



# **Fortitude Fostering**

# **Child Protection & Safeguarding Strategy**



<b>Contents</b>	<b>Page</b>
<b>Safeguarding Policy</b>	<b>4</b>
<b>Part 1</b>	
Agency safeguarding Statement	5
Values & Principles	6
- 1. Child Centred Approach	6
- 2. Working with parents	6
- 3. Multi Agency Working	6
- 4. Recruitment & Selection	6
- 5. Support	7
- 6. Supervision	7
- 7. Written Records	7
- 8. Foster Carer Recruitment	7
- 9. Education & Training	7
- 10. Equal Opportunities	7
- 11. Quality of Work in Child Protection (Reg 12 CSA 2000)	7
- 12. People in positions of Trust	8
Local Authority Duties & Responsibilities	9
Local Safeguarding Partners	10
Safeguarding Partners Child Protection Procedures	10
Allegations of Abuse or Neglect	11
Child Protection Enquiries	11
Duties placed on fostering agencies	12.
<b>A GUIDE TO CHILD PROTECTION FOR FOSTER CARERS AND STAFF</b>	
What is Child Abuse	13
-Physical	13
-Emotional & Psychological	13
-Sexual	13
-Neglect	13
Domestic Violence & Abuse	14
Discriminatory Abuse	15
Institutional Abuse	16
Children with Disabilities	16
Children who may have been trafficked / Modern Slavery	17
The Effect of trafficking on children's health & welfare	18
Trafficked Children Emotional and Psychological Abuse	18
Possible Indicators a Child may have been trafficked	19
Sexual Exploitation	21
Missing from Care and at risk of sexual and criminal exploitation	22
Child Criminal Exploitation	23
Online & Internet Safety	23
Parent & Child Placements	23
Measures to be taken to safeguard children – parent & child arrangements	24
Parent & Child Placements – Child Protection Plan	24



**FORTITUDE**  
**FOSTERING**

**Safeguarding Procedure**

**Part 2**

**26**

What to do if there are concerns for the welfare of the child	26
Actions to be taken by foster carer	26
Actions to be taken by staff or carers	27
Contact Details for Other Independent Bodies	27
If a child makes a disclosure, or says something concerning, steps to take	28
Consent Issues	28
When not to consent	29
The Investigation process	29
Strategy Discussions / Planning investigation	30
Child Protection Conferences	30
Purpose of Child Protection Conferences	31
Foster carer's role at Child Protection Conference	31
Outcomes of a Child protection Conference	32
Review Conferences	32
Confidentiality	32
Key Worker	32

**Safeguarding Procedures**

**Part 3**

**33**

What happens if an allegation is made against Foster Carers and Staff	33
Process of responding to an allegation against a foster carer or staff member	34
Strategy Meetings	35
Investigation and Action	36
Concluding the Investigation	37
Additional Training & Support	38
Further Reading	38
<b>Important Numbers</b>	<b>39</b>

**Appendix**

Flowchart	
Process for Managing Allegations against Carers, Staff, Volunteers -Child Protection Process	41



# Safeguarding Policy

## Part 1

Fortitude Fostering Community Interest Company is an independent fostering agency that recruits, trains, and assesses foster carers to look after children placed by local authorities.

Fortitude Fostering Child Protection and Safeguarding Policy outlines the policy and procedures adopted by the organisation as required by the following legislation and guidance:

- Fostering Services (England) Regulations (2011)
- Fostering Services: National Minimum Standards for Foster Care (2011)
- Children's Act (2004) as amended by the Children and Social Work Act (2017)
- Safeguarding Vulnerable Groups Act (2006)
- Working together to Safeguard Children (2018)
- Children and Young Person's Act (2008)
- UN Convention on the Rights of the Child (1990)

The policy should be read in conjunction with Fortitude Fostering's policies and procedures on.

- Safeguarding children against CSE
- Safeguarding children against Radicalisation & Extremism
- Safeguarding children against gangs and serious violence
- Safer caring
- Safer Recruitment
- Promoting Positive Behaviour
- Anti-bully Policy
- Internet Safety
- Missing Policy
- Whistleblowing Policy
- Recruitment & Assessment of Foster Carers Policy
- Grievance & Disciplinary Procedures
- Complaints Policy



## Agency Safeguarding Statement

It is the organisation's paramount concern that all children in our care should be kept safe from harm. In line with legislation and guidance, Fortitude Fostering is committed within all aspects of practice to ensuring the highest quality of child centred service possible. We seek to promote and protect the rights of children: both those placed within our service and those who are part of fostering households. As such, strong safeguarding practice is the cornerstone of our service.

In particular the agency is clear that 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 has a role to play (Working together 2018). The key to good practice is the development of a culture of listening to children and taking account of their wishes and feelings. This is echoed through the agency's commitment to quality training and supervision of both staff and foster carers.

All staff, carers and visitors to the organisation must ensure that children are protected at all times.

To ensure the safety of looked-after children placed with Fortitude Fostering, no visitors to Fortitude Fostering premises or foster homes, should have unsupervised contact with any child or young person in our care unless agreed as part of a placement plan/ Delegated Authority Agreement.

All staff, carers and visitors are responsible for, and should remain vigilant to ensure that every child remains safe. Any person identifying possible areas of risk must immediately bring this to the attention of an appropriate member of staff so that any necessary action can be taken.

Copies of any policies and procedures relating to safeguarding children and young people can be requested from any member of staff and is available on our website.

Fortitude Fostering's Designated Safeguarding Lead is:

**Ben Bennett (Registered Manager)** he can be contacted at:

**Fortitude Fostering Community Interest Company, 25 Cecil Pashley Way, Brighton City Airport, Shoreham, West Sussex BN43 5FF**

**Tel. Office:** 01903 372 037 **Mobile:** 07397 903 818 Email: [b.bennett@fortitodefostering.co.uk](mailto:b.bennett@fortitodefostering.co.uk)

In the absence of Ben any queries or concerns should be directed to

**Remi Johnson (Responsible Individual)**

**Tel. Office:** 01903 372 037 **Mobile:** 07397 903 088 Email: [r.johnson@fortitodefostering.co.uk](mailto:r.johnson@fortitodefostering.co.uk)



## Values and Principles

Fortitude Fostering adheres to a set of values and principles which must be followed and evidenced in all work undertaken by staff and foster carers in their work with children. These principles when properly embedded in practice, understood, and applied can help to ensure children are properly safeguarded:

### 1. Child Centred Approach

“The child’s welfare, safety and needs are at the centre of their care” (NMS, 2011).

Fortitude Fostering is committed to a child centred approach. Children and young people need to feel valued and respected and their views need to be heard. We will always consider the best interests of any child making them our focus and priority.

The interests of the child are paramount.

The child must be helped to live with his/her own family wherever possible and stay in contact with those who are important to him/her.

The child must be consulted and his/her wishes and feelings taken into consideration in all decisions made about him/her.

As a young person grows up, their age and understanding will equip them to take an increasing part in making decisions which concern their own life

Any plan for a child must be based on an assessment of the child’s individual needs and take into account his/her religious persuasion, racial origin and cultural and linguistic needs and any difficulties or disabilities specific to that child.

### 2. Working with Parents

Parents are usually the best people to care for a child and should be expected and helped to fulfil their responsibilities.

Parents should remain as closely involved as is consistent with the child’s interests if the child is unable to remain at home.

Wider families matter as well as parents.

### 3. Multi Agency Working

In accordance with Working Together (2018), Fortitude Fostering is committed to working fully in partnership with all agencies to ensure that children and young people are safeguarded effectively. “Strong, effective multi-agency arrangements are ones that are responsive to local circumstances and engage the right people” Working Together (2018)

### 4. Recruitment and Selection

The Children Act 2004 through the Stay Safe Outcome of Every Child Matters Program places the duty on all organisations to safeguard and promote the wellbeing of children and young people, this includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

The agency has a rigorous policy and staff training in place to deter potential perpetrators. This relates to part time and full-time staff and volunteers. All Managers are required to attend safer recruitment training. Please see Fortitude Fostering’s Safer Recruitment Policy



## 5. Support

Support is provided for children and young people, carers and staff creating an environment of openness and transparency. Fortitude Fostering is committed to establishing meaningful relationships with children and young people and facilitating support for them and their carers in a number of different formats. Children who have experienced harm will be encouraged and helped to engage with any therapeutic interventions or other services that can be identified to enable them to manage their feelings and process their experiences.

## 6. Supervision

There will be effective, regular, and rigorous supervision in place, both formally and informally, for all staff and carers. Staff and carers are required to consider safeguarding and child protection issues as part of the supervision process and openly discuss and reflect on their safeguarding practices. The agency is committed to learning from reflective sessions and will always consider how things can be improved for the children in our care.

## 7. Written Records

In accordance with Regulation 12 NMS 2011, “*written records are to be kept of any allegation of abuse or neglect, and of the action taken in response*”.

Fortitude Fostering will ensure that staff and Carers receive support and training to ensure that any concerns in relation to abuse and neglect are accurate and expediently recorded on our secure CHARMS database. Records are then shared with the appropriately authorities and records are routinely updated to with the progress and outcome of any investigation or actions taken in response to a concern.

## 8. Foster Carer Recruitment

Fortitude Fostering is committed to providing a range of foster carers to promote the differing needs of the children and young people that we look after. In doing this it is important that foster carers are able to provide a safe and positive environment where children and young people are nurtured and able to develop in a positive way. The role of the foster carer is very skilled and it is therefore crucial that through the recruitment and assessment process the right carers are approved.

Hence Safeguarding Checks are carried out in line with regulation 26 NMS 2011. These will be undertaken for all applicants. All applicants must give their written consent to checks being made with a wide range of agencies and individuals including local authorities, police, former employers, previous partners and members of their extended families. All applicants will be required to give at least 3 personal referees one of which will have to be a family member. They must be able to comment on the potential carer’s capacity to care for children and must be willing to be interviewed. Social media checks will also be undertaken on prospective applicants. If an applicant has been a foster carer in the previous 12 months, and a written reference from their previous fostering service is obtained. Please see Recruitment & Assessment of Foster Carers Policy.

## 9. Education and Training

Fortitude Fostering will provide regular, good quality training to staff and carers to ensure they are alert to, and confident in, their response to child protection and safeguarding issues.



## 10. Equal Opportunities

Each child and family are unique with differing experiences, circumstances and perspectives. We are determined that every effort be made to identify and mitigate any disadvantages or discrimination experienced by any child or adult arising from ethnic origin, culture, religion, language, disability, gender, sexual orientation, class or unemployment. We are committed to ensuring that every person who is in receipt of child protection and childcare services is treated with dignity and respect, and that their full participation is facilitated.

## 11. Quality of work in Child Protection

We aim to ensure that the children known to us receive a high quality of work to protect them from harm and to mitigate the effects of abuse when it has happened.

### **Fortitude Fostering will fulfil this task by: (In accordance with Regulation 12, NMS 2011.)**

- **Liaising and co-operating with any local authority which is or maybe making child protection enquiries in relation to any child placed by the local authority.**
- **Records of all children will be kept securely in the CHARMS database, and the placing authorities contact details, as well as the host authority contact details of the location of the carer, and of the location of the agency.**
- **By ensuring prompt referral to the placing authority for any child protection or safeguarding concerns.**
- **Providing swift notifications upon the instigation and the outcome of any child protection enquiry to the Chief Inspector at OFSTED.**
- **Completing written records that will be kept in CHARMS of any allegation of abuse or neglect and of the actions taken in response.**
- **Ensuring that consideration is given to the measures which may be necessary to protect children placed with foster parents, following an allegation of abuse or neglect.**
- **Ensuring arrangements are made for persons working for the purposes of the fostering service, foster parents and children placed by the fostering service, to have the address, email and phone number of the area Local Authority and Chief Inspector at OFSTED. For the purposes of referring any concern about child welfare or safety matters to them. (Please see page 27 & 39)**
- **Providing effective training for its carers and staff, including attendance at Local Safeguarding Partnerships (formerly LSCB) Child Protection Training**
- **Producing clear inter-agency child protection procedures for all those working with children.**
- **Making those procedures available to all staff and carers working with children.**
- **Undertaking regular training and development.**
- **Monitoring the management of child protection work through regular liaison and communication with the local authority.**
- **A system of regular formal supervision.**
- **Having in place effective systems to ensure positive matching between carers and children.**
- **Having robust safe recruitment processes in place for Carers, staff and volunteers.**
- **Regular monitoring and reviewing of policies and procedures by the Registered Manager and Responsible Individual.**



## 12. People in Positions of trust

*“Organisations and agencies working with children and families should have clear policies for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.”*

(Working Together 2018 - see Fortitude Fostering Complaints and Managing Allegations Policies)

## **Local authority Duties and Responsibilities**

Local authorities have a duty under the Children Act 1989 to safeguard and promote the welfare of children in their care. They also have a duty to investigate and take necessary action to protect children who have suffered or are likely to suffer significant harm.

The Children Act defines harm as “ill treatment or the impairment of health or development”. Development means “physical, intellectual, emotional social or behavioural development”

The Children Act recognises that there is no absolute definition of what constitutes significant harm. A range of criteria will be taken into account when forming a view on a specific child.

Significant Harm is any Physical, Sexual, or Emotional Abuse, Neglect, accident or injury that is sufficiently serious to adversely affect progress and enjoyment of life. Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act 2002 (implemented on 31 January 2005) so that it may include, "for example, impairment suffered from seeing or hearing the ill treatment of another".

Working Together 2018 defines abuse as “a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.”

### **In addition to the above Working Together 2018 advises:**

“Children may be vulnerable to neglect and abuse or exploitation from within their family and from individuals they come across in their day-to-day lives. These threats can take a variety of different forms, including sexual, physical and emotional abuse; neglect; exploitation by criminal gangs and organised crime groups; trafficking; online abuse; sexual exploitation and the influences of extremism leading to radicalisation. Whatever the form of abuse or neglect, practitioners should put the needs of children first when determining what action to take.”



## **Local Safeguarding Children Partnerships (Previously LSCB'S)**

Working Together 2018 replaces Local Children Safeguarding Boards (LCSBs) with Local Safeguarding Children Partnerships; the aim of which is to create flexible new local safeguarding arrangements led by three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups). It places a duty on those three partners to make arrangements to work together, and with any relevant agencies, for the purpose of safeguarding and promoting the welfare of children in their area. All three safeguarding partners have equal and joint responsibility for local safeguarding arrangements.

A safeguarding partner in relation to a local authority area in England is defined under the Children Act 2004 (as amended by the Children and Social Work Act, 2017) as:

- A. the local authority**
- B. a clinical commissioning group for an area any part of which falls within the local authority area.**
- C. the chief officer of police for an area any part of which falls within the local authority area (Working Together 2018)**

The local arrangements should link to other strategic partnership work happening locally to support children and families. This will include other public boards including Health and Wellbeing Boards, Adult Safeguarding Boards, Channel Panels, Improvement Boards, Community Safety Partnerships, the Local Family Justice Board and MAPPAs.

The local safeguarding partners must ensure there is independent scrutiny of the effectiveness of the local arrangements. The safeguarding arrangements should be published by the safeguarding partners, and the guidance sets out what should be covered in the publication.

Partners must report at least annually on what they have done as a result of the arrangements, including on child safeguarding practice reviews, and how effective these arrangements have been in practice. The guidance sets out what should be included in this report.

The Department for Children, Schools and Families (DCSF) Guidance – Working Together to Safeguard Children (2018) sets out how all agencies and professionals should work together.

### **Safeguarding Partners Child Protection Procedures**

Each Safeguarding Partnership produces policy and guidance which all agencies operating within its area must follow.

Fortitude Fostering will ensure that copies of each local authority's procedures are available for staff, carers and young people as appropriate. This will include the address (including email address) and telephone number of:

- the area authority making the placement.
- the Ofsted Chief Inspector



For the purposes of referring any concern about child welfare or safety to them.

Fortitude Fostering will consult with Safeguarding Partners and seek their views and approval of the agencies safeguarding policies and procedures. Standard 22.4 states that child protection procedures are submitted for consideration and comment to the Local Safeguarding Children's Board. To be renamed Local Safeguarding Partners). In this regard Fortitude Fostering has liaised with its host authority, West Sussex Safeguarding Partnership in relation to policy, procedure, and training. As children are placed in our care, we will undertake a similar process with the appropriate placing authority.

We will also advise Safeguarding Partners of updated Child Protection and Safeguarding policies following an annual Review.

Fortitude Fostering's Designated Safeguarding Lead is responsible for all safeguarding and child protection concerns and arising issues. They are responsible for liaison with the LADO. In their absence responsibility is assumed by the Responsible Individual.

It is mandatory that all foster carers and staff attend induction training in relation to their role within the Agency and their responsibilities in relation to safeguarding children. See Staff and Foster Carer Training Policy.

The host authority for Fortitude Fostering is West Sussex, who have Pan Sussex Safeguarding and Child protection procedures. The agency has consulted closely with the host authority on their Safeguarding and Child Protection procedures to ensure the agency's own policy and procedures are compliant.

The policies and procedures for the Sussex Safeguarding & Child Protection Policies and Procedures can be found at.

<https://sussexchildprotection.procedures.org.uk/>

and specific Safeguarding and Child Protection Processes can be found for Private fostering at.

<https://sussexchildprotection.procedures.org.uk/kypho/children-in-specific-circumstances/children-living-away-from-home#s4116>

## **Allegations of abuse or neglect**

If there is an allegation of abuse or neglect or if it is suspected, Fortitude Fostering staff and foster carers should follow the child protection procedures of the local authority in which the child lives.

## **Child Protection Enquiries**

Any enquiry will usually be undertaken by the local authority where the child lives although they will need to work in conjunction with the local authority which has the responsibility for the child.

## **Duties placed on fostering agencies.**

The Fostering Regulation 2011 requires that "the welfare of children placed or to be placed



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with foster parents is safeguarded and promoted at all times”.

Before making any decision affecting a child placed or to be placed with a foster parent due consideration is given to the child’s

wishes and feelings (having regard to the child’s age and understanding), and

religious persuasion, racial origin and cultural and linguistic background.

Where the local authorities decide to look after children by placing them in foster homes, the foster carer and those supervising them are responsible for providing them with care on behalf of the local authority.

*“All those who work with children should be able to recognise evidence that a child’s welfare or development may be being impaired and know how to act on that evidence” (Working Together 2010).*

This document details policy and guidance for Fortitude Fostering foster carers and staff and it is the responsibility of all those concerned to ensure that they have read and understand its contents.



## **A GUIDE TO CHILD PROTECTION FOR FOSTER CARERS & STAFF**

### **What is Child 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 may be 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.*

#### **Child abuse can be:**

**Physical:** 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.

**Emotional/ Psychological:** 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 children 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 the 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 cyberbullying), 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.

**Sexual:** 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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

**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);



## **FORTITUDE FOSTERING**

- protect a child from physical and emotional harm or danger.
- ensure adequate supervision (including the use of inadequate caregivers); or
- ensure access to appropriate medical care or treatment.

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

Child abuse has no boundaries. It can happen anywhere and is not determined by class, race, culture, health or intelligence. It can have severe and often long-term effects. In its most extreme forms, child abuse kills.

Abuse is not restricted to parents; other relatives, other children or even family friends may be involved.

### **Domestic Violence and Abuse**

The Government definition of domestic violence and abuse was widened from 31 March 2013 to include those aged 16-17 and the wording changed to reflect coercive control. (Note that this is not a legal definition.) The new definition is:

'Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse:

- Psychological.
- Physical.
- Sexual.
- Financial.
- Emotional

'Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour' is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.'

The definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group

Prolonged or regular exposure to domestic violence and abuse can have a serious impact on a child's development and emotional well-being, despite the best efforts of the victim parent to protect the child.

Domestic violence and abuse have an impact in a number of ways.

During pregnancy, domestic violence and abuse can escalate and can pose a threat to an unborn child as assaults on pregnant women may involve punches or kicks directed at the abdomen, risking injury to both the mother and the foetus, and to premature birth. It can also result in restricted access to antenatal care.



## **FORTITUDE FOSTERING**

Children may be greatly distressed by witnessing and hearing the physical and emotional suffering of a parent. The effects may result in behavioural issues, poor school attendance, ill health, bullying, substance misuse, anxiety, self-harm, and anti-social behaviour.

Children may also suffer injury during episodes of violence, e.g., if they try to intervene to protect a parent.

### The impact of domestic violence and abuse is exacerbated when:

- Violence is combined with any form of substance misuse.
- Children witness the violence.
- Children are drawn into the violence; or
- Children are pressurised into concealing assaults.

Children's exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress.

Children who are living in situation of domestic violence and abuse or conflict are vulnerable and will benefit from a range of support and services; many may be at risk of Significant Harm. There is also evidence to indicate that parents experiencing domestic violence and abuse are more likely to experience mental health difficulties, e.g. depression and anxiety, and substance misuse. This in turn can impact on their parenting capacity, attachment to and care of their children.

## **Discriminatory Abuse**

Everyone has the right to be treated equally and express and practice their beliefs and values. Discriminatory abuse is when someone picks on you or treats you unfairly because something about you is different. This can include unfair or less favourable treatment due to a person's race, gender, age, disability, religion, sexuality, appearance or cultural background.

The examples of discriminatory abuse may take the form of any of the other types of abuse. The difference lies in that the abuse is motivated by discriminatory attitudes, feelings or behaviour towards an individual.

### Discriminatory abuse can include:

- unequal treatment due to race, gender, religion, age, sexuality, or disability
- verbal abuse, inappropriate language, slurs, harassment, and deliberate exclusion
- denial of basic human and civil rights e.g., allowing people to follow their own spiritual or cultural beliefs or choice about their own sexuality.
- failure to meet and consider religious and cultural needs of an individual.
- racist graffiti or bringing racist material (magazines, leaflets) into the vulnerable individuals' home.

### Indicators of discriminatory abuse may include:

lack of choice

- lack of privacy and dignity lack of personal belongings
- use of punishment - withholding food and drink
- tendency for withdrawal and isolation
- expression of anger or frustration or fear and anxiety lack of disabled access



- being refused access to services or being excluded inappropriately.

The indicators of discriminatory abuse may take the form of any of the other types of abuse. The difference lies in that the abuse is motivated by discriminatory attitudes, feelings, or behaviour towards an individual.

## **Institutional Abuse**

Institutional abuse is the mistreatment of people brought about by poor or inadequate care or support, or systematic poor practice that affects the whole care setting. It occurs when the individual's wishes and needs are sacrificed for the smooth running of a group, service or organisation.

### Why does it happen?

In formal settings institutional abuse is more likely to occur where staff are:

inadequately trained.

poorly supervised

not supported by management have poor communication skills.

part of a 'closed' culture, for example a care setting where new ideas, visitors, care management or other professional involvement is discouraged.

Institutional abuse can involve more than one abuser, and there might also be a number of people experiencing the same abuse e.g. hate crime against particular groups or several family members mistreating a dependent other.

## **Children with Disabilities**

*"The available UK evidence on the extent of abuse among disabled children suggests that disabled children are at increased risk of abuse and that the presence of multiple disabilities appears to increase the risk of both abuse and neglect" [Working Together to Safeguard Children 2010]*

The following section "What to do if there are concerns for the welfare of a child" is to be followed for all children; this includes children with disabilities.

Whilst safeguards for children with disabilities are essentially the same as for non-disabled children, we recognise that there are additional Risk Factors which increase the likelihood that these most vulnerable of children are more likely to suffer from abuse of various kinds and can make the investigation more challenging.

During any investigation regarding a child with disabilities the following additional risk factors should be taken into account:

- Many disabled children are at an increased likelihood of being socially isolated with fewer outside contacts than non-disabled children.
- Their dependency on parents and carers for practical assistance in daily living, which may include intimate personal care, increases their risk of exposure to abusive behaviour.
- They may have an impaired capacity to resist or avoid abuse.
- They may have speech, language and communication needs which may make it difficult to tell others what is happening.



- They often do not have access to someone they can trust to disclose that they have been abused.
- They are especially vulnerable to bullying and intimidation.

## **Children who may have been trafficked/ Modern Slavery.**

As stated previously in these procedures “all those who work with children should be able to recognise evidence that a child’s welfare or development may be being impaired and know how to act on that evidence.”

The circumstances faced by children who have been trafficked and/or are at risk of sexual exploitation can in some situations make it harder to identify these as being children who are at risk of significant harm.

### **Child Trafficking is a form of modern slavery (HM Government 2014)**

This should be read in conjunction with other policies and procedures relating to child protection and specifically Fortitude Fostering’s missing policy, internet safety, safeguarding children against extremism and radicalisation policy, safeguarding children affected by gangs or serious violence and safeguarding children against sexual exploitation.

Local Safeguarding Partnerships are required to develop policies and procedures for safeguarding and promoting the welfare of children in the area of the Authority including action to be taken when there is concern for the welfare of a child. Fortitude Fostering staff and carers have a responsibility to be aware of and adhere to policies and procedures in the area in which they are working.

There may be specific protocols and policies re. trafficking and children at risk of sexual exploitation. The information within this procedure is mostly taken from the non-statutory guidance “Safeguarding children who may have been trafficked” published by the DFE. This document should be read in conjunction with Working Together 2010.

If a Fortitude Fostering employee or foster carer has reason to believe that a child may be a victim of trafficking and/or at risk of sexual exploitation, they must immediately inform their supervising social worker or line manager and follow the safeguarding policies and procedures.

### **Definitions**

Article 3 of the *Palermo Protocol To Prevent, Suppress And Punish Trafficking In Persons, Especially Women And Children, Supplementing the United Nations Convention Against Transnational Organised Crime to the UN Convention (2000)* (ratified by the UK on 6 February 2006) defines trafficking as:

*“Trafficking of persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.*

*exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the*



## **FORTITUDE FOSTERING**

*removal of organs.*

*The consent of a victim of trafficking in persons to the intended exploitation set forth in sub-paragraph (a) of this article shall be irrelevant where any of the means set forth in sub-paragraph (a) have been used.*

*The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in sub-paragraph (a) of this article.*

*“Child” shall mean any person under eighteen years of age.*

*The Palermo Protocol establishes children as a special case. Any child transported for exploitative reasons is considered to be a trafficking victim, whether or not they have been forced or deceived. This is partly because it is not considered possible for children to give informed consent.*

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 too.

Those seeking to report on potential victims of modern slavery will need to follow the National Referral mechanism, details of which can be found, [here](#). Which explains what the national referral processes are.

### **The effect of trafficking on children’s health and welfare**

At the time they are found, trafficked children may not show any obvious signs of distress or imminent harm, but they may be vulnerable to particular types of abuse and may continue to experience the effects of their abuse in the future. The following categories are taken from “Safeguarding Children who may have been trafficked” – DFE

- **Physical abuse**
- **This can include beatings.**
- **being subdued with drugs, on which they then become dependent.**
- **alcohol addiction; and**
- **stress/post-traumatic stress-related physical disorders such as skin diseases, migraine and backache.**

Some forms of harm might be linked to a belief in spirit possession. *Safeguarding Children from Abuse Linked to a Belief in Spirit Possession* (2007) is intended to help practitioners address the particular needs of children abused or neglected because of a belief in spirit possession.

### **Emotional and psychological abuse**

Some kind of emotional abuse is involved in all types of maltreatment of a child, including trafficking.

Trafficked children may:

- **feel disorientated after leaving their family environment, no matter how impoverished and difficult. This disorientation can be compounded for some**



- **children who have to assume a new identity or have no identity**
- **feel isolated from the local community in the UK by being kept away from school and because they may not be able to speak English.**
- **fear both the adults who have physical control of them and the threat that they will be reported to the authorities as immigration criminals;**
- **lose their trust in all adults;**
- **have low self-esteem and believe that the experience has ruined them for life psychologically and socially. They may become depressed or suicidal;**
- **worry about people in their families and communities knowing what has happened to them, and become afraid to go home; and**
- **feel like criminals as a result of the new identity forced on them, which can have long-term consequences for their adult lives.**

All children who have been exploited are likely to suffer some form of mental harm. Usually the longer the exploitation, the more their mental health will deteriorate. This can include:

- **psychological distress owing to their sense of powerlessness. In many cases involving violence and deprivation at the hands of their traffickers, it will take the form of post-traumatic stress disorder;**
- **dependent relationships with their abusers;**
- **flashbacks, nightmares, anxiety attacks, irritability and other symptoms of stress, such as nervous breakdowns;**
- **a loss of ability to concentrate.**
- **becoming anti-social, aggressive and angry, and/or fearful and nervous – finding it difficult to relate to others, including in the family and at work; and**
- **fear of authorities based on past experiences or what they have been told by their traffickers.**

## **Sexual abuse**

Children who have been trafficked may be sexually abused as part of being controlled or because they are vulnerable. In many cases, sexual exploitation is the purpose of the trafficking. Children being sexually exploited are at risk of sexually transmitted infections, including HIV/AIDS; and for girls there is the risk of pregnancy and possible damage to their sexual and reproductive health. The Government has committed to working with partners to develop a national action plan to safeguard children and young people from sexual exploitation.

Please see [Child Disruption Exploitation disruption toolkit](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794554/6.5120_Child_exploitation_disruption_toolkit.pdf)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/794554/6.5120\\_Child\\_exploitation\\_disruption\\_toolkit.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794554/6.5120_Child_exploitation_disruption_toolkit.pdf)

## **Neglect**

Trafficked children may also suffer neglect. In particular, they may not receive routine and emergency medical attention (partly through a lack of concern about their welfare and partly because of the need for secrecy surrounding their circumstances). They may also be subject to physical, sensory and food deprivation.

## **Possible indicators that a child may have been trafficked.**

There are a number of indicators which suggest that a child may have been trafficked into the UK and may still be controlled by the traffickers or receiving adults. These are as



follows:

The Child:

- **possesses money and goods not accounted for;**
- **is malnourished;**
- **is unable to confirm the name and address of the person meeting them on arrival;**
- **has had their journey or visa arranged by someone other than themselves or their family;**
- **is accompanied by an adult who insists on remaining with the child at all times;**
- **is withdrawn and refuses to talk or appears afraid to talk to a person in authority;**
- **has a prepared story very similar to those that other children have given;**
- **exhibits self-assurance, maturity and self-confidence not expected to be seen in a child of such an age;**
- **does not appear to have money but does have a mobile phone; and/or**
- **is unable, or reluctant to give details of accommodation or other personal details**
- **receives unexplained/unidentified phone calls whilst in placement/temporary accommodation;**
- **shows signs of physical or sexual abuse, and/or has contracted a sexually transmitted infection or has an unwanted pregnancy;**
- **has a history with missing links and unexplained moves;**
- **has gone missing from local authority care;**
- **is required to earn a minimum amount of money every day;**
- **works in various locations;**
- **has limited freedom of movement;**
- **appears to be missing for periods;**
- **is known to beg for money;**
- **performs excessive housework chores and rarely leaves the residence;**
- **is being cared for by adult/s who are not their parents and the quality of the relationship between the child and their adult carers is not good;**
- **is one among a number of unrelated children found at one address;**
- **has not been registered with or attended a GP practice;**
- **has not been enrolled in school;**
- **has to pay off an exorbitant debt, e.g. for travel costs, before having control over own earnings;**
- **is permanently deprived of a large part of their earnings by another person; and/or**
- **is excessively afraid of being deported.**

It is also important to note that trafficked children might not show obvious signs of distress or abuse and this makes it difficult to identify children who may have been trafficked. Some children are unaware that they have been trafficked, while others may actively participate in concealing that they have been trafficked.

Once it has been identified that a child is a victim of trafficking the assessment that will be carried out by children's services will cover the same dimensions as for any other looked after child although there will be additional issues that will need to be addressed such as establishing information about the child's background as this may be very limited



## **FORTITUDE FOSTERING**

and addressing the child's vulnerability to the continuing influence and control of his or her traffickers.

This will also address the risk that the young person may go missing.

Caring for a trafficked child will require foster carers to be extremely careful in relation to a number of issues that will be considered and agreed within the child's placement plan. The supervising social worker is there to support the placement and to offer advice in these situations. Some aspects of caring for a trafficked child may seem unusual and even inappropriate when considering the care that a foster carer would normally provide for a looked after child. The following factors are particularly important:

the location of the child should not be divulged to any enquirers until they have been interviewed by a social worker and their identity and relationship/connection with the child established, if necessary, with the help of police and immigration services.

foster carers/ should be vigilant about anything unusual e.g. waiting cars outside the premises and telephone enquiries.

the local authority should continue to share information with the police, which emerges during the placement of a looked after child who may have been trafficked, concerning potential crimes against the child, the risk to other children, or relevant immigration matters.

### **Trafficked Children Missing from Care**

Unless it has previously been agreed otherwise, any child who has been the victim of trafficking and whose whereabouts cannot be accounted for by a foster carer, should immediately be treated as missing and the foster carer should follow the Missing Child Procedure and report the child's absence to the police and to the child's social worker urgently. The Police, Children's Services and other Agencies will then follow policies and protocols that have been agreed locally.

## **Sexual Exploitation**

The sexual exploitation of children and young people is a form of child sexual abuse.

### **See the definition below.**

*Some children who are at risk of sexual exploitation may also have been trafficked or are at risk of trafficking and this should be borne in mind when reading the following guidance. As with children at risk of trafficking foster carers who are concerned that a child might be at risk of sexual exploitation or who may be being exploited should report the matter urgently to their supervising social worker and/or the child's social worker and follow Fortitude Fostering safeguarding procedures. The Local Safeguarding Partnerships have the key responsibility for ensuring that the relevant organisation in each area cooperate effectively to promote and safeguard the welfare of children.*

Fortitude Fostering staff and carers should observe the safeguarding partners' procedures and protocols and work with the relevant staff in the area in which the child is placed and with the responsible local authority for the child if the two are different.

### **Definition:**

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts,



## **FORTITUDE FOSTERING**

money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

### **Categories of Child Sexual Exploitation**

The Barnardo's *Puppet on a String* report defined three broad categories of child sexual exploitation. These were described as:

- **Inappropriate relationships;**
- **'Boyfriend' model of exploitation and peer exploitation; and**
- **Organised/networked sexual exploitation or trafficking.**

#### Signs and symptoms of children at risk of sexual exploitation:

There are a number of signs which should cause foster carers and agencies concern and that may indicate that a child is being sexually exploited or is at risk of exploitation. They are as follows:

- **associating with other young people involved in exploitation;**
- **having older boyfriends or girlfriends;**
- **suffering from sexually transmitted infections;**
- **mood swings or changes in emotional wellbeing;**
- **drug and alcohol misuse;**
- **displaying inappropriate sexualised behaviour.**
- **going missing for periods of time or regularly coming home late;**
- **regularly missing school or not taking part in education;**
- **appearing with unexplained gifts or new possessions (often new mobile phones);**

A key difficulty in tackling child sexual exploitation is the fact that all too often victims do not themselves recognise or acknowledge that they are being exploited.

### **Missing from care and at risk of sexual exploitation /criminal exploitation**

As with children who have been trafficked, there is a clear link between children going missing and sexual or criminal exploitation. As indicated above a child who is frequently missing from care may be exhibiting signs that they are being sexually or criminally exploited. If there is reason to believe or if a child has been identified as having been a victim of sexual or criminal exploitation carers should regard any unexplained absence from the foster placement as a high-risk situation. They should identify the child as missing and follow Fortitude Fostering Missing Child Policy. This will always mean notifying the police and the child's social worker that they are missing from the foster home.



## Child Criminal Exploitation

As set out in the Serious Violence Strategy, published by the Home Office, 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 into any criminal activity.

- (a) in exchange for something the victim needs or wants, and/or
- (b) for the financial or other advantage of the perpetrator or facilitator and/or
- (c) through violence or the threat of violence.

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.

County Lines, as set out in the Serious Violence Strategy, published by the Home Office, is the term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

*Child abuse has no boundaries. It can happen anywhere and is not determined by class, race, culture, health or intelligence. It can have severe and often long-term effects. In its most extreme forms, child abuse kills.*

## On-line Safety and Internet Safety

The development of the internet and social networking sites has presented new opportunities for those wishing to abuse and exploit children and young people. Looked after children can be particularly vulnerable to this form of abuse. The internet can also offer the opportunity for the families of looked after children and from whom they have been removed, to continue abusive behaviour and in some cases to undermine placements. All Fortitude Fostering Families are provided with training, advice and guidance about keeping children safe online. Please see Fortitude Fostering Internet Safety Policy.

## Parent and Child Placements

In a situation where a child is looked after and the parent is eighteen or older, provisions relating to looked after children will apply in relation to the child only.

In every case where a parent under eighteen has been placed with their child with Fortitude Fostering carers, both parent and child will be looked after and as such both have safeguarding needs which will require individual attention.

Parent and child placements are made so that local authorities can empower parents to remain with, and care for, their children. Therefore, the plans for both are inextricably



linked. In many cases the need for a parent and child placement will have been identified due to concerns regarding the parent's ability to meet the child's needs and the placement is often an opportunity to keep a baby safe whilst assessing the parent's ability to care. The quality of placement supervision is crucial to ensure that a proper focus is maintained on the needs of the child avoiding an over-emphasis on the needs of the parent.

As stated above, where both parent and child are looked after, the safeguarding procedures should be applied accordingly to each.

The matching and planning process is central to ensuring the ongoing safety of any child and the following factors should be considered in addition to the wider safeguarding procedures.

### **Measures to be taken to safeguard any child before making parent and child arrangement with the foster parent.**

- All parent and child carer/s will have had an additional parent and child assessment presented to panel along with specialist training in accordance with our training policy.
- All Parent and Child placements will have had a comprehensive Risk Assessment which will be completed prior to any placement and then regularly reviewed and updated.
- There must be clarity in respect of the parent's responsibilities regarding the care of the child, recognising that a child will have care needs over a twenty-four-hour period, such as feeding, changing, comforting during illness etc. and the circumstances in which the foster carers will need to provide close supervision and/or assume the care of the child.
- There should be clear advice to the carers and the parents regarding recording information on the care of the child and the sort of information that would be of concern and that would report to the social worker.
- The foster carers must have full information regarding the expectations of the placement and the needs of the parent and the child; have received appropriate training and have the experience to meet those needs.
- Foster carers will need advice regarding out of hours support.
- The placement plan will need to clearly identify the monitoring and review process and the expectations and goals of the placement.
- Fortitude Fostering and the responsible children's services authority will need to be satisfied that the proposed arrangements for a parent and child will not unduly affect the foster carer's ability to care for any other children in the placement, and/or the foster carers own children.
- The foster carers will need clarity regarding the legal status of the parent and child.
- There must be consideration as to the additional support necessary according to the age of a baby/child prior to the placement commencing e.g. health visiting support.

### **Parent and Child Placements where the child is subject to a Child Protection Plan**

In certain circumstances where parent and child placements are being made, the child may already be subject to a child protection plan, for example, where a child is being placed alongside their parent in a foster placement following birth.



Foster carers should be fully involved in the child protection process including attending child protection conferences even prior to a planned placement (see Foster Carers' role at the Child Protection Conference).

It should also be expected that foster carers will be invited to attend and contribute to Core Group Meetings.

Where another child is in placement, a risk assessment will be undertaken to consider viability; this will most often occur at the matching stage of the placement.



# Safeguarding Procedure

## Part 2

### What to do if there are concerns for the welfare of a child

#### Actions to be taken by a Foster Carer.

Any information about a child or their circumstances which may have a bearing on possible abuse or neglect, past, present or future must be made available to the responsible local authority. It is your duty to share the information. Remember, if you do nothing –

- **The child could be put at further risk.**
- **Other children could be put at risk.**
- **An investigation could be compromised and vital evidence lost.**
- **You will be in breach of your foster carer agreement and therefore your continued fostercarer approval would be put into question.**

If you notice or become aware of anything that might suggest concern for the welfare of a child you must contact Fortitude Fostering immediately, speak to your supervising social worker or in their absence, speak to the Registered Manager.

If you are phoning outside normal office hours your call will be directed to suitably trained member of staff on duty to respond to your concerns. They will liaise with an appropriate manager within the agency.



## **Actions to be taken by Staff or Carers.**

Any member of staff or carer who has concerns about the conduct of their colleague/s, or a system /procedure or advised practice, in the first instance would be expected to speak to their supervisor this could be as part of a supervision session or during a private conversation. If they are dissatisfied with the response, they can then contact a senior manager (either the Registered Manager or Responsible Individual) within the agency either in person or in writing and/or can use the **[grievance procedure](#)**. They should keep a written record of the concerns and who they were passed on to, with relevant dates.

Where a concern is regarding an individual's immediate manager, Director or Agency DecisionMaker then they should contact the next senior manager who they consider would not be implicated in the concern.

**A Foster Carer or member of staff can also directly contact their Local Authority Designated Officer (LADO) of OFSTED if they have concerns about another carer, member of staff or any other professional. The west Sussex LADO or OFSTED and can be contacted as follows:**

**Tel: 03302226450 Email: [LADO@westsussex.gov.uk](mailto:LADO@westsussex.gov.uk)**

**If an internal disclosure has failed or is not appropriate any misconduct, or concern, can also be reported at any time to the appropriate regulatory body (see Whistleblowing Policy), including:**

**Ofsted:**

**Tel: 0300 123 1231**

**[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)**

**For whistleblowing: 0300 1233 155**

**[whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)**

**NSPCC National Whistleblowing Advice Line:**

**Tel: 0808 800 5000**

**[help@nspcc.org.uk](mailto:help@nspcc.org.uk)**

**Health and Safety Executive**

**Tel: 0300 790 6787**

**<https://services.hse.gov.uk/workingsafelyenquiries/>**

**Obudsman**

**Tel: 0300 061 0614**

**<https://www.lgo.org.uk/make-a-complaint/how-to-complain>**

**Care Quality Commission (CQC)**

**Tel: 03000 616 161**

**[Enquiries@cqc.org.uk](mailto:Enquiries@cqc.org.uk)**



## **If a child makes a disclosure or says something concerning, the following steps should be taken:**

- A. Listen to what the child has to say. You may need to ask for clarification, but do not prompt the child or make suggestions and do not push for details as this may jeopardise any subsequent enquiry. Reassure the child that you have listened to them and have understood what they have said.**
- B. Explain to the child that you need to let Fortitude Fostering know what has happened and that they will talk to their social worker about it. Do not make any promises to a child as you may not be able to keep them!**
- C. Reassure the child that they have done the right thing by telling you and tell them what you are going to do next.**
- D. Write down in as much detail as possible what was said, what you observed, who was involved and when and who you have contacted. Only write down facts not opinions and ensure you include the date and time.**
- E. Even if you are not sure whether the information is relevant or how quickly it should be passed on, talk to someone as soon as possible. Telephone your supervising social worker, out of hours duty worker or the Registered Manager.**
- F. Record all telephone conversations and the time that they took place. The foster carer's records will need to be available to the child's social worker or those undertaking the child protection enquiry.**
- G. If you become aware of information that might suggest the possibility of physical evidence of abuse, e.g. following an allegation of sexual assault; you should consider how this evidence can be protected.**
- H. This may mean safeguarding articles of clothing or other items to be made available to the police. It may be necessary for a child or young person to undertake a medical examination, in this case delaying bathing may help to preserve physical evidence.**
- I. You will need to balance the gathering of evidence with the emotional needs of the child. Your supervising social worker will be able to support you and discuss this in detail.**

## **Consent issues:**

Wherever possible you should gain the consent of the child / young person to share their information.

Children aged 12 or over may generally be expected to have sufficient understanding. (This is presumed in law for young people aged 16 or 17.) Younger children may also have sufficient understanding. When assessing a child's understanding you should explain the issues to the child in a way that is suitable for their age, language and likely understanding.



Where applicable, you should use their preferred mode of communication.

The following criteria should be considered in assessing whether a particular child on a particular occasion has sufficient understanding to consent, or refuse consent, to sharing of information about them:

- **Can the child understand the question being asked of them? Does the child have a reasonable understanding of:**
- **what information might be shared?**
- **the main reason or reasons for sharing the information?**
- **the implications of sharing that information, and of not sharing it?**
- **Can the child:**
- **appreciate and consider the alternative courses of action open to them?**
- **weigh up one aspect of the situation against another?**
- **express a clear personal view on the matter, as distinct from repeating what someone else thinks they should do?**
- **be reasonably consistent in their view on the matter, or are they constantly changing their mind?**

In most cases, where a child cannot consent or where you have judged that they are not competent to consent, a person with Parental Responsibility should be asked to consent on behalf of the child. If a child is judged not to have the capacity to make decisions, their views should still be sought as far as possible.

### **When not to seek consent**

There will be some circumstances where you should not seek consent from the individual or their family, or inform them that the information will be shared, for example where to do so would:

- **place a child at increased risk of Significant Harm; or**
- **place an adult at risk of serious harm; or**
- **prejudice the prevention, detection or prosecution of a serious crime (i.e. a crime involving Significant Harm to a child or serious harm to an adult); or**
- **lead to unjustified delay in making enquiries about allegations of Significant Harm to a child or serious harm to an adult.**
- **You should not seek consent where you are required by law to share information through a statutory duty or court order. In these situations, you should inform the individual concerned that you are sharing the information, why, and with whom**

### **The investigation processes.**

In planning any investigation, if there are two local authorities involved, they will need to work together to ensure that any action necessary is focused on the needs of the child. In many cases only one local authority will be involved in the process.

After a concern has been raised, Fortitude Fostering's Designated Safeguarding Lead will immediately:

Notify the local authority where the child is resident by contacting the appropriate children's services social work team, e.g. duty team, referral and assessment team manager etc.



## **FORTITUDE FOSTERING**

Notify the case responsible social worker or team manager. These are the social workers who will have the ongoing responsibility for the care planning of the child.

The initial contact will usually be by telephone.

Depending on the nature of the concerns, the Local Authority Designated Officer (LADO) will also be contacted (see managing allegations against Carers and staff policies and procedures)

The DSL will also have responsibility for notifying Ofsted of the instigation and outcome of any child protection enquiries.

### **Strategy Discussions / Planning the investigation**

The responsible staff within children's services will discuss any concerns that might suggest abuse with the police and agree the process for investigation; they will also take into account any immediate action that may be necessary to protect the child or children for whom there is concern. The investigation process will be agreed through a Child Protection Strategy Discussion. The strategy discussion must always involve children's services and the police but may also include other relevant agencies e.g.: education and health and the LADO, depending on the circumstances, there may be further strategy discussions to monitor the progress of the investigation. A decision may be made at a strategy discussion to discontinue further investigation under child protection procedures, having concluded that the criteria are no longer met.

Within the investigation process the primary focus for children's services will be on the safety and welfare of the child whilst the police will focus on the investigation of a possible criminal act.

If you have raised concerns about the care of a child or young person you will receive a response in writing from the local authority investigating the concern within ten days stating what steps will be taken or have been taken to resolve the concern. Depending on the nature of the concern / allegation the written response may be immediate.

Children or young people who have raised a concern directly will receive a written response within ten days explaining how their concern is being dealt with. Depending on the nature of the concern / allegation the written response may be immediate.

### **Child Protection Conferences:**

During the process of, or at the conclusion of a child protection investigation a decision may be made that it is necessary to convene a child protection conference.

"Where the agencies most involved judge that a child may continue to, or be likely to, suffer **significant harm** local authority children's social care should convene a **child protection conference**" [*Working Together 2010*].

In most circumstances a child protection conference will not be necessary for looked after children as the safeguarding matters should in most cases be dealt with through the looked after child review process. Understandably, a child placed within a foster placement should not be expected to be at risk of significant harm and needing a child protection plan.



## The purpose of a child protection conference:

As a foster carer you may be asked to attend a child protection conference to assist in the process of gaining a full and accurate picture of a child and to help implement any plan that maybe made to keep a child safe.

The child protection conference can make a decision that a children's protection plan is necessary for the child's ongoing protection on the basis that it believes that the child is at risk of significant harm. The conference will also decide which category of abuse or neglect the child has suffered or is likely to suffer.

## Foster carers' role at the child protection conference

There may be a number of people attending the conference. Any information i.e. reports should be shared with the parents / carers and as appropriate, children, prior to the conference taking place. Foster carers and / or supervising social workers may have information which could be valuable to the conference and to the decision-making process. It is understandable that foster carers may find this process difficult. The supervising social worker is responsible for preparing and supporting the carer within the process.

Foster carers whilst being expected to provide information to a child protection conference will not be asked to express an opinion regarding the need for a child protection plan or categories of abuse.

### **All attendees need to:**

- Listen carefully to what is being said,
- Ask for clarification on areas which have not been understood, and be prepared to contribute, making clear what is fact and what is opinion.

The conference will be chaired by an independent person who will ensure that everyone present is given the opportunity to contribute. The conference may wish to hear from the foster carer how the child has settled into the placement and the details of the child's behaviour. It is important that a foster carers' report provides a balanced picture that describes both positives and negatives.

Foster carers may feel uncomfortable about some information which they hold. In these circumstances this should be discussed with their supervising social worker, as far as possible, in advance of the conference.

It is understandable at times that family members may become angry and / or distressed. This can be particularly difficult for foster carers due to the complexity of the relationship between them, the children they are caring for and their parents. Proper consideration needs to be given to the way in which foster carers are supported. The chair is responsible for managing such situations. It may be necessary for the supervising social worker to liaise with the social worker and conference chair in advance, particularly when difficulties are anticipated.

Any allocated tasks following the conference in support of a child protection plan must be undertaken as agreed and not changed in practice without consultation with the key



worker.

## Possible outcomes of the child protection conference

A child protection conference may decide that a child protection plan is not necessary. It may in some circumstances still make recommendations regarding ongoing care planning for a child. In this case, a process will be agreed as to how that plan will be monitored.

A child protection conference may decide that a child protection plan is necessary in which case it will make recommendations as to the necessary actions within the child protection plan. A key worker (see below) will be appointed who will be responsible for oversight of the child protection plan; a core group will be agreed consisting of primary workers involved in the case who will meet on a regular basis to monitor the effectiveness of the child protection plan.

A date for a review child protection conference will be set.

## Review Child Protection Conference

A review conference is normally held within three months of the initial, its purpose is to review progress of the child protection plan and to decide whether a child protection plan continues to be necessary, if this is the case, a date will be set for a further review conference and adjustments will be made as necessary to the child protection plan.

## Confidentiality

In order to protect the interests of the child, it is crucial that information obtained in the course of the investigation and subsequent process is treated with the strictest confidentiality and used for no other purpose than the child's protection.

## Key Worker

A key worker is appointed at an initial child protection conference. The role of the key worker is to exercise certain overall responsibilities in respect of the child protection plan, such as providing a focal point for information, coordinating multi-agency assessment and monitoring the welfare / progress of the child. This is usually the local authority social worker.



# Safeguarding Procedure

## Part 3

### What happens if an allegation is made against Foster Carers & Staff.

These procedures apply to all cases where suspicion or allegations arises in connection with: The individual's own work.

- **His or her own children**
- **Other children living outside of the family.**
- **Whether the concerns is current or historical**

Statutory guidance (2018 & 2004) provides a framework for managing allegations against members of the workforce. It applies to a wide range of allegations than those in which there is reasonable cause to believe a child is suffering, or likely to suffer, significant harm. It should be used in respect of all cases in which it is alleged that a person who works with children has:

- **Behaved in a way that has harmed a child, or may have harmed a child;**
- **Possibly committed a criminal offence against or related to a child;**
- **behaved towards a child or children in a way that indicates they may pose a risk of harm to children.**

Within the 'Working Together' framework, there may be up to 3 strands in the consideration of an allegation against a person who works with children:

- **A police investigation of a possible criminal offence;**
- **Enquires and assessments by children social care about whether a child is in need of protection or in need of services;**



## **FORTITUDE FOSTERING**

- **Consideration by an employer of disciplinary action in respect of the individual.**
- **With regards to foster carers a review of foster carers suitability to foster, and the recommendation of the fostering panel and decision maker, in accordance with Fostering Services Regulations.**

In accordance with Working Together (2018) Local Authorities should ensure that allegations against people who work with children are not dealt with in isolation. Thus, allegations and referrals relating to concerns about a child/children should be taken without delay and dealt with in a 'coordinated manner'. Local authorities will have a safeguarding designated officer (LADO) or team of officers to be involved in the management and oversight of allegations against people that work with children. Professionals managing these allegations should be significantly experienced and a qualified social worker.

### **Process of responding to an allegation against a foster carer or staff member.**

Fortitude Fostering's Designated Safeguarding Lead (DSL) must be informed immediately where there is any allegation or concern that a foster carer, member of staff or volunteer has:

- **Behaved in a way that has harmed a child, or may have harmed a child;**
- **Possibly committed a criminal offence against or related to a child;**
- **Behaved towards a child or children in a way that indicates they are unsuitable to work with children.**

If the concern relates to a member of the agency's management team or owners and the referrer is concerned that the matter will not be dealt correctly, they should directly inform the local authority Designated Officer or the Regulatory Authority (**see Ofsted, Reporting Concerns and whistleblowing about children's social care services on page 27 of this document**).

On receipt of any information relating to an allegation or suspicion of harm, the DSL will:

- **Inform the LADO for the area in which the foster home is located within 1 working day;**
- **If the concern relates to a foster carer, inform the child's allocated social worker, the carer's Supervising Social Worker and Ofsted / the regulatory authority.**

The Supervising Social Worker in the fostering service will:

Inform the social workers / team manager for any other child in the placement;

Inform any other local authority with an interest in the foster placement.

The DSL will follow the local Multi-Agency Safeguarding Children Procedures (in the area the foster home is located) in relation to the allegation/suspicion. A clear and comprehensive summary of the allegation will be recorded by the DSL including details of how the allegation was reported and actions taken.

Where the allegation relates to a member of staff, the DSL must consider, in consultation with the Responsible Individual, whether the member of staff should be suspended pending the outcome of the investigation. A part of this, consideration must be ensuring the investigation is not compromised in any way if the member of staff continues in their role.

At this stage, the Regulatory Authority (OFSTED) must be informed of the allegation/suspicion and the action taken. Where a Strategy Meeting is to be convened, the DSL must ensure that they are invited to be represented there.



In exceptional cases where immediate action may be necessary to safeguard the welfare of the child, the child's social worker and their manager may decide a new placement should be identified for the child in question and other children placed in the household (Note this may be with an alternative fostering agency).

## Strategy Meeting

If, as a result of the allegation, there is cause to suspect a child is suffering or likely to suffer significant harm, a Strategy Meeting will be convened within 2 working days.

The LADO responsible for the area in which the concern arose would normally be responsible for convening the allegations Strategy Meeting.

### The Strategy Meeting will:

- **Decide whether there should be a Section 47 Enquiry and / or Police investigation and consider the implications;**
- **Consider whether any parallel disciplinary process should take place and agree protocols for sharing information;**
- **Consider the current allegation in the context of any previous allegations or concerns;**
- **Consider the safety of all children in the household (including the foster carer's own children) and whether any action is necessary to protect the children including the removal of all or any of the children while the investigation is conducted;**
- **Explore, how the needs of any child who has to leave the placement will be met including education, contact with other children in the placement, etc.**
- **Plan enquiries if needed, allocate tasks and set timescales;**
- **Consider the involvement of other agencies, for example if the child was placed by another local authority;**
- **Look at the need to inform other agencies who use the foster home (possibly including previous placements);**
- **Confirm the time-scales for the investigation (see below) and any contingencies should timescales not be met;**
- **Explore how the child should be informed of the procedure to be followed and supported through the process;**
- **Evaluate whether the alleged perpetrator should be asked to leave the home while the investigation is conducted and confirmation that the chair will inform the carers of the allegation verbally and then in writing;**
- **Consider how to inform the child's parents of the allegation and the nature/detail of information;**
- **Identify how the member of staff or foster carers will be supported;**
- **Look at how reports on the investigation will be shared with the member of staff or foster carers and the child or children in the placement;**
- **Clarify whether further placements should be suspended pending the outcome of the investigation;**
- **Make recommendations on whether additional monitoring/visiting requirements by children's social workers are recommended;**
- **Decide what information can be shared, with whom and when, including who will notify the Regulatory Authority of the outcome of the meeting if a representative is not present;**
- **Agree arrangements for reconvening the Strategy Meeting.**



The following people will be invited to the allegations Strategy Meeting:

- **A manager from the local authority Children's Social Care Service who will carry out any Section 47 Enquiry.**
- **The child's social worker and their manager (placing authority);**
- **The DSL from the Fostering Agency (unless information identifies there are implications/concerns about the agency itself);**
- **The Supervising Social Worker linked to the foster carer(s), (if the allegation relates to a foster carer - unless information includes implication/concerns about the agency);**
- **The Police;**
- **Any other agency involved with the child or foster family;**
- **A representative from the Regulatory Authority / Ofsted.**

The minutes of the Strategy Meeting must contain clear action points and clear time-scales for each action. The action points and timescales will be circulated immediately after the meeting. Actions agreed must be recorded and be the responsibility of named individuals.

Copies of the action points and the minutes will be held on the foster carer's records. A summary should be placed on the child's record.

Any decision to take no further action following the Strategy Meeting must be clearly recorded by the decision-maker on the child's and the foster carer's records, and reported to the Regulatory Authority, OFSTED by the DSL.

As a means of further information please see link to Pan Sussex Policy & Procedure for managing allegations against people who work with or care for children:  
<https://sussexchildprotection.procedures.org.uk/tkyphy/children-in-specific-circumstances/allegations-against-people-who-work-with-care-for-or-volunteer-with-children>

## Investigation and Action

The actions agreed at the Strategy Meeting should be implemented by those responsible within the agreed timescales.

In anticipation of the outcome of an investigation in relation to a foster carer being reported to the Fostering Panel, the DSL will contact the Panel chair to consider whether a special panel meeting will be required (see: Fortitude Fostering Independent panel pack for Review and Termination of Approval of Foster Carers Procedure).

When an allegation has been made against a foster carer they should be given the opportunity to respond to the allegations before any final decision is made about necessary action to protect the child and other children in the household. Such protective action may include asking the person against whom the allegation has been made to leave the household while the investigation is conducted.

The member of staff or foster carers will be advised in writing by the DSL of:

- **the allegation as agreed at the Strategy Meeting and of the process to be followed in the investigation, including the possibility that a Child Protection Conference may be convened in relation to their own children.**
- **Any decision to suspend making further placements with the foster carer while the investigation is being conducted.**
- **how they will be supported during the investigation (including arrangements for payments).**



## **FORTITUDE FOSTERING**

- **That the foster carer / staff member concerned is aware of this procedure and the relevant local Multi-Agency Safeguarding Children Procedures.**
- **The address and contact telephone number of the independent organisation identified to provide the foster carers support;**
- **Information regarding consulting a solicitor;**
- **Information on insurance arrangements for legal expenses.**

The agency must identify the most appropriate persons to provide support to the member of staff or the foster carer during the investigation. This will be provided independently by Fostering Network. <https://www.thefosteringnetwork.org.uk/>

Fortitude Fostering will arrange for Fostering Network to contact the member of staff or the foster carers as soon as practicable after the member of staff/foster carers are made aware of the allegation, and explain their role. This includes making clear their responsibility to report to the local authority, the Police and in some circumstances to the court if any information relevant to the investigation comes to their attention.

It should be confirmed that the member of staff or foster carer concerned is aware of the following:

- **The contents of this procedure and the relevant local Multi-Agency Safeguarding Children Procedures.**
- **The address and contact telephone number of the person/organisation identified to provide support.**
- **Information regarding consulting a solicitor.**
- **The social worker undertaking the investigation into the allegation will prepare a report on the investigation and a copy will be provided to the member of staff/foster carers and their representatives.**

## **Concluding the Investigation**

The Strategy Meeting will be reconvened to conclude the investigation. The same people will be invited and the same person will chair the meeting (usually the LADO).

The purpose of the final Strategy Meeting is to agree on the outcome of the investigation and responsibilities for any further action including reporting on the matter to the Fostering Panel (in relation to foster carers) and/or considering whether a referral to the Disclosure and Barring Service is required.

**Note:** as a 'regulated activity supplier', where an allegation has been substantiated or a member of staff has been dismissed, there is **a legal duty to refer information to the DBS:**

- **staff who maybe social workers,**
- **health staff or psychologists, etc.**
- **or (support) teachers for the Agency will be referred to Social Work England,**
- **the HCPC or Teaching Regulation Agency (respectively).**

The employer is responsible for notifying regulatory bodies and making the referral to the DBS.

Although this will always be envisaged as the final meeting, should new information come to light further actions may be required thereby necessitating the suspension and rescheduling of the meeting.

The meeting should agree who will notify the member of staff/foster carers the child, the parents, other children in the placement or involved, other relevant agencies and the Regulatory Authority (if they do



## **FORTITUDE FOSTERING**

not attend the meeting) of the outcome of the investigation.

In any event the meeting may wish to draw to the attention of Fostering Panel members certain areas of the foster carer's practice in need of their close consideration.

Where the investigation related to foster carers, a report will be presented to the next available Fostering Panel. The DSL will consult with the chair of the Fostering Panel on whether or not a special panel meeting should be convened.

Where appropriate, consideration should be given to additional supports, or work undertaken with the foster carers / staff member, identifying any additional training and support needs.

Prior to the Fostering Panel, the foster carers and their representative should have seen, and had time to comment on the report being presented to the panel. The procedure to be adopted for the Fostering Panel will be the same as for any other foster carer review (see: Fortitude Fostering Independent panel pack for Review and Termination of Approval of Foster Carers Procedure). In other situations, the Fortitude Fostering consider whether disciplinary proceedings against staff are appropriate.

Where the concerns have not warranted further and more serious action, other investigative routes may be identified as more appropriate at this stage, for example, the complaints process. Unless the allegation is found to be malicious, all relevant documents in relation to the investigation, whatever the outcome, must be retained on the member of staff/foster carer's records. A summary will also be held on the child's record.

A debriefing meeting will be held for all involved as to the impact of the allegations and the investigation, whatever the outcome, and any necessary assistance should be made available, as necessary.

### **Additional Training and Support**

Fortitude Fostering will be supplying training to all staff, carers, employees, where additional information will be provided, we also recommend some further reading that can be accessed below.

### **Further Reading**

Safeguarding Children who may have been Trafficked (Department of Education, 2011)  
Child sexual exploitation: definition and guide for practitioners (Department of Education, 2017)  
Advice To Parents And Carers On Gangs -Home Office 2014  
Care of unaccompanied migrant children and child victims of modern slavery – Home Office November 2017  
Criminal Exploitation of children and vulnerable adults: County Lines guidance (Home Office Guidance September 2018)



## **Important Numbers**

### **West Sussex LADO**

**Tel: 03302226450**

**Email: [LADO@westsussex.gov.uk](mailto:LADO@westsussex.gov.uk)**

### **Ofsted:**

**Tel: 0300 123 1231**

**[enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)**

**For whistleblowing: 0300 1233 155**

**[whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)**

### **NSPCC National Whistleblowing Advice Line:**

**Tel: 0808 800 5000**

**[help@nspcc.org.uk](mailto:help@nspcc.org.uk)**

### **Health and Safety Executive**

**Tel: 0300 790 6787**

**<https://services.hse.gov.uk/workingsafelyenquiries/>**

### **Ombudsman**

**Tel: 0300 061 0614**

**<https://www.lgo.org.uk/make-a-complaint/how-to-complain>**

### **Care Quality Commission (CQC)**

**Tel: 03000 616 161**

**[Enquiries@cqc.org.uk](mailto:Enquiries@cqc.org.uk)**

### **Ben Bennett (Registered Manager & designated Safeguarding Lead):**

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**Email: [b.bennett@fortitodefostering.co.uk](mailto:b.bennett@fortitodefostering.co.uk)**

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**Tel. Office: 01903 372 037**

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