

Child Protection Committee



South Lanarkshire

Protecting Children

Information for
service providers

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Information for service providers protecting children

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Section I

Introduction

This leaflet is for you if you work with children or come into contact with children. It explains what to do and who to contact if you have concerns about a child. Details are given about what is likely to happen if the child is believed to be in need of protection.

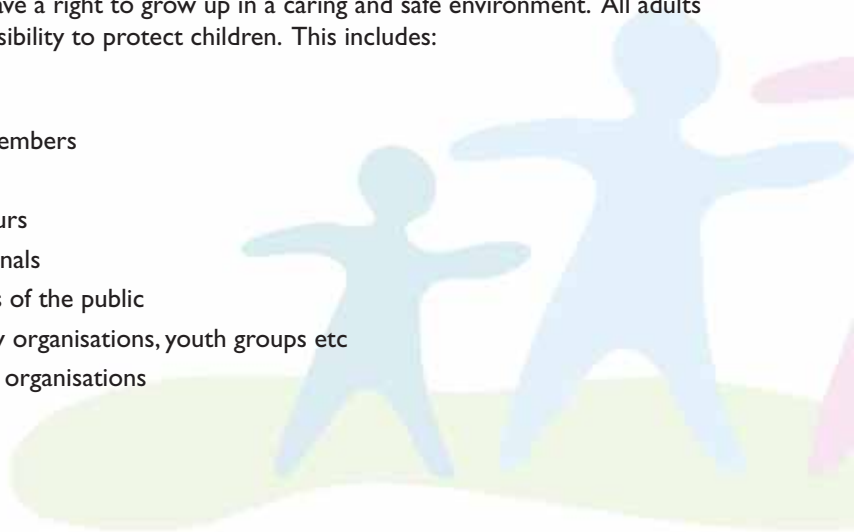
The leaflet should be read in conjunction with existing child protection policies and procedures within your own organisation or agency.

Everyone's responsibility to protect children

Most children grow up in homes where they are loved and well cared for. However, for a variety of reasons sometimes a child may be harmed or mistreated in a way that is abusive. In such cases it is important that the child and their family receive help and support to ensure that the child is properly cared for and protected.

All children have a right to grow up in a caring and safe environment. All adults have a responsibility to protect children. This includes:

- ☉ Parents
- ☉ Family members
- ☉ Friends
- ☉ Neighbours
- ☉ Professionals
- ☉ Members of the public
- ☉ Voluntary organisations, youth groups etc
- ☉ Religious organisations



What is child abuse?

There are different types of abuse which are listed below along with some examples.

- 🕒 **Physical injury** - being hit, kicked, punched
- 🕒 **Physical neglect** - not being properly fed, clothed, cared for or poor hygiene
- 🕒 **Sexual abuse** - inappropriate sexual behaviour or language by an adult towards a child
- 🕒 **Emotional abuse** - constantly criticised, ignored, humiliated

Who are abusers?

Children are usually abused by a parent or some other trusted adult. There are occasions when a child may be abused by someone unknown to them; however, these occasions are rare. Abusers come from all walks of life and are not restricted to any social class, religion or culture.

What might make you worried about a child?

Children rarely tell if they are being abused, however, there may be signs which make you concerned and may be an indication of a child being abused or neglected:

The child may:

- 🕒 Have unexplained bruising or bruising in an unusual place
- 🕒 Appear afraid, quiet or withdrawn
- 🕒 Be afraid to go home
- 🕒 Appear hungry, tired or unkempt
- 🕒 Be left unattended or unsupervised
- 🕒 Have too much responsibility for their age
- 🕒 Be acting out in a sexually inappropriate way
- 🕒 Be misusing drugs or alcohol

Not all children who are abused or neglected will display these signs and equally a child may display some of these signs and symptoms for other reasons. At times there may be other reasons why you are worried about a child.

The adult may be:

- ☉ Acting in a violent or sexual manner towards a child
- ☉ Misusing drugs or alcohol while caring for a child

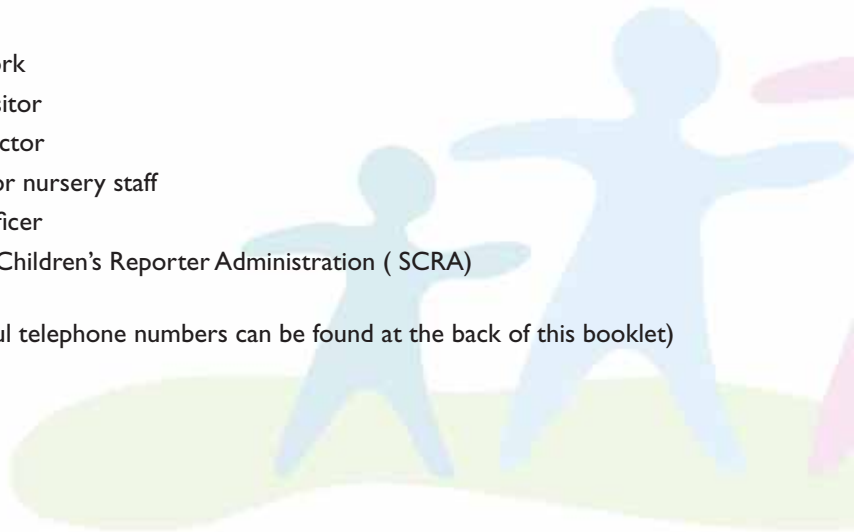
These are some examples of what might make you worried about a child. However, you may know of other things that are happening which means you need to take action to protect a child.

What to do if you have general concerns about a child

Sometimes it can be difficult to know if a child is being abused or at risk of abuse. You might have general concerns about a child but be unsure whether the child is being abused. If you are worried about a child you should report your concerns to your line manager or designated child protection person for your organisation. It is also advisable that at this point you check your agency's child protection procedures. If you are unsure about agency procedures or do not have access to a line manager for advice you can contact any of the following for advice on what to do next:

- ☉ social work
- ☉ health visitor
- ☉ family doctor
- ☉ teacher or nursery staff
- ☉ police officer
- ☉ Scottish Children's Reporter Administration (SCRA)

(A list of useful telephone numbers can be found at the back of this booklet)



If a child tells you something has happened

Do

- ☉ Stay calm
- ☉ Listen to the child
- ☉ Keep any questions to a minimum
- ☉ Reassure the child they were right to tell
- ☉ Tell the child what you're going to do next
- ☉ Record in the child's own words what has been said
- ☉ Act promptly and immediately report to your line manager or designated child protection officer

Don't

- ☉ Ask too many questions
- ☉ Make any false promises
- ☉ Express shock or anger at what is being said to you
- ☉ Interpret what the child is saying to you – just record and report
- ☉ Delay listening to the child or passing on your concerns
- ☉ Carry out an 'investigation' into the allegation

What to do if a child tells or you suspect a child is being abused or at risk of abuse

If a child tells you something, or you suspect a child is being abused or at risk of abuse, you must report your concerns to your line manager immediately. If there are child protection concerns then a referral should be made to social work or in an emergency to the police. This will either be made by your line manager or yourself depending on your organisation's procedures and structure.

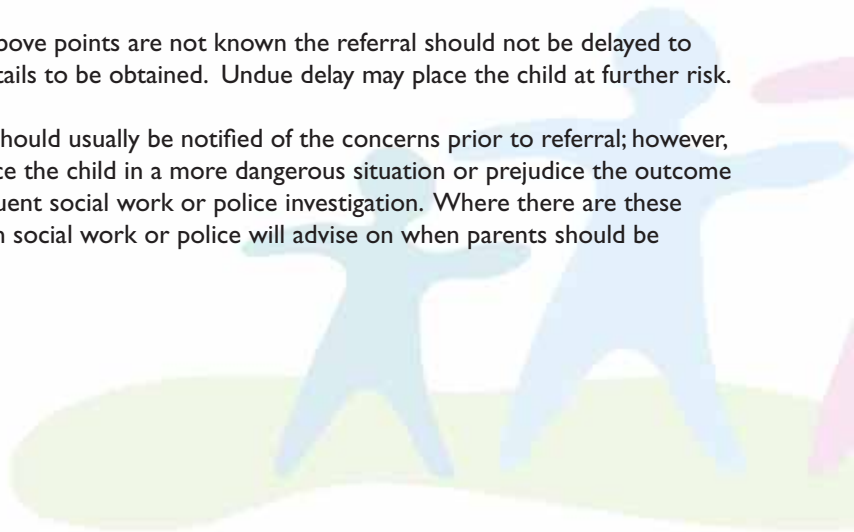
Section 1

When a referral is made to social work or police, the following details are required:

- ☉ The child's name, address and date of birth
- ☉ Parent's names and current whereabouts
- ☉ Child's present whereabouts
- ☉ Your details e.g. your involvement with the child
- ☉ What the concerns are and why they have arisen
- ☉ Any recent changes in the child's behaviour or presentation
- ☉ Whether the child said anything which has made you concerned
- ☉ Whether there are any other children in the household
- ☉ Whether there are any other agencies currently involved with the family (if known)
- ☉ Whether there have been any previous concerns about this child or other children in the household
- ☉ Whether the child has any disabilities or special needs
- ☉ Whether there are any cultural or religious factors which need to be taken into account
- ☉ Whether the parents are aware of the concerns and if so what is their reaction

If any of the above points are not known the referral should not be delayed to allow such details to be obtained. Undue delay may place the child at further risk.

NB. Parents should usually be notified of the concerns prior to referral; however, this might place the child in a more dangerous situation or prejudice the outcome of any subsequent social work or police investigation. Where there are these concerns, then social work or police will advise on when parents should be informed.



Making a referral to social work or police

When making a referral to social work or police, you should ask for the duty social worker (social work resources) or the duty officer (police). The social worker/ police officer will ask you to give as much information as possible and will also ask that you confirm the referral details in writing.

When social work or police receive information about possible child abuse they must act on this information. This action can take a number of different forms including checking their own records and gathering more information on the child and family from other agencies.

Sometimes it is necessary to convene an inter agency child protection case discussion in order to share information and agree the next course of action.

In the case of an unborn child for whom there may be child protection concerns, a pre birth child protection case discussion may be held to consider what action if any, is necessary to ensure the protection and welfare of the child following his/her birth.

If it becomes clear either at the initial referral stage or following one of the aforementioned meetings, that the child is not at risk and no formal child protection action is required then support and help can still be offered to the child and family if required.

In other circumstances concerns may emerge which suggests the child may be at risk of 'significant harm' and formal child protection action is required.

Where this is the case social work and police have a duty to investigate and take any necessary action to protect the child. They will usually undertake this task together; this is called a joint investigation and usually involves joint investigative interviews being carried out by social work and police working together.

Unless urgent action is required to ensure the immediate protection of the child, police and social work will usually convene a planning meeting to plan and agree how the joint investigation will be conducted.

At all times the welfare of the child comes first.

Section 1

Usually social work and police will want to:

- ☉ Speak to the referrer
- ☉ Speak to the child
- ☉ Speak to the parent
- ☉ Speak to any other relevant person – other family members, teacher, health visitor. etc.
- ☉ Make further enquires if necessary
- ☉ Take further action if necessary – arrange medical examination etc.

It is recognised that this can be a very difficult time for children and their families, and it is important that all agencies work together to make this process as smooth as possible to help minimise the stress experienced.

Throughout the process it is important that children and their families are listened to and consulted and given the necessary information, support and help required.

It is also important that agencies are kept informed of what is happening and that feedback is given to the referrer on action taken.



Section 2

What happens next

Once the investigation has been completed all relevant information is recorded by the agencies involved in the investigation. The social worker will record the information on a CPI Form (Child Protection Investigation) and the police will maintain a record of the relevant information on the appropriate police information system.

This will include details of the initial referral, family background, assessment of risk, and needs of the child. It will also include a recommendation of any further action required to protect the child and ensure their safety and wellbeing in the future.

The senior social worker/team leader in conjunction with a senior social work manager and where appropriate, the police family protection unit supervisor or other appropriate police supervisor will decide on the next course of action.

If there are no child protection concerns

One or more of the following may happen:

- ☉ No further action
- ☉ Social work offer of help or support to the child and their family
- ☉ A meeting is held to identify the support needs of the child and family and mobilise resources
- ☉ Referral to another agency for help or support

In the case of ongoing child protection concerns

- ☉ An inter agency meeting (known as an **Initial child protection case conference**) will be convened
- ☉ In a small number of cases immediate emergency action may be required to protect the child – **Child protection order, Exclusion order, and Emergency police powers.** (See separate section)

- Further criminal enquires, or report to the Procurator Fiscal may be required
- Referral to the Scottish Children's Reporter Administration (SCRA) may be required

Initial child protection case conference

An initial child protection case conference is a meeting to which a range of people will be invited. All those present at the meeting will have a knowledge of the child and family. This may include:

- Nursery staff
- Teacher
- Health visitor
- Social worker
- General practitioner
- Police
- Housing
- Youth worker
- Worker from voluntary organisation

Parents, and in some circumstances children, are also invited to attend.

There will be a full discussion at the meeting and everyone will have the opportunity to contribute and ask questions. Everyone who attends the Initial child protection case conference is expected to contribute to the discussion, share relevant information, and be involved in the decision making process.

Following the discussion, when all information has been considered, a decision will be made about what steps should be taken next.

Depending on the circumstances, if there appears to be a risk of future 'significant harm' to the child, consideration will be given to whether the child's name should be placed on the child protection register

If a parent (or child) does not agree with the decisions then he/she can appeal any of the decisions made. Advice will be given on the appeal process.

If anyone else attending the Initial child protection case conference does not agree with the decisions made they can have their dissent recorded within the minute of the initial child protection case conference.

Please note that all agencies attending should provide a written report of their knowledge and involvement with the child and family. In addition, any concerns or strengths within the family should also be highlighted within this report.

The child protection register

The names of children for whom there are concerns of possible future significant harm may be placed on the child protection register. The child protection register is held by social work and is incorporated into the social work computerised system. The child protection register has no statutory status; it is merely a mechanism for highlighting children for whom there are serious concerns. Access to the child protection register is strictly controlled; however, information about the child's status and situation can be shared amongst agencies where necessary to protect the child.

Core groups

If a child's name is placed on the child protection register, a child protection plan is agreed and a core group identified. The child protection plan sets out what needs to be done to support the child and family, and reduce the risk of future harm.

The core group is made up of a small group of people who work with the child and family, who meet (along with the child and family) on a regular basis (usually 4 - 6 weeks) to look at the child protection plan and review progress being made. Any difficulties progressing the child protection plan will be identified and changes to the child protection plan will be considered to deal with these difficulties.

The progress of the child protection plan will be reported to the review child protection case conference.

Review child protection case conference

A review child protection case conference is usually held within 3 months of a child's name being placed on the child protection register.

The purpose of the review child protection case conference is to review the child protection plan.

The review is similar to the initial child protection case conference in that again a full discussion will take place and reports are made available. If there has been sufficient progress then consideration will be given to whether the child's name should be removed from the child protection register. If little progress has been made then consideration will be given to the child's name remaining on the register or whether further child protection action is required.

If the child's name remains on the register, the child protection plan will be reviewed and any necessary adjustments made, and a further review child protection case conference arranged for no later than 3 months from this meeting.



Section 3

Child protection order

If it is believed that a child may be in immediate danger then an application can be made for a child protection order. Under S57(1) of the children (Scotland) act 1995 **anyone** can apply for a child protection order if they have reason to **believe** a child may be at risk of significant harm. The local authority can apply for a child protection order under S 57 (2) of the act if they have reason to **suspect** a child to be at risk.(level of proof is lower here)

Social work usually apply for the child protection order on behalf of the local authority. Application is made to the sheriff.

If an application is successful, the sheriff can order a child to be removed from their home to a safe place, or prevent the removal of a child, for example, prevent removal of a child from hospital or from their grandparent's home. The sheriff can attach conditions to the order to ensure the protection of the child for example no contact with a named person, the child to undergo a medical examination etc.

A child protection order lasts up to 8 days. Unless the order is recalled, the child will attend a full children's hearing on the 8th day at which the children's panel will then make any necessary arrangements to protect the child through other legal processes.

During this time parents have the right to apply to the sheriff for the order to be recalled or varied. This can be done prior to the initial children's hearing on the 2nd day. If no application for recall is made the order will proceed until the full hearing on the 8th day.

Assessment order

Under S55(1) of the children (Scotland) act 1995 the local authority can apply for a child assessment order where they have reason to suspect that a child has suffered or is likely to suffer 'significant harm' and that an assessment is necessary and that this assessment is being denied.

A child assessment order allows for a child to be seen and where necessary allows for an assessment of the child's health and development to be undertaken. A child assessment order lasts no more than 7 days, and the sheriff can attach conditions to the order to ensure the safety and welfare of the child. For example the child can be removed from the home while the assessment is being undertaken.

On application to the sheriff for a child assessment order, if the sheriff believes that the conditions for making a child protection order exist, he/she will grant a child protection order instead.

Exclusion order

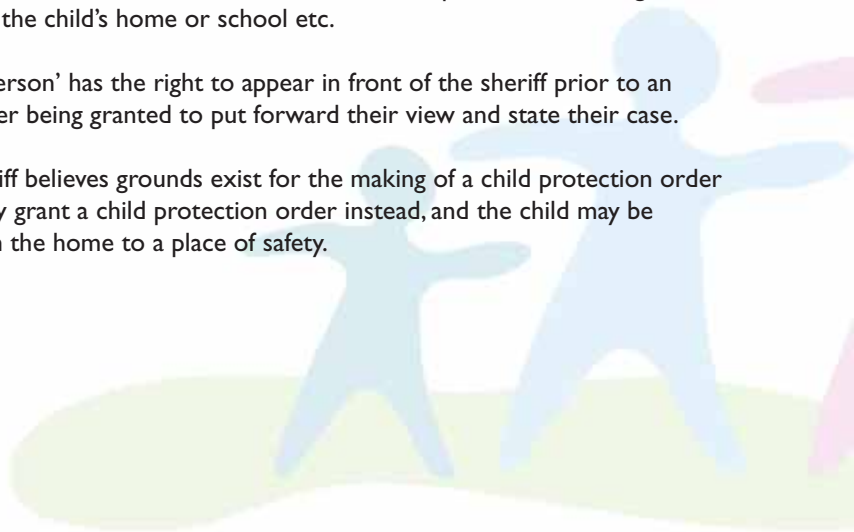
Only a local authority can apply for an exclusion order S76 (1) of the children (Scotland) act 1995.

Where a sheriff is satisfied that the conditions for making an exclusion order exist, a 'named person' can be excluded from the child's family home to ensure the child's protection.

An exclusion order can last up to 6 months and the sheriff can attach conditions to the order to ensure the child's protection. For example, powers of arrest without warrant, no contact with the child, the 'named person' must not go within the vicinity of the child's home or school etc.

The 'named person' has the right to appear in front of the sheriff prior to an exclusion order being granted to put forward their view and state their case.

Where a sheriff believes grounds exist for the making of a child protection order the sheriff may grant a child protection order instead, and the child may be removed from the home to a place of safety.



Emergency police powers

In an emergency situation, where a police officer has reasonable cause to believe that the conditions for making a child protection order are satisfied and it is not practical in the circumstances to make such an application to the sheriff, then the officer may remove the child to a 'place of safety' (section 61 (5) of the children (Scotland) act 1995.

The necessity to remove the child must be immediate otherwise a child protection order must be applied for.

The power to remove the child only lasts 24 hours thereafter the police (or another person) need to apply to the sheriff for a child protection order to secure the child's place of safety.

What you can do in an emergency

If you are concerned about the **immediate** safety of a child i.e. child at risk of immediate harm or injury, contact your local police or social work office (numbers at the back of this leaflet) or dial 999

If your concerns occur out with office hours, please contact police or standby social work services (numbers on the back of this leaflet)

Do not delay as this could result in serious injury to a child.

For all other concerns about a child refer to your agency child protection procedures and **speak** to someone.

All children have a right to be protected from abuse and neglect and all adults have a responsibility to ensure they are protected.



Glossary of terms - section I

Child

For the purpose of child protection procedures a child is defined as a young person under the age of 16 years or between 16-18 if he/she is the subject of a supervision requirement imposed by a children's panel. Young people over 16 who are vulnerable and have a record of needs should also be considered under these procedures.

Child abuse

Child abuse is defined as where a child's basic needs are not being met in a manner appropriate to his/her stage of development and he/she will be at risk of avoidable acts of omission or commission on the part of his/her parents, sibling(s), other relative(s) or a carer. To define an act of omission as abusive and/or presenting future risk a number of elements can be taken into account. These include demonstrable or predictable harm to the child that must have been avoidable because of action or inaction by the parent or other carers.

Categories of registration

Physical injury

Actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.

Physical neglect

This occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances that endanger the child.

Sexual abuse

Any child may be deemed to have been sexually abused when any person(s), by design or neglect exploits the child, directly or indirectly, with any activity intended to lead to the sexual arousal or other form of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated or consented to the behaviour.

Emotional abuse

Failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child.

Non-organic failure to thrive

Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of non-organic failure to thrive has been established.

Child protection case discussion

A child protection case discussion is an Inter agency meeting to share information where there are child protection concerns which need further clarification. Strengths within the family and the family's capacity to co-operate with agencies should be discussed. Any support required should also be identified and a plan of intervention should be agreed which could include organising a child protection case conference

Pre-birth child protection case discussion

An interagency meeting which considers the risk of harm to an unborn child and future risk upon the child's birth.

Joint investigative interview

A joint investigative interview is a formal planned interview with a child, carried out by staff trained and competent to conduct it, for the purposes of gaining the child's account of events, (if any) which require investigation.

Planning meeting

A planning meeting (usually between social work and police) is usually held to plan a joint investigation – who does what, when and where is agreed.

Significant harm

Physical or mental injury or neglect, which seriously affects the welfare or development of the child.



Glossary of terms - Section 2

Assessment of need

Evaluation of the child and family identifying areas of need, which may require additional support.

Assessment of risk

Evaluation of possibility of child abuse occurring in the future.

Initial child protection conference

An inter agency meeting to consider the safety and welfare of children who have been the subject of a child protection investigation. Consideration will be given to the appropriateness of registration and the formulation of a child protection plan. The parents and sometimes the child will also attend this meeting.

Child protection register

A formal list of names of children where there are concerns about the possibility of future abuse and where a child protection plan has been agreed.

Child protection plan

Agreed interagency plan outlining in detail the arrangements for attempting to ensure the protection of the child and supports to the family.



Core group meeting

Meeting of small group of interagency staff with key involvement with the child and family who meet (with child and family) to review progress and make arrangements for implementing the child protection plan.

Review child protection conference

An interagency meeting which reviews the circumstances of a child whose name is on the child protection register.

Transfer child protection conference

An interagency meeting which considers arrangements to transfer cases of a child whose name is on the child protection register where the family moves to another area.



Glossary of terms - Section 3

Child protection order

A child protection order may be granted on application to a sheriff if conditions for making such an order exist. A child protection order can allow for the removal of a child to a 'place of safety' or prevent removal of a child from their home or any other place in order to secure the safety and well being of the child. A child protection order can last up to 8 days.

Child assessment order

A child assessment order allows for a child to undergo a medical examination or assessment where this has been deemed necessary. (This does not supersede the child's rights under the age of legal capacity (Scotland) act 1991. At all times the child's welfare is paramount)

Exclusion order

An exclusion order allows for a named person to be ejected/prevented from entering the child's home. Conditions can also be attached to secure the child's safety and well being.

Emergency police powers

Police have the power to remove a child to a place of safety for up to 24 hours where the conditions for making an application for a child protection order exist.



Useful contact numbers

Blantyre social work office

01698 527400

Clydesdale social work office

01555 673000

East Kilbride/Strathaven social work office

01355 807000

Hamilton social work office

01698 455400

Larkhall social work office

01698 884656

Rutherglen/Cambuslang social work office

0141 647 9977

Standby social work out of hours

0800 811 505

Strathclyde police family protection unit

South Lanarkshire division **0141 207 4105**

Scottish children's reporter administration

Rutherglen **0141 613 2750**

East Kilbride **01355 232145**

ParentLine Scotland

0808 800 2222

ChildLine Scotland

0800 1111

For further information or to enquire about having this information supplied in an alternative format or language, please contact 01698 453723 or email colette.brown@southlanarkshire.gov.uk