford Mencap are to:

- *Understand and apply this policy and procedure in their activities;*
- *Identify opportunities and undertake appropriate training to support them in their role;*
- *Act appropriately at all times and be able to challenge inappropriate behaviour in others;*
- *Be able to recognise harm; and*
- *Know how to report any concerns in a timely and appropriate way.*

In addition, senior members of the organisation are to:

- *Encourage all staff and volunteers to understand this policy and procedure*
- *Offer opportunities to undertake appropriate safeguarding training and refresher training*
- *Ensure that the policy and procedure is adhered to and to undertake regular compliance audits*
- *Ensure that a whistle blowing policy is developed, agreed and communicated with all staff and volunteers*

The role and responsibilities of the Designated lead(s) are:

- *To ensure that all staff are aware of what they should do and who they should go to if they are concerned that a child/young person maybe subject to abuse or neglect.*
- *Ensure that any concerns about a child/young person are acted on, clearly recorded, referred on where necessary and, followed up to ensure the issues are addressed.*
- *The Designated lead(s) will record any reported incidents in relation to a child/young person or breach of Safeguarding policies and procedures. This will be kept in a secure place and its contents will be confidential.*

## **Outcomes for Children and their Families**

In developing this Policy Watford Mencap intends that it will promote the welfare of children and young people attending and taking part in activities.

Children and young people and their parents / carers can be assured that Watford Mencap takes their welfare seriously and wants them to enjoy the activities in a safe and secure environment.

Every adult who works with or on behalf of Watford Mencap is aware of the contents of this policy and understands what the reporting procedures are if there are any activities that may be unsafe or may present a risk of harm, or if the child or young person (or their parent(s) / carer(s)) makes a disclosure of abuse or an allegation against an adult working with them. Such disclosures or allegations will be taken very seriously to ensure that the child is protected.

All adults working for or with Watford Mencap will have been appropriately recruited and Enhanced DBSs will be applied for and references taken up in line with the Recruitment and Selection Policy. Their induction into the organisation will include basic child protection training and a briefing on this policy.

# Policy Statement

## In implementing this child protection /safeguarding policy Watford Mencap will

- Ensure that all workers understand their legal and moral responsibility to protect children and young people from harm, abuse and exploitation by including training on Child Protection in their induction and in subsequent training that is undertaken;
- Ensure that all workers understand their responsibility to work to the standards that are detailed in the organisation's *Child Protection Policy* and work at all times towards maintaining high standards of practice;
- Ensure that all workers are aware of *HSCP Inter-agency Child Protection & Safeguarding Children Procedures* and are confident in how to work within these guidelines by ensuring their attendance at training and at subsequent refresher training organised by the HSCP.
- Ensure that all workers understand their duty to report concerns that arise about a child or young person, or a worker's conduct towards a child/young person, to the organisation's Designated lead for child protection;
- Ensure that a Designated lead responsible for child protection is appointed and that they understand their responsibility to refer any child protection concerns to the statutory child protection agencies (i.e. Police and/or Children's Services (CS));
- Ensure that any procedures relating to the conduct of workers are implemented in a consistent and equitable manner;
- Provide opportunities for all workers to develop their skills and knowledge, particularly in relation to the welfare and protection of children and young people;
- Ensure that children and young people are enabled to express their ideas and views on a wide range of issues and will have access to the organisation's *Complaints Procedure*;
- Ensure that parents/carers are encouraged to be involved in the work of the organisation and, when requested, have access to all guidelines and procedures;
- Endeavour to keep up-to-date with national developments relating to the welfare and protection of children and young people.
- Ensure that appropriate background checks are undertaken when anyone joins the organisation and before they start working directly with children and young people.
- Ensure that all people working directly with children and young people have at least a basic understanding of child protection and as part of their training have at the very least undertaken an online, certificated child protection course.

## Legal Framework

The Children Act 1989 sets out that the child's welfare is paramount and safeguarding and promoting it is the priority.

The Children Act 2004 set out a duty on Local Authorities to work closely with those providing services to children and young people.

Working Together to Safeguard Children 2018 sets out how organisations and individuals should work together to safeguard and promote the welfare of children and how practitioners should conduct the assessment of children:

'Safeguarding children - the action we take to promote the welfare of children and protect them from harm - is everyone's responsibility. Everyone who comes into contact with Children's Services has a role to play.'

The UN Convention on the Rights of the Child sets out key principles which are enshrined within these acts and the statutory guidance. From 15 January 1992, when the treaty came into force, every child in the UK has been entitled to over 40 specific rights. These include:

- the right to life, survival and development
- the right to have their views respected, and to have their best interests considered at all times
- the right to a name and nationality, freedom of expression, and access to information concerning them
- the right to live in a family environment or alternative care, and to have contact with both parents wherever possible
- health and welfare rights, including rights for disabled children, the right to health and health care, and social security
- the right to education, leisure, culture and the arts
- special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation

The rights included in the convention apply to all children and young people, with no exceptions.

[\(https://www.unicef.org.uk/what-we-do/un-convention-child-rights/\)](https://www.unicef.org.uk/what-we-do/un-convention-child-rights/)

# Recognising abuse and neglect

## Definition of abuse

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

An abused child is any boy or girl, under 18 years of age, who has suffered from, or is believed likely to be, at risk of significant risk of physical injury, neglect, emotional abuse or sexual abuse.

## Physical Abuse (including when masqueraded as discipline and chastisement)<sup>1</sup>

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. [...]

Physical abuse often arises from a wish to chastise. English law allows smacking by parents in that parents can use the defence of “reasonable chastisement” but only in a charge of common assault.

The introduction of section 54 of the Children Act 2004 changed the law, to remove the reasonable chastisement defence for actual bodily harm. Actual bodily harm includes minor visible injuries such as a graze, a scratch, an abrasion or bruising around the eye. Common assault implies a transient trifling injury such as reddening of the skin or no injury at all. The use of an implement to hit a child though not specifically prohibited is more likely to leave a mark. Thus the law allows a parent to smack a child where doing so leaves no mark upon the skin, so only light smacks are permitted. “Over chastisement” which implies at least actual bodily harm would be against the law and the reasonable chastisement defence would not apply. This means, for example, that a parent can no longer justify beating a child on the grounds that child is difficult to raise.<sup>5</sup>

Although the reasonable chastisement defence only applies to the criminal law the concept influences decisions taken in the family courts. The defence applies only to parents and adults acting in loco parentis with the parent’s permission. Physical chastisement, i.e. corporal punishment, of any form has been prohibited in state schools since 1986, private since 1998 and by child minders since 2003.

It is important that all professionals treat injuries caused to children by their parents as an assault and do not condone or excuse this because their intention was to discipline the child. Professionals should be cautious about referring to such assaults as “over-chastisement” as this can have the effect of minimising the impact on the child of the injuries or implying the child’s behaviour was a contributory cause.

There is evidence that even smacking allowed within the law is harmful to children. For example, minor forms of regular smacking of pre-school children is associated with an increased risk of antisocial behaviour after 2-3 years even when allowing for other parenting risk factors and the presence of such behaviour at

<sup>1</sup> Heckmatt Dr J, Recognition of Child Abuse Hertfordshire Local Safeguarding Children Board) 3<sup>rd</sup> Edition 2011; H.3.1: 3-4

study entry.6, 7 Maternal depression and violence between adult partners are associated with a greater risk of smacking children than either factor present alone regardless of child behaviour.8 Parents who experience physical punishment in their childhood are more likely to smack their own children.

The following definition is taken from Working Together to Safeguard Children 20158, p102:

*A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.*

## Signs

Although these signs do not necessarily indicate that a child has been abused, they may help adults recognise that something is wrong. The possibility of abuse should be investigated if a child shows a number of these symptoms, or any of them to a marked degree:

- Unexplained recurrent injuries or burns
- Improbable excuses or refusal to explain injuries
- Wearing clothes to cover injuries, even in hot weather
- Refusal to undress for gym
- Bald patches
- Chronic running away
- Fear of medical help or examination
- Self-destructive tendencies
- Aggression towards others
- Fear of physical contact - shrinking back if touched
- Admitting that they are punished, but the punishment is excessive (such as a child being beaten every night to 'make him study')
- Fear of suspected abuser being contacted

## Emotional Abuse

The following definition is taken from Working Together to Safeguard Children 2018, p103

*Emotional Abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.*



## Signs

Although these signs do not necessarily indicate that a child has been abused, they may help adults recognise that something is wrong. The possibility of abuse should be investigated if a child shows a number of these symptoms, or any of them to a marked degree:

- Physical, mental and emotional development delay
- Sudden speech disorders
- Continual self-depreciation ('I'm stupid, ugly, worthless, etc.')
- Overreaction to mistakes
- Extreme fear of any new situation
- Inappropriate response to pain ('I deserve this')
- Neurotic behaviour (rocking, hair twisting, self-mutilation)
- *Extremes of passivity or aggression*

## Sexual Abuse

The following definition is taken from Working Together to Safeguard Children 2018 p103:

*Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children*

## Signs

Although these signs do not necessarily indicate that a child has been abused, they may help adults recognise that something is wrong. The possibility of abuse should be investigated if a child shows a number of these symptoms, or any of them to a marked degree:

- Being overly affectionate or knowledgeable in a sexual way inappropriate to the child's age
- Medical problems such as chronic itching, pain in the genitals, venereal diseases
- Other extreme reactions, such as depression, self-mutilation, suicide attempts, running away, overdoses, anorexia
- Personality changes such as becoming insecure or clinging
- Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys
- Sudden loss of appetite or compulsive eating
- Being isolated or withdrawn
- Inability to concentrate
- Lack of trust or fear of someone they know well, such as not wanting to be alone with a babysitter or child minder
- Starting to wet again, day or night/nightmares
- Become worried about clothing being removed

- Suddenly drawing sexually explicit pictures
- Trying to be 'ultra-good' or perfect; overreacting to criticism

## Neglect

The following definition is taken from a previous version of Working Together to Safeguard Children 2018, p104

*Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:*

- *provide adequate food, clothing and shelter (including exclusion from home or abandonment)*
- *protect a child from physical and emotional harm or danger*
- *ensure adequate supervision (including the use of inadequate caregivers)*
- *ensure access to appropriate medical care or treatment*

*It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.*

## Signs

Although these signs do not necessarily indicate that a child has been abused, they may help adults recognise that something is wrong. The possibility of abuse should be investigated if a child shows a number of these symptoms, or any of them to a marked degree:

- Constant hunger
- Poor personal hygiene
- Constant tiredness
- Poor state of clothing
- Emaciation
- Untreated medical problems
- No social relationships
- Compulsive scavenging
- Destructive tendencies

Note: A child may be subjected to a combination of different kinds of abuse. It is also possible that a child may show no outward signs and hide what is happening from everyone.

## Child Sexual Exploitation

Child sexual exploitation is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet).

The definition of child sexual exploitation is as follows:

*Child sexual exploitation 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 child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) 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 the use of technology.*

**Child sexual exploitation is never the victim's fault, even if there is some form of exchange:** all children and young people under the age of 18 have a right to be safe and should be protected from harm.

Sexual exploitation can have links to other types of crime. These include:

- Child trafficking
- Domestic abuse
- Sexual violence in intimate relationships
- Grooming (including online grooming)
- Abusive images of children and their distribution
- Drugs-related offences
- Gang-related activity
- Immigration-related offences
- Domestic servitude

The following vulnerabilities are examples of the types of things children can experience that might make them more susceptible to child sexual exploitation:

- Having a prior experience of neglect, physical and/or sexual abuse
- Lack of a safe/stable home environment, now or in the past (domestic abuse or parental substance misuse, mental health issues or criminality, for example)
- Recent bereavement or loss
- Social isolation or social difficulties
- Absence of a safe environment to explore sexuality
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other children and young people who are being sexually exploited
- Family members or other connections involved in adult sex work
- Having a physical or learning disability
- Being in care (particularly those in residential care and those with interrupted care histories)
- Sexual identity

Children rarely self-report child sexual exploitation so it is important that practitioners are aware of potential indicators of risk, including:

- Acquisition of money, clothes, mobile phones etc. without plausible explanation;
- Gang-association and/or isolation from peers/social networks;
- Exclusion or unexplained absences from school, college or work;

- Leaving home/care without explanation and persistently going missing or returning late;
- Excessive receipt of texts/phone calls;
- Returning home under the influence of drugs/alcohol;
- Inappropriate sexualised behaviour for age/sexually transmitted infections;
- Evidence of/suspicions of physical or sexual assault;
- Relationships with controlling or significantly older individuals or groups;
- Multiple callers (unknown adults or peers);
- Frequenting areas known for sex work;
- Concerning use of internet or other social media;
- Increasing secretiveness around behaviours; and
- Self-harm or significant changes in emotional well-being.

### Children can be perpetrators as well as victims

Children can be both experiencing child sexual exploitation and perpetrating it at the same time. Examples might include a child who is forced to take part in the exploitation of another child under duress, or a child who is forced to introduce other children to their abuser under threats to their family's safety. These situations require a nuanced approach that recognises and engages with the young person's perpetration within the context of their own victimisation.

Children who perpetrate child sexual exploitation require a different response to adult perpetrators. Responses may involve criminal justice pathways at times, however every child who displays harmful sexual behaviour should also have their safeguarding and welfare needs actively considered in line with *Working Together*.

**Safeguarding children is everyone's responsibility.** All practitioners should assume that in the course of their work with children they will encounter children at risk of sexual exploitation. All practitioners working with children and families need to **know where to get help**: Local multi-agency safeguarding arrangements will set out the process for referring concerns about the welfare of children to local authority children's social care. Anyone can make a referral and ask for advice. If a child is considered to be in immediate danger the police should be contacted

### Child Criminal Exploitation

*The following definition is taken from the Government website: [Guidance exploitation and vulnerable adults: county lines, February 2020](#)*

#### ***What is child criminal exploitation?***

Child criminal exploitation is increasingly used to describe this type of exploitation where children are involved, and is defined as:

*“Child criminal exploitation is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual.*

*Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.”*

Criminal exploitation of children is broader than just county lines and includes for instance children forced to work on cannabis farms or to commit theft.

### ***Dangers of criminal exploitation*** (as define on NSPCC website)

It’s important to be aware of the risks of criminal exploitation or being involved with a criminal gang. They can use different tactics to recruit and exploit children and young people, including bribing them with rewards, befriending them, and threatening them, or coercing them.

Dangers of criminal exploitation include:

- being subject to threats, blackmail and violence
- being exploited and forced to commit crimes
- being arrested, including for crimes committed by the gang that they have not directly committed under the law of joint enterprise
- not being able to leave or cut off ties with the gang
- having their safety or the safety of friends and family threatened
- risk of physical harm, rape and sexual abuse
- risk of emotional abuse
- risk of severe injury or being killed
- abusing drugs, alcohol and other substances
- long term impact on education and employment options.

Exploiting a child into committing crimes is abusive. Children who are targeted can also be groomed, physically abused, emotionally abused, sexually exploited or trafficked. However, as children involved in gangs often commit crimes themselves, sometimes they are not seen as victims by adults and professionals, despite the harm they have experienced. It’s important to spot the signs and act quickly if you think a child is being groomed or is becoming involved with a gang.

Please visit the [NSPCC website](#) for further guidance on Child Criminal Exploitation

## **Effects of Domestic Abuse**

Please see the [NSPCC website](#) for guidance on advice for professionals on how to support children exposed to domestic abuse.

Effects of domestic abuse (NSPCC website)

*Living in a home where domestic abuse happens can have a serious impact on a child or young person's mental and physical wellbeing, as well as their behaviour. And this can last into adulthood.*

*What's important is to make sure the abuse stops and that children have a safe and stable environment to grow up in.*

*Our [services](#) can support children and young people who have experienced domestic abuse to help them move on and receive the care they need.*

## Extremism

*The following definition is taken from Working Together (Working Together 2018)*

Extremism goes beyond terrorism and includes people who target the vulnerable – including the young – by seeking to sow division between communities on the basis of race, faith or denomination; justify discrimination towards women and girls; persuade others that minorities are inferior; or argue against the primacy of democracy and the rule of law in our society.

Extremism is defined in the Counter Extremism Strategy 2015 as the vocal or active opposition to our fundamental values, including the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist.

### The Prevent Duty

In order to comply with the Counter Terrorism and Security Act 2015, Watford Mencap promotes the 4 British Values that are designed to keep children and young people safe and promotes their welfare. It is our duty to raise awareness, recognize and support both children and adults. This includes awareness of the expression of extremist views. There is no single way to identify an individual who is likely to be susceptible to a terrorist ideology, but at Watford Mencap we; manage risks, notice changes and patterns in behavior and if we are concerned, we act proportionately, by referring through The Gateway and the Channel Panel. We use the Notice (recognise), check and share method. Staff at Watford Mencap are trained to identify children and young people who may be vulnerable to radicalisation and how to build resilience. By promoting fundamental British Values and debating controversial issues in a safe environment, allows children and young people to understand how they can influence and participate in safe decision making, recognise pressures, know how to manage difficult situations and where to get help. We provide opportunities to converse with the children and young people, listen to them and this rapport and trust that is built in a safe heaven is essential in safeguarding effectively.

Developing a 'code of conduct' with children and young people can assist with minimising the opportunity for bullying and encourage their participation in the activities of the group.

### Bullying and Cyberbullying

Bullying affects everyone at some point in their lives. It may be at school, at college, in an activity group or club, in the workplace or even at home.

Parents, carers, teachers and others working with children have a duty to take action if they suspect or discover that child(ren) are being bullied.

Bullying includes:

- People calling you names
- Making things up to get another person into trouble
- Hitting, pinching, biting, pushing and shoving
- Taking things away from someone

- Damaging another person's belongings
- Stealing someone's money
- Taking friends away from them
- ['Cyberbullying'](#)
- Spreading rumours
- Upskirting - this is a criminal offence and must be reported to the Police.
- Threats and intimidation
- Making silent or abusive phone calls
- Bullies can also frighten the victim so that they don't want to go to school or take part in other activities.
- The victim may pretend to be ill to avoid the bully

Cyberbullying is bullying that takes place online. Unlike bullying in the real world, online bullying can follow the child wherever they go, via social networks, gaming and mobile phone. Types of cyberbullying can include:

- Sending threatening or abusive text messages
- Creating and sharing embarrassing images or videos
- Trolling – the sending of menacing or upsetting messages on social networks, chat rooms or online games
- Excluding children from online games, activities or friendship groups
- Shaming someone online
- Setting up hate sites or groups about a particular child
- Encouraging young people to self-harm
- Voting for or against someone in an abusive poll
- Creating fake accounts, hijacking or stealing online identities to embarrass a young person or cause trouble using their name
- Sending explicit messages, also known as sexting
- Pressuring children into sending sexual images or engaging in sexual conversations.

Developing a 'Code of Conduct' with children and young people can assist with minimising the opportunity for bullying and encourage their participation in the activities of the group.

## Steps to follow if you are worried about a child or if a child confides in you

**Watford Mencap** recognises that it has a duty to act on reports or suspicions of abuse and believes that the safety of the child should override any doubts, hesitations, or other considerations (such as the potential to have a negative impact on professional relationships with a family). When worrying changes are observed in a child's or young person's behaviour, physical condition or appearance, staff will follow the steps set out below.

If a child confides in you:

- Stay calm, approachable and open to what they have to say

- Listen to them carefully without interrupting
- Make it clear that you are taking what they are telling you seriously
- Acknowledge that you understand how difficult this might be for them to say what they are saying
- Reassure them that they have done the right thing by telling someone
- Let them know that you will do everything you can to help them
- Do not show any shock or disgust;
- Do not probe further;
- Do not ask leading questions that might suggest the answer;
- Do not make assumptions;
- Do not make any comments about the alleged abuser;
- Do not make promises you cannot keep, particularly about keeping the information 'secret', but explain that you may need to share it with an appropriate person;
- Do not discuss with colleagues apart from the Designated Safeguarding Lead (or their deputy); and
- Follow the steps set out below

### Step 1

- Initially talk to a child/young person about what you are observing. It is okay to ask questions, for example: "I've noticed that you don't appear yourself today, is everything okay? But never use leading questions
- Listen carefully to what the young person has to say and take it seriously;
- Never investigate or take sole responsibility for a situation where a child/young person talks about matters that may be indicative of abuse;
- Always explain to children and young people that any information they have given will have to be shared with others, if this indicates they and or other children are at risk of harm;
- Notify the organisation's Designated lead for Child Protection / Safeguarding
- Record what was said as soon as possible after any disclosure on the form attached at Appendix 1 and send to the Designated lead for Child Protection / Safeguarding;
- Respect confidentiality and file documents securely;

### Step 2

- The Designated lead(s) will take immediate action if there is a suspicion that a child has been abused or likely to be abused th. In is situation the Designated lead will contact the police and/or The Gateway. If a referral is made direct to a Social Worker this must be followed up in writing within 24 hrs.  
++  
NB Parents / carers will need to be informed about any referral to The Gateway unless to do so would place the child at an increased risk of harm.
- The Designated lead can also seek advice and clarity about a situation that is beginning to raise concern through The Gateway **0300 123 4043** or from the NSPCC National Child Protection on **0808 800 5000**. Specific advice about issues concerning South Asian children can be sought on the NSPCC National Child Protection Asian Helpline on **0800 096 7719**.



Professionals, employees, managers, helpers, carers and volunteers in all agencies must make a referral to The Gateway:

- If it is believed or suspected that a child is suffering or is likely to suffer Significant Harm, or
- Where a professional has identified unmet need in relation to a Child in Need

A referral must be made as soon as possible when any concern of significant harm becomes known - the greater the level of perceived risk, the more urgent the action should be.

### **IF YOU ARE WORRIED ABOUT A CHILD YOU HAVE A DUTY TO REFER**

The belief or suspicion about significant harm may be based on information which comes from different sources. It may come from a member of the public, the child concerned, another child, a family member or other professional staff. It may relate to a single incident or an accumulation of lower level concerns.

The information may also relate to harm caused by another child, in which case both children, i.e. the suspected perpetrator and victim, must be referred.

The suspicion or allegation may relate to a parent or professional or volunteer caring for or working with the child – see Managing allegations against an adult who works with children or young people.

**A referral must be made even if it is known that Children’s Services (Social Care) are already involved with the child/family.**

Advice and consultation may be sought about the appropriateness of the referral by contacting The Gateway or if the case is open, from the allocated social worker. Alternatively advice may be sought from the Police or a Designated Professional or Named Professional within your agency.

Designated Leads can report concerns using Hertfordshire online form but only following telephone contact with The Gateway. Individuals will need to create an account before accessing the form at [www.hertfordshire.gov.uk/childprotection](http://www.hertfordshire.gov.uk/childprotection)

## **Safer staffing and DBS (Disclosure & Barring Service) checks**

Watford Mencap has its own processes for recruiting paid workers and volunteers. The Hertfordshire Safeguarding Children Board sets out guidance in the Safe Staffing Handbook and this is included in Watford Mencap’s Recruitment and Selection Policy:

[http://www.hertssafeguarding.org.uk/adults/files/Safe\\_Staffing\\_Handbook.pdf](http://www.hertssafeguarding.org.uk/adults/files/Safe_Staffing_Handbook.pdf)

# Managing allegations against an adult who works with children or young people

Whenever it is alleged a person who works with children has in any activity connected with her/his employment or voluntary activity:

- Behaved in a way that has, or may have harmed a child
- Possibly committed a criminal offence against / related to a child
- Behaved toward a child in a way which indicates s/he is unsuitable to work with children

The procedures apply to situations when:

- There are suspicions or allegations of abuse by a person who works with children in either a paid or unpaid capacity - as a permanent, temporary or agency staff member, contract worker, consultant, volunteer, approved foster carer, child minder or approved adopter
- It is discovered that an individual known to have been involved previously in child abuse, is or has been working with children

If concerns arise about the person's behaviour to her/his own children, Police and/or Designated Officer must consider informing her/his employer in order to assess whether there may be implications for children with whom the person has contact at work. A decision as to whether the person's employer should be approached, either for further information and/or whether it is appropriate to invite the employer to a future Strategy Meeting when decisions are to be made about managing the possible risk, should be made at the initial Strategy Meeting when all agencies can contribute. The risk that someone presents needs to be properly considered and a decision made whether the risk outweighs the employee's right to confidentiality before an employer is approached.

If an allegation relating to a child is made about a person undertaking paid or unpaid care of vulnerable adults, consideration must also be given to the need to alert those who manage her/him in that role.

## Procedure

The person to whom an allegation is first reported should take the matter seriously and keep an open mind. S/he should not investigate or ask leading questions if seeking clarification, it is important not to make assumptions. Confidentiality should not be promised and the person should be advised that the concern will be shared on a 'need to know' basis only.

Actions to be taken include making a written record of the allegation using the informant's words - including time, date and place where the alleged incident took place, what was said and anyone else present. This record should be signed and dated and immediately passed on to the Designated Safeguarding Lead without delay.

The recipient of an allegation must **not** unilaterally determine its validity, and failure to report it in accordance with procedures is a potential disciplinary matter.

If there is an immediate or imminent risk of significant harm to a child or young person, you should contact The Gateway or the Police and then speak to the Designated Safeguarding Lead to inform them of the actions you have taken and follow this up in writing on the form attached at Appendix 1.

The Designated Safeguarding Lead must take steps to ensure that the person against whom the allegation is removed from the situation immediately. This may be done by either agreement or suspension from the organisation until the matter has been fully investigated.

The Designated Safeguarding Lead will follow the [Managing Allegations against Adults who work with Children and Young People](#) policy on the HSCP website by referring the issue to the Designated Officer (DO).

Ofsted must also be informed of any allegations of serious harm or abuse by an adult working with the children or young people as well as an action taken.

Any member of staff who believes that allegations or suspicions, which have been reported to the appropriate manager, are not being investigated properly has a responsibility to report it to a higher level in her/his agency or directly to the Designated Officer.

The Designated Officer must be told, within one working day, of all allegations that come to the employer's attention and appear to meet the criteria so that s/he can consult or refer to the Police Designated Unit Manager and Children's Services (Social Care) Team Manager as appropriate.

If, for any reason, there are difficulties with following the above procedure, the Whistle Blowing Procedure should be considered or a referral made directly to The Gateway and / or the Police.

**The need for consultation must not delay a referral**, which should be in accordance with **Referral procedure**.

The employer should keep the subject of allegations informed of progress in the case and arrange to provide appropriate support (via Occupational Health or equivalent). If the person is suspended, s/he should be kept informed of development in the workplace and if a member of a Trades Union or professional association, advised at the outset to contact that body.

## Confidentiality

Information about a referral about a child or an allegation against a member of staff or volunteer must be restricted to those who have a need to know in order to:

- Protect children
- Facilitate enquiries
- Avoid victimisation
- Safeguard the rights of the person about whom the allegation has been made and others who might be affected
- Manage disciplinary / complaints aspects

The Designated lead for Safeguarding may ask you for further information in order to make any referrals. You should not discuss or share this information with anyone else within the organisation. Any paperwork you have generated should be stored securely in a locked filing cabinet, or if stored on a computer it should be password protected.

## Managing activities involving Children and Young People

When managing an activity involving children and young people, it is important to consider a risk assessment, both in terms of the health and safety of the participants, but also of the potential child protection issues.

### Risk Assessments

Every child using services must have an individual risk assessment looking at their vulnerability, behaviour and other factors that may put them or others at greater risk. This should normally form part of introduction to services and be documented

Each activity should also have a risk assessment undertaken to consider what level and impact of risk there may be to the children and to the staff or volunteers. The service manager decides whether to document this or not.

### Record keeping

Whilst record keeping may seem overly bureaucratic from time to time, it is important to keep good and clear records of the work of your organisation. All details must be kept securely on Watford Mencap's Charitylog system in accordance with the Data Protection Act 1998.

Good record keeping promotes confidence in the organisation and in the safety of children who are participating in the activities.

### Mobile Phones

All staff personal mobile phones must be locked away whilst on duty. Watford Mencap will ensure that leaders are issued with company mobile phones without cameras. Staff should give these numbers for emergency contact.

### Taking photographs or videos of children

Cameras may not be brought to activities but from time to time photographs may be taken on behalf of the organisation of children participating in activities. This must be arranged with the leader of the activity and children and young people should be advised why they are being taken and written consent obtained. Following the introduction of GDPR legislation written consent must be obtained from the individual for any child aged 13 or over. Below that age a parent or carer must give written consent.

## Specific Guidance for those working with Faith Communities

The HSCP has a duty under the Children Act 2004 to protect children and to give advice and guidance to those working with children and young people. This also includes faith settings including places of worship, activity groups and learning environments.

In most religions there is a fundamental principle to love children, nurture them and protect them from harm. This same principle is included in the legal framework of the Children Act 1989, Adoption and Children Act 2002, Children Act 2004, Children and Young Persons Act 2008 and also applies to other legislation including the Forced Marriage(Civil Protection) Act 2007, Domestic Violence, Crime and Victims Act 2004 , and the Female Genital Mutilation Act 2003

In addition to the guidance from the Hertfordshire Safeguarding Children Partnership, further guidance on some of these issues is available from the Churches Child Protection Advisory Services (CCPAS), the NSPCC, from the Foreign and Commonwealth Office and from the Muslim Parliament of Great Britain, to name but a few.

The key to remember is to be able to recognise significant harm and to be able to report it appropriately in a timely way in order to protect children

## Forced Marriage

**The Anti-Social Behaviour Crime and Policing Act 2014 amended the Forced Marriage (Civil Protection) Act 2007 and the Family Law Act 1996.** This Act criminalised Forced Marriage and introduced Forced Marriage Orders. Forced Marriage is illegal in the UK, or in attempting abroad where a child/person is a UK national/resident.

### *What forced marriage is (Gov.uk website)*

***You have the right to choose who you marry, when you marry or if you marry at all.***

***Forced marriage is when you face physical pressure to marry (for example, threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if you're made to feel like you're bringing shame on your family).***

Whilst the majority of extended visits to family overseas are for valid reasons, in 2017 there were more than 1,000 UK residents forced into a marriage against their will, often by violence, coercion or emotional blackmail. It is important to note that Forced Marriage occurs in the UK too; it is not solely an overseas issue. Unlike arranged marriages, where the bride and groom both freely consent to the marriage with a 'suitor' of their choice that has been introduced to them by the family, forced marriages involve duress and do not give the bride or groom the freedom of choice. Forced marriage is illegal under UK legislation and a violation of human rights.

Children may be at risk of violence, harassment from family / community members, and 'home policing' where it is deemed their behaviour has/may have 'shamed' the family.

The types of behaviour which can precipitate this and may also be key motives for forcing the child into marriage are:

- To control unwanted behaviour and sexuality, and prevent 'unsuitable' relationships, i.e. with people outside their ethnic, cultural, caste or religious group
- To protect perceived cultural or religious ideals
- Family 'honour' or long-standing family commitments
- Peer group or family pressure
- To ensure land, property and wealth remain in the family
- To strengthen family links
- To assist claims for residence and citizenship
- To provide a carer for a disabled family member / reduce the 'stigma' of disability
- Do not approve of their child being gay, lesbian, bisexual or transgender

### Who is at risk of forced marriage?

Commonly, males and females from as young as 13yrs may be at risk of being forced into marriage by parents. However, children as young as 2yrs old can be at risk of forced marriage. They may be pressurised and then agree to marry one of the prospective candidates without time for reflection, without full and explicit consent, and with some form or degree of duress. Younger children may be betrothed with the expectation that they will enter full married state at a later stage of their lives.

### **It is different to an Arranged Marriage**

*Arranged marriage:* is a cultural tradition and you have a choice, give their full and free consent without **any** pressure, duress or coercion.

*Forced marriage:* is an abuse of human rights and you do not have a choice. Both or one party does not give, or does not have the capacity to give, full and free consent and there is some form of pressure, duress or coercion.

### **How can you help?**

All organisations that may come into contact with potential victims have a statutory responsibility for forced marriages. The Forced Marriage (Civil Protection) Act 2007 states that all organisations should have “a lead person with overall responsibility for safeguarding children, vulnerable adults or victims of domestic abuse – the same person should lead on forced marriage”.

Where there is a suspicion that a child is to be taken out of the country for the purposes of entering into a forced marriage extreme caution should be taken in sharing information, especially if honour-based abuse is also a possibility. This also applies to risk of, or plans for, being forced into marriage in the UK.

If you are concerned that a young person is at risk, you should follow the Child Protection guidance set out in Section 13.

## **Female Genital Mutilation (FGM)**

[Please see Government Guidance on Mandatory Report of Female Genital Mutilation](#)

[Please see Hertfordshire Multi-Agency FGM Pathways](#)

The World Health Organisation (WHO) defines female genital mutilation (FGM) as “comprises all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons” (WHO, 2020)

It is illegal in the UK to subject a child to FGM or to take a child abroad to undergo FGM. In England, Wales and Northern Ireland all forms of FGM are illegal under the Female Genital Mutilation Act 2003 and in Scotland it is illegal under the Prohibition of FGM (Scotland) Act 2005.

A child for whom FGM is planned is at risk of **significant harm** through physical abuse and emotional abuse, which is categorised by some also as sexual abuse. See [Neglect Strategy on the HSCP website](#).

Significant harm is defined as a situation where a child is suffering, or is likely to suffer, a degree of physical, sexual and / or emotional harm (through abuse or neglect) which is so harmful that there

needs to be compulsory intervention by child protection agencies into the life of the child and their family.

The **Female Genital Mutilation Act 2003** extends the existing legislation criminalising FGM in the UK, by making it an offence for UK nationals or permanent UK residents to take a girl abroad, or to help others to take a girl abroad, to carry out female genital mutilation, even in countries where the practice is legal.

*(NSPCC) Girls living in communities that practise FGM are most at risk. It can happen in the UK or abroad. In the UK, the Home Office has identified girls and women from certain communities as being more at risk:*

- *Somali*
- *Kenyan*
- *Ethiopian*
- *Sierra Leonean*
- *Sudanese*
- *Egyptian*
- *Nigerian*
- *Eritrean*
- *Yemeni*
- *Kurdish*
- *Indonesian.*

*(NSPCC) FGM is a form of child abuse. It is dangerous and a criminal offence in the UK. We know:*

- *there are no medical reasons to carry out FGM*
- *it's often performed by someone with no medical training, using instruments such as knives, scalpels, scissors, glass or razor blades*
- *children are rarely given anaesthetic or antiseptic treatment and are often forcibly restrained*
- *it's used to control female sexuality and can cause long-lasting damage to physical and emotional health.*

*FGM can happen at different times in a girl or woman's life, including:*

- *when a baby is new-born*
- *during childhood or as a teenager*
- *just before marriage*
- *during pregnancy.*

FGM can also be know by other terms, such as:

- Female circumcision or cutting
- Sunna
- Gudniin
- Halalys
- Tahur
- Megrez

- Khitan

FGM is carried out for a number of cultural, religious and social perceptions and justifications, which are distorted. Some families and communities believe that FGM will benefit the girl in some way, such as preparing them for marriage or childbirth. FGM is a harmful practice that is not required by any religion and there are no health benefits of FGM. FGM is illegal in the UK.

The age at which girls are subjected to FGM varies greatly, from shortly after birth to any time up to adulthood. The average age is 10 to 12 years, and commonly takes place before puberty.

Girls are at particular risk of FGM during school summer holidays. This is the time when families may take their children abroad for the procedure, as this is the time of least visibility for a number of weeks. In recent years there has been an increase UK-based activity. Many girls may not be aware that they may be at risk of undergoing FGM.

If you suspect that someone you know is at risk of being subjected to any form of FGM, you should take action to report it immediately. Time counts so please act as soon as you suspect that a girl may be at risk of FGM.

### **FGM – The facts**

- FGM includes procedures that intentionally alter or injure female genital organs for non-medical reasons.
- The procedure has no health benefits for girls and women.
- Procedures can cause severe bleeding and problems urinating, and later, potential childbirth complications and new-born deaths.
- An estimated 100 to 140 million girls and women worldwide are currently living with the consequences of FGM.
- It is mostly carried out on young girls sometime between infancy and age 15 years.
- In Africa an estimated 92 million girls from 10 years of age and above have undergone FGM.
- FGM is internationally recognized as a violation of the human rights of girls and women.
- It is illegal to practice FGM in the UK

### **The Law**

The Female Genital Mutilation Act was introduced in 2003 and came into effect in March 2004.

### **The Act**

- Makes it illegal to practice FGM in the UK;
- Makes it illegal to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in that country;
- Makes it illegal to aid, abet, counsel or procure the carrying out of FGM abroad;
- Has a penalty of up to 14 years in prison and/or a fine

If you are concerned that a British citizen may be taken overseas for the purpose of FGM please call the Foreign and Commonwealth Office on 0207 008 1500, overseas +44(0)20 7008 1500 or visit their [website](#).



You should also call the Joint Child Protection Investigation Team (joint team with Children's Services and Police) on 01707 354000

## Male Circumcision

Male circumcision is the surgical removal of the foreskin of the penis. The procedure is usually requested for social, cultural or religious reasons (e.g. by families who practice Judaism or Islam). There are parents who request circumcision for assumed medical benefits.

There is no requirement in law for professionals undertaking male circumcision to be medically trained or to have proven expertise. Traditionally, religious leaders or respected elders may conduct this practice.

### Circumcision for Therapeutic/Medical Purposes

The British Association of Paediatric Surgeons advises that there is rarely a clinical indication for circumcision. Doctors should be aware of this and reassure parents accordingly.

Where parents request circumcision for their son for assumed medical reasons, it is recommended that circumcision should be performed by or under the supervision of doctors trained in children's surgery in premises suitable for surgical procedures.

The risks / benefits to the child must be fully explained to the parents and to the young man himself, if [Fraser](#) Competent. The medical harms or benefits have not been unequivocally proven except to the extent that there are clear risks of harm if the procedure is done inexpertly.

### Non-therapeutic Circumcision

Male circumcision that is performed for any reason other than physical clinical need is termed non-therapeutic circumcision.

### Legal Position

The legal position on male circumcision is untested and therefore remains unclear. Nevertheless, professionals may assume that the procedure is lawful provided that:

- It is performed competently, in a suitable environment, reducing risks of infection, cross infection and contamination;
- It is believed to be in the child's best interests;
- There is valid consent from family/parents and the child, if old enough, is Fraser Competent

If doctors or other professionals are in any doubt about the legality of their actions, they should seek legal advice.

### Principles of Good Practice

The welfare of the child should be paramount, and all professionals must act in the child's best interests. Children who are able to express views about circumcision should always be involved in the decision-making process:

- Even where they do not decide for themselves, the views that children express are important in determining what is in their best interests;
- Parental preference alone does not constitute sufficient grounds for performing a surgical procedure on a child unable to express his own view. Parental preference must be weighed in terms of the child's interests.
- When the courts have confirmed that the child's lifestyle and likely upbringing are relevant factors to take into account. Each individual case needs to be considered on its own merits.

An assessment of best interests in relation to non-therapeutic circumcision should include consideration of:

- The child's own ascertainable wishes, feelings and values;
- The child's ability to understand what is proposed and weigh up the alternatives;
- The child's potential to participate in the decision, if provided with additional support or explanations;
- The child's physical and emotional needs;
- The risk of harm or suffering for the child;
- The views of parents and family;
- The implications for the child and family of performing, and not performing, the procedure;
- Relevant information about the child and family's religious or cultural background

Consent for circumcision is valid only where the people (or person) giving consent have the authority to do so and understand the implications (including that it is nonreversible procedure) and risks. Where people with Parental Responsibility for a child disagree about whether he should be circumcised, the child should not be circumcised without the leave of the court.

### Doctors' Response

Doctors are under no obligation to comply with a request to circumcise a child and circumcision is not a service which is provided free of charge. Nevertheless, some doctors and hospitals are willing to provide circumcision without charge rather than risk the procedure being carried out in unhygienic conditions.

Poorly performed circumcisions have legal implications for the doctor responsible. In responding to requests to perform male circumcision, doctors should follow any guidance issued by the:

- General Medical Council
- British Medical Association in respect of responding to requests to perform male circumcision
- Royal College of Surgeons

### Recognition of Harm

Circumcision may constitute **Significant Harm** to a child if the procedure was undertaken in such a way that he:

- Acquires an infection as a result of neglect;
- Sustains physical functional or cosmetic damage;
- Suffers emotional, physical or sexual harm from the way in which the procedure was carried out;
- Suffers emotional harm from not having been sufficiently informed and consulted, or not having his wishes taken into account

**Significant Harm** is defined as a situation where a child is likely to suffer a degree of neglect, physical, sexual and/or emotional abuse so harmful there needs to be compulsory intervention by child protection agencies in the life of the child and their family.

Harm may stem from the fact that clinical practice was incompetent (including lack of anaesthesia) and/or that clinical equipment and facilities are inadequate, not hygienic etc.

The professionals most likely to become aware that a boy is at risk of, or has already suffered, harm from circumcision are health professionals (GP's, health visitors, A&E staff or school nurses) and childminding, day care and teaching staff.

### **Multi-agency Response**

Should a professional in any agency becomes aware through something a child discloses or another means, that the child has been or may be harmed through male circumcision, a referral must be made to Children's Services under the referral process. Children's Services should assess the risk of harm to other male children in the same family, including unborn children.

### **Role of Community/Religious Leaders**

Community and religious leaders should take a lead in the absence of approved professionals and develop safeguards in practice. This could include setting standards around hygiene, advocating and promoting the practice in a medically controlled environment and outlining best practice if complications arise during the procedures.

## **Spirit Possession**

**The belief** in "possession or "witchcraft" is widespread; it is not confined to particular countries, cultures or religions, nor is it confined to immigrant communities in this country.

**The definition** which is commonly accepted across faith -based organisations, nongovernmental organisations and the public sector is the term 'possession by evil spirits' or 'witchcraft'. The term '**possession**' means that an evil force has entered a child and is controlling him or her. The term '**witch**' means a child who is able to use evil forces to harm others. In either case, these are genuine beliefs held by families and often the children themselves. When families hold this belief about a child, they may feel terrified and that everything is under threat.

In some faiths these terms may be used to indicate good spirits as well, 'possession' can be understood to include being taken over by 'the Holy Spirit' for example.

The three common terms for getting rid of the 'evil spirits' are '**praying for children**', '**deliverance**' and '**exorcism**'. There is a range of behaviour associated with 'exorcism' from praying for a child while he or she is not present through to 'beating the devil out of the child'.

## The Child

The number of known cases of child abuse linked to accusations of "possession" or "witchcraft" is small, but children involved can suffer damage to their physical and mental health, capacity to learn, ability to form relationships and self-esteem. Such abuse generally occurs when a carer accuses the child of being evil and views a child as being "different", attributes this difference to the child being "possessed" or involved in "witchcraft", and attempts to exorcise him or her.

A child could be viewed as "different" for a variety of reasons such as, disobedience; independence; bedwetting; nightmares; illness; or disability. There is often a weak bond of affection between the carer and the child.

There are various social reasons that make a child more vulnerable to an accusation of 'possession' or 'witchcraft'. These include family stress and /or a change in the family structure, both of which are common in communities with immigrant and migratory families.

The attempt to "exorcise" may involve severe beating, burning, starvation, cutting or stabbing and/or isolation, and usually occurs in the household where the child lives.

Any siblings or other children in the household may be well cared for with all their needs met by the parents and carers. The other children may have been drawn in by the adults to view the child as "different" and may have been encouraged to participate in the adult activities.

Indicators reported in the cases known from research usually involve children aged between 2 and 14, both boys and girls, and have generally been reported through schools or non-governmental organisations.

Referrals usually take place at a point when the situation has escalated and become 'visible' outside the family. This means that the child may have been subjected to serious harm for a period of time already.

Although the research has found a number of parents and carers to have some form of mental health problem, this must not distract from the child's situation nor be seen as a factor to explain away the potential risks to the child.

Indicators leading to referrals have included:

- Issues of neglect such as not being fed properly or being 'fasted', not being clothed, washed properly etc. but left to fend for themselves especially compared to the other children in the household
- Often the carer is not the natural parent and the family structure can be complex
- Children often appear isolated, sad, distressed and withdrawn
- The child is seen as the scapegoat for a change in family circumstances for the worst
- In a group of children, it may be the child who is relatively powerless vis-a-vis the parents/carers; maybe a child with no essential role in the family
- The child is seen as someone who violates the family norms by being physically different perhaps because of illness, disability or a suspicion of adultery by the mother

This list is not exhaustive, and any sign of abuse or neglect may indicate the existence of child abuse linked to possession or witchcraft or in other ways related to religious or spiritual belief.

## Referrals and Assessments

All agencies should be alert to the indicators above and should be able to identify children at risk of this type of abuse and intervene to prevent it by using the procedures for referral.

Any evidence that the parent or carers will take the child out of the country/abandon the child must be taken seriously.

Further contacts for advice can be found from the local representatives for some faiths from organisations such as the Churches' Child Protection Advisory Service (CCPAS) who provide information about exorcism; the African Caribbean Evangelical Alliance; Churches Together in England and the Muslim Parliament, all of whom are consulting about and developing guidance.

“The most widely acceptable terms across faith-based organisations, nongovernmental organisations and the public sector are “possession by evil spirits” or “witchcraft”. For the purposes of this report, the term “possession” means an evil force has entered a child and is controlling him or her and the term “witch” means a child who is able to use evil forces to harm others. In either case, these are genuine beliefs held by families and often the children themselves. When families hold this belief about a child they are terrified of him or her, they feel that everything is under threat - even their lives. Although these terms are not entirely satisfactory, they are the least misleading and the most widely understood.

It is recognised that these are very specific and disputed uses of these terms. “Possession” can be understood to include being taken over by a force for good (e.g. the Holy Spirit). Equally, for both practitioners of “Wicca” and “witchdoctors” the term “witch” can mean a person who is able to use good or evil forces for good or evil purposes.

Publication: Child Abuse Linked to Accusations of “Possession” and “Witchcraft” DfE, Stobart, E - quote *We came across three common terms for getting rid of the “evil spirit” – these were “praying for children”, “deliverance” and “exorcism”. Colloquially “exorcism” was the most all-encompassing term understood by most people we spoke to during our research. The Collins English Dictionary defines exorcism as “expelling, or attempting to expel, one or more evil spirits from a person or place believed to be possessed or haunted, by prayers, adjurations and religious rites”. There is a range of behaviour associated with “exorcism” from praying for a child while he or she is not present through to “beating the devil out of the child”.*

[Link](#))

## Modern Slavery and Human Trafficking

Victims of modern slavery and human trafficking should be given protection, provided with the help they need to recover from their experiences and gain access to the justice they deserve. This model child protection policy sets out guidance on national and international definitions of child slavery and trafficking, national legislation, how to identify potential victims, safeguarding and reporting possible cases in Hertfordshire, and additional resources/contacts.

## Context

Modern slavery and human trafficking are forms of serious organised crime in which individuals including children and young people are treated as commodities and exploited for criminal gain. Year on year, the UK is seeing an increase in the number of children of both UK and other nationalities that are being enslaved and/or trafficked internally within the UK. In fact, in the UK 43% of victims of modern slavery/trafficking are children.<sup>2</sup> These crime types are identified as child abuse which require a child protection response. It is also an abuse of human rights, and all children, irrespective of their immigration status, are entitled to protection under the law. The organised crime of child trafficking into and/or around the UK is an issue of considerable concern to all professionals with responsibility for the care and protection of children.

All children, including UK born children, are vulnerable to slavery and/or trafficking. Through use of deception, coercion and/or force, children are recruited, moved or transported and then exploited, forced to work and/or sold. Victims often face more than one type of abuse and slavery, for example they may be sold to another trafficker and then forced into another form of exploitation. Grooming methods are used to gain the trust of a child and their parents e.g. the promise of a better life or education. Children and young people may also be exploited by parents, carers or family members. Often the child or young person will not realise that family members are involved in the exploitation. Trafficked and enslaved children are victims of serious crime and this will impact on their health and welfare. In order to coerce and control, they are commonly subject to physical abuse including use of drugs and alcohol, emotional and psychological abuse, sexual abuse and neglect as a result of a lack of care about their welfare and the need for secrecy surrounding their circumstances.

## Definition

Boys and girls of all ages are affected and can be enslaved and/or trafficked into, within ('internal trafficking'), and out of the UK for many reasons and for the purpose of many types of exploitation. These include:

- **Labour Exploitation:** *Forced to work very long hours in often hazardous conditions and hand over the majority or all of their wages to their traffickers or exploiters. Violence and threats may be used against victims or against their families if they fail to comply.*
- **Sexual Exploitation:** *Actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. (See also [Children Abused through Sexual Exploitation Procedure](#))*
- **Criminal Exploitation:** *Victims are often deceived or coerced into helping their exploiters acquire financial gains. They may be involved in fraud e.g. benefit or credit card, cannabis cultivation, drug trafficking, petty theft, begging.*

<sup>2</sup> Home Office, *National Referral Mechanism Statistics UK, End of Year Summary, 2019*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/876646/national-referral-mechanism-statistics-uk-end-of-year-summary-2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876646/national-referral-mechanism-statistics-uk-end-of-year-summary-2019.pdf)

- **Domestic Servitude:** *Victims live and work in households where they are forced [or expected] to work beyond reasonable expectations. Domestic servitude is often reinforced through threats of destitution, serious harm or other retribution, and victims may be subjected to physical and sexual assaults. There is often restriction of liberty and movement and victims may not be able to leave their accommodation.*
- **Organ Harvesting:** *Illegal removal of internal organs for transplant with or without the donor's consent.*
- **Illegal Adoption:** *Adoption of a child for the purpose of exploitation.*
- **Baby Farming:** *Birth of a child for the purpose of exploitation.*
- **Sham Marriage:** *One or both people don't consent to a marriage and pressure and/or abuse from family is used, linked to changing immigration status, for example.*
- **Forced Marriage:** *One or both people don't consent to a marriage and pressure and/or abuse from family is used. It is important to note the distinction between forced marriage and legitimately 'arranged marriage', although the two can be difficult to distinguish and may require further investigation.*

## Legislation

### Modern Slavery Act 2015

The Modern Slavery Act consolidated and simplified existing human trafficking and modern slavery offences into a single act in 2015. Under the Modern Slavery Act 2015, modern slavery occurs in a situation where a child being held in slavery<sup>3</sup> or servitude<sup>4</sup> or required to perform forced or compulsory labour. In most situations, slavery is very unlikely to have occurred in isolation of trafficking taking place, but it is possible. For any case, where slavery and/or trafficking is identified, an NRM referral must be submitted to the Home Office, informing them of the identification of a potential child victim of trafficking and/or slavery.

### United Nations Palermo Protocol 2006

Under the [United Nations 'Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children'](#) (ratified by the UK in 2006), a child that has been exploited is also deemed to have been trafficked if the following considerations are met:

1. **ACT:** *Recruitment, transportation, transfer, harbouring or receipt of the child(ren)*
2. **MEANS:** *By means of 1) the threat or use of force or 2) other forms of coercion, 3) of abduction, 4) of fraud, 5) of deception, 6) of the abuse of power or 7) of a position of vulnerability or 8) of the giving or receiving of payments or benefits to achieve the consent of control over the child(ren) in question.*

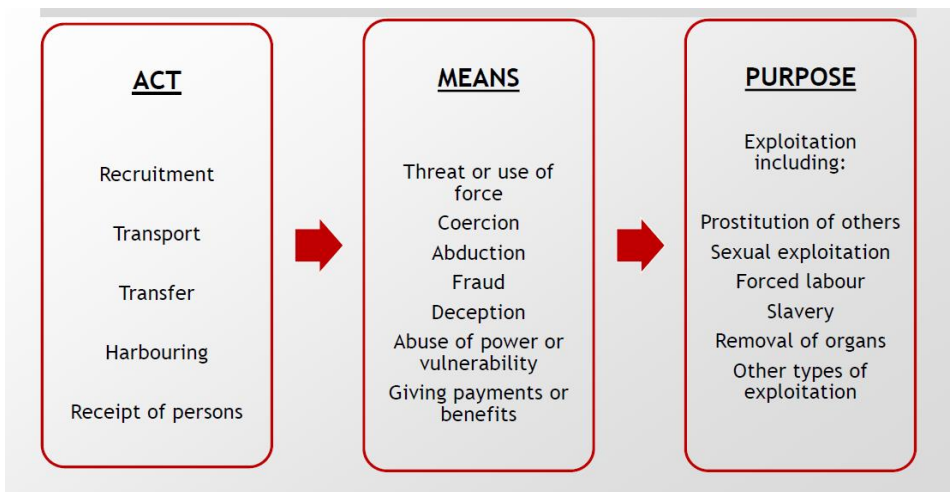
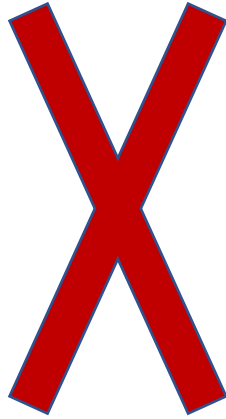
<sup>3</sup> Slavery refers to the condition in which a child is owned as property by another and is under the owner's control, especially in involuntary servitude.

<sup>4</sup> Servitude refers to a condition in which a child lacks liberty, especially to determine one's course of action or way of life.

3. PURPOSE: For the purpose of exploitation (i.e. sexual/labour/criminal exploitation etc)

Children cannot consent to their own exploitation. Where a victim of exploitation is under 18, the 'means' used by exploiters – whether coercion, force, deception or other – is irrelevant. As a result, the perceived consent of a child to such activities is irrelevant where any of the means provided above have been used by the perpetrator(s), which is emphasised in the below diagram. Even when a child understands what has happened, they may still appear to submit willingly to what they believe to be the will of their parents or accompanying adults. It is important that these children are protected also.

Diagram:



In addition, the 'travel' aspect does not need to be over large distances to constitute an offence. For example, a child forced to carry drugs from one house to another on the same street should be considered equally to a young person transported across international borders to work in a cannabis factory. Equally, it is also not necessary for an actual act of sexual abuse or criminality to take place; just evidencing the intent of the exploiter is sufficient.



Children and young people can be groomed online or in the real world, by a stranger or by someone they know - for example a family member, friend or professional. Groomers may be male or female. They could be any age. Many children and young people don't understand that they have been groomed, or that what has happened is abuse. As with sexual exploitation and abuse, the grooming process often includes a number of stages, relating to the conditions outlined in the Palermo definition – including deception, manipulation, coercion and control. See below for further information on the grooming cycle:

### Grooming Process: Exploitation of Young and Vulnerable People

The grooming process is essential to the success of the county lines business model. Young or vulnerable people are lured in with false promises and then become trapped into a dire, exploitative situation. There are four main recruitment stages that a gang will use when trying to exploit someone:



#### 1. Targeting Stage:

This is when an exploiter targets a young person who is vulnerable, reducing their chances of getting caught. Exploiters pick their targets based on things like age, strength or situation.



**2. Experience Stage:** This stage is where an exploiter might try to get a young person used to their lifestyle, or train them up in what they're doing.



#### 3. Hooked Stage:

This is the stage where an exploiter will make a young person feel like they're a member of their gang, even though they're just exploiting them.



#### 4. Trapped Stage:

Now a young person feels dependent on the group, their relationship with their exploiter may start to become unpleasant, as their exploiter's true intents or character is revealed. (Taken from [Children's Society \(2018\) Criminal Exploitation: Stages of Recruitment report](#))

### Indicators

Modern slavery is often hidden in nature, and goes unnoticed in our communities, with under-reporting a major concern. Identification of trafficked and/or enslaved children may

be difficult as they might not show obvious signs of distress or abuse, or children may show signs of multiple forms of abuse and neglect. Some children are even unaware that they have been trafficked and/or enslaved, even appearing to consent to activities linked to their exploitation, while others may actively participate in hiding that they have been trafficked. The following indicators are not a definitive list and are intended as a guide to be included in a wider assessment of the child's circumstances:

#### 1) Physical Appearance:

- e.g. Signs of physical or psychological abuse, looking malnourished or unkempt, few personal possessions or expensive clothing; and/or appearing withdrawn and/or tired.

#### 2) Behaviour (including psychological indicators)

- e.g. Hyper alert or nervous; depression, self-harm or low self-esteem; withdrawal from school, family, friends and/or activities; and/or unusual behaviour for their age e.g. use of oversexualised language

#### 3) Dependency on Traffickers/Exploiter:

- e.g. Reluctant to seek help; unwilling to disclose details or experience; information gaps and discrepancies; and/or seemingly willing participant in their exploitation.

#### 4) Familial Relationship Concerns

- e.g. Poor and/or unusually close relationship with guardian and/or parents; child with no relation to accompanying adults; living with multiple unrelated children; and/or without family.

#### 5) Missing Concerns

- e.g. Missing from care, home or school; pattern of registration and de-registration from different schools; missing episodes are frequent, historical and/or long; found in location far from home address and/or refusing to disclose where they have been.

#### 6) Other Indicators:

- Rarely leaving their home, with no freedom of movement and no time for playing, only household chores.
- Poor living and working conditions i.e. dirty, cramped or overcrowded accommodation.
- Does not appear to have money but does have a mobile phone.
- Unexplained/unidentified phone calls or letters being received by the child from adults outside the usual range of contacts and/or whilst in placement/temporary accommodation.
- Moving and/or selling drugs within and across county
- Unaccompanied on trains/in cities far from home
- Working at cannabis farms/factories or in cuckooed properties
- Working in construction sites, factories, barber shops etc.
- Fake documents and/or fake name
- Sexually transmitted infections, pregnancy and/or UTIs
- Associating with known or suspected gang members or be close to siblings or adults in the family who are gang members.
- Possessing large amounts of money (including being seen with large sums of cash and/or large numbers of bank cards; acquiring expensive clothes/mobile phones without plausible explanation.

#### **Safeguarding: Action to be Taken and Reporting**

Any agency or individual practitioner or volunteer who has a concern regarding the possible enslavement and/or [trafficking](#) of a child should immediately follow 3 steps in line with the [HMSP Child Victim Referral Pathway](#):

- **Step 1: Assess for Immediate Risk**
- **Step 2: Initial Contact**
- **Step 3: Recording and Reporting**

**IF YOU SUSPECT THAT EXPLOITATION IS BEING CARRIED OUT BY THE FAMILY MEMBERS/CARE GIVERS, DO NOT RAISE YOUR TRAFFICKING/ SLAVERY CONCERNS WITH, OR TRANSLATE THROUGH THEM OR ANYONE ACCOMPANYING THE CHILD UNDER ANY CIRCUMSTANCES.**

#### **Specific Protocols:**

- If the child is 1) in imminent danger or 2) at significant risk of harm or 3) in danger of going missing, call 999 and request for police to attend.
- Ensure that the safety of the child is the first priority. If the child is at immediate risk of harm, then keep them in the setting where they have been identified, whilst in conversation with children's services and the police, who will provide further direction.
- Follow your organisation's child protection and safeguarding procedures.

- Consider the safety and comfort of the child before asking any questions.
- Be aware that it may be more appropriate for someone else/a different agency to speak to the child.
- Notify Hertfordshire County Council Children's Services within 24 hours:  
<https://eservices.hertfordshire.gov.uk/services/child-protection-referral>.

For 24/7 advice and translation support, call the national Modern Slavery Helpline – 08000 121700 or the Independent Child Trafficking Guardian Service advice line: 0800 043 4303

### **National Referral Mechanism**

The [National Referral Mechanism](#) is the UK's framework for identifying and reporting victims of modern slavery, including specific support provision for adults and children.

All suspected and identified child victims of modern slavery and human trafficking in line with the definitions provided in the Modern Slavery Act and the United Nations Palermo Protocol must be referred to the National Referral Mechanism (NRM). Only First Responder designated organisations can report and refer potential victims to the National Referral Mechanism (NRM). Locally, only Local Authority and Police are classified as First Responder designated organisations.

Following referral to Children's Services, a multi-agency meeting will be organised by HCC (STRAT or MARM) to discuss possible NRM submission, the lead First Responder organisation will then submit the NRM form online with input from the other relevant organisations involved in the child's case. If there is disagreement between practitioners as to whether an NRM should be submitted for a child, the case will be escalated in line with the agreed escalation process.

Please Note: The NRM does not supersede child protection procedures, so existing safeguarding processes will still be followed in tandem with the notifications to the NRM. Support to children is provided through local authority children's services rather than NRM subcontractors.

If a child receives a negative NRM decision, any organisation may submit a reconsideration request. Practitioners should follow these steps:

- 1) Contact the Single Competent Authority (SCA) directly either via email to inbox [NRMEngland@homeoffice.gov.uk](mailto:NRMEngland@homeoffice.gov.uk) or via the Duty Line on 0207 035 5689.
- 2) If further information comes to light, which is relevant to an original submission, the practitioner should email the information directly to the SCA on the following email address: [nationalreferralmechanism@homeoffice.gov.uk](mailto:nationalreferralmechanism@homeoffice.gov.uk).

For further information, see [SCA Home Office Guidance](#) (p.65) and the [reconsideration policy amendment statement](#).

## **Useful Contacts/Support Organisations**

If you have concern that a child is being harmed as a result of abuse or neglect, you must not keep these concerns to yourself. Keeping children safe is everyone's responsibility. You need to ensure that you speak to the appropriate organisations who can listen to and record your concern, and then take appropriate action. In Hertfordshire, these are the numbers that you can ring for advice and to make a referral:

**Children's Services** (including out of hours): 0300 123 4043

**The Child Abuse Investigation Unit:** 0845 33 00 222. This is a specialist team that is a department within the police with countywide responsibility for undertaking child protection investigations.

**The Police:** 999 (in an emergency)

**The Gateway** 0300 123 4043

Children's Services 'front door' includes the functions of MASH, Families First Triage, the Adolescent Hub and the Consultation Hub and all sit under one umbrella known as The Gateway. This brings together key agencies to work together as a team, to share information, assess risk and make decisions jointly about the best way to safeguard and meet the needs of vulnerable children ensuring that they 'receive the right response at the right time with the right service'. The Gateway will deal with contacts and referrals sent by members of the public and professionals to Children's Services for a safeguarding response. Where The Gateway considers that the child's welfare will be better met by Early Help services, they will ensure referrals get to the most appropriate teams and will inform referrers of the outcome of their request for a safeguarding assessment.

### **Other useful contact information**

The Forced Marriage Unit (FMU) provides advice and guidance for British nationals being forced into marriage overseas:

<http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/>

The FMU also provides expert advice to professionals, especially those confronted by it for the first time.

Tel: 0207 008 0151

<http://www.muslimparliament.org.uk/marriage.htm>

## ***If the situation is urgent always call 999***

### **NSPCC Child Protection Helpline**

The NSPCC Child Protection Helpline is a free 24-hour service that provides counselling, information and advice to anyone concerned about a child at risk of abuse. Telephone: 0808 800 5000 - Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

**The NSPCC Asian Child Protection Helpline** is a free, multilingual service for the UK's Asian communities providing counselling, information and advice to ANYONE who is concerned about the welfare of a child, including:

- Parents, carers or relatives who need advice

- Children or young people in need of help and advice
- Education, health and social welfare professionals seeking culturally sensitive advice and information.

### **Modern Slavery Helpline**

The 24/7 national Modern Slavery Helpline is run by the charity, Unseen, and is independent, specialist and confidential, providing access to free and immediate help, support, and advice in over 200 languages. Victims can also self-refer.

- Website: [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org)
- Email: [www.modernslaveryhelpline.org/report](mailto:www.modernslaveryhelpline.org/report)
- Phone: 08000 121 700

### **3. Independent Child Trafficking Guardian (ICTG) Service**

Run by Barnardo's, the ICTG Service provides direct, specialist practical and emotional support to trafficked children, facilitating their interactions with social care services, police and immigration in Wales/Cymru, East Midlands, West Midlands Combined Authorities, Croydon, Hampshire and the Isle of Wight and Greater Manchester. They also operate a 24/7 helpline, which is open for advice to all practitioners across the UK.

- Website: [www.barnardos.org.uk/what-we-do/protecting-children/trafficked-children](http://www.barnardos.org.uk/what-we-do/protecting-children/trafficked-children)
- Phone: 0800 043 4303

### **4. Beacon**

Independent from the National Referral Mechanism, UK Government and the police, Beacon is a free and impartial service that can provide emotional and practical support around the impact and effects of exploitation to clients in Hertfordshire. Run by the charity, Catch 22, Beacon supports their clients through allocation of a specially trained case manager. Victims can also self-refer.

- Website: [www.hertfordshirebeacon.org](http://www.hertfordshirebeacon.org)
- Email: [info@hertfordshirebeacon.org](mailto:info@hertfordshirebeacon.org)
- Phone: 03000 11 55 55 (option 3)

### **5. ATLEU**

ATLEU is a charity, which provides legal representation to victims of trafficking and labour exploitation, helping victims to obtain safety, recovery and redress. They offer numerous services to help practitioners support victims:

- Advice Line: Any practitioner can request for free support via phone (0207 700 7311) or email: [advice@atleu.org.uk](mailto:advice@atleu.org.uk). (See <https://atleu.org.uk/adviceline> for further information on what to include in the email).
- Refer victims for legal support: <https://atleu.org.uk/referrals>.
- Subscribe to gain free access to the ATHUB:12F<sup>5</sup> <https://athub.org.uk/>.

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<sup>5</sup> ATHUB is an online information resource for professionals working with victims of trafficking. It contains information for support providers and legal practitioners on advising and representing victims of trafficking across different areas of law.

## Safe Network

This is the National Organisation to support Safeguarding within for the 3rd Sector and can be accessed online at

[www.safenetwork.org.uk](http://www.safenetwork.org.uk) for a wide range of information and materials offering support

**For eSafety support and guidance - please contact 01438 843350**

### Useful Leaflets and Links

- [Bullying at School](#)
- [Bullying Help and Advice](#)
- [Beatbullying](#)
- [BullyingUK](#)

**WHEN IN DOUBT, CONCERNS MUST BE SHARED APPROPRIATELY.**



