



## Child Safeguarding Policy

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## Child Safeguarding Policy

### 1. Introduction

Framework believes that all children and young people have a right to be safe and protected from harm and that **‘the needs of the child or young person are paramount’**.

Framework’s Internal Policy and Procedures adhere to:

- **The Nottingham City & Nottinghamshire** Safeguarding Children Board’s Interagency Safeguarding Children Procedures
- **The Derby and Derbyshire Safeguarding Children Board** Procedures Manual
- **The Lincolnshire Safeguarding Children Board** Multi- Agency Policy and Procedure Manual
- **The North Lincolnshire Local Safeguarding Children’s Board** multi agency policy and procedures.
- **The Sheffield Children Safeguarding Partnership** Child Protection and Safeguarding Procedures Manual.

Framework’s Child Safeguarding Policy is based primarily upon the Nottingham City and Nottinghamshire Safeguarding Children Board’s Interagency Safeguarding Children Procedures; however, there are only minor differences between agencies and local authorities.

Framework recognises that working to safeguard children who are suffering or at risk of suffering, significant harm is a shared responsibility. We are committed to effective inter-agency working; working together in a committed and co-operative way to safeguard children and promote their welfare.

In accordance with Working Together to Safeguard Children 2015, a child is:

***‘Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.’***

This definition includes **unborn babies**.

This Policy and associated Procedures mean ‘children and young people’, wherever there is a reference to a child or children.



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Young adults who become 18 may continue to be vulnerable and all staff involved in their support should be mindful of the continuing need to promote and safeguard their welfare during the period of transition from childhood to adulthood.

### 2. Aims of the Policy

- To convey the need for an integrated approach to child safeguarding; recognising that effective measures to safeguard children are those which also promote their welfare and should not be seen in isolation from the wider range of support and services available to meet the needs of children and/or their families.
- To ensure that all Framework staff are aware of their shared responsibilities in working effectively in partnership to safeguard children
- To provide clear and specific guidelines to enable services to deal with safeguarding/child protection issues effectively.
- To ensure that everyone working in services, including volunteers, know what to do in a child protection emergency or where there appears to be evidence that ongoing child abuse or neglect may be taking place.

### 3. Statement of Principles

- **The welfare of the child is paramount.** All children have the right to be protected from all forms of abuse, whether this is physical, sexual or emotional abuse or neglect. Framework operates a policy of '**Zero Tolerance**' of abuse and neglect within the organisation.
- Framework believes that responsibility for the abuse lies solely with the abuser. Our approach is child centred; we believe that the child is never to blame for any abuse they may suffer. We believe that everyone has a duty to protect children; this policy extends to all employees, volunteers and trustees of Framework HA.
- Concerns about the safety or wellbeing of a child will not be ignored and the need for appropriate action will override the usual guarantee of confidentiality. Framework informs all Service Users that it will waive the right to confidentiality in specific circumstances; this includes where there are concerns about the safety and welfare of a child. **Refer to Section 10 – Confidentiality.**



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- Framework will designate overall responsibility for Safeguarding to the Services Director (Accommodation and Support Services). This individual is '**The Named Senior Manager for Safeguarding**'. She/he will ensure that there are regular reviews of Child Safeguarding incidents and that action is taken where necessary to address any concerns arising from these and will liaise directly with Framework's Board of Directors.

In addition, Framework employs a number of **Qualified Social Workers** (QSW's) across its range of operations. This includes management representatives in key children and young people's services. These individuals, Framework's **Safeguarding Champions** and the **Operations Manager for Women, Families and Young People** will be available to staff and volunteers of Framework to provide advice and guidance on child protection issues.

### 4. Key Definitions and Concepts

**4.1 Safeguarding and Promoting Welfare** - is defined in 'Working Together 2018' as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes

**4.2 Child Abuse** can be the result of anything which individuals, institutions or processes do or fail to do, which directly or indirectly *causes or allows harm to occur* to children or damages their prospects of safe and healthy development into adulthood.

Perpetrators of individual child abuse will usually be an adult, although child to child abuse does take place and should not be ignored. The perpetrators of abuse are usually, but not always known to their victims.

**4.3 Types of Child Abuse** – An abused child will often experience more than one type of abuse, as well as other difficulties in their lives.

Working Together to Safeguard Children 2015 defines abuse and neglect under the four key areas of Physical, Emotional, Sexual Abuse or Neglect.

- **Physical abuse**



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Physical abuse is deliberately hurting a child causing injuries such as bruises, broken bones, burns or cuts.

➤ **Emotional abuse**

Children who are emotionally abused suffer emotional maltreatment or neglect. It's sometimes called psychological abuse and can cause children serious harm.

➤ **Sexual Abuse**

A child is sexually abused when they are forced or persuaded to take part in sexual activities. This doesn't have to be physical contact, and it can happen online.

➤ **Neglect**

Neglect is the ongoing failure to meet a child's basic needs. It's dangerous and children can suffer serious and long-term harm.

Increasingly other forms of abuse are being recognised:

➤ **Domestic abuse**

Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships.

➤ **Online abuse**

Online abuse is any type of abuse that happens on the web, whether through social networks, playing online games or using mobile phones.

➤ **Child sexual exploitation**

Child sexual exploitation is a type of sexual abuse in which children are sexually exploited for money, power or status.

➤ **Female genital mutilation (FGM)**

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons.



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### ➤ **Bullying and cyberbullying**

Bullying can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally.

### ➤ **Child trafficking**

Child trafficking is a type of abuse where children are recruited, moved or transported and then exploited, forced to work or sold.

### ➤ **Harmful sexual behaviour**

Children and young people who develop harmful sexual behaviour, harm themselves and others.

## 4.4 Safeguarding Children and Young People Against Radicalisation and Violent Extremism

In addition to the types of abuse listed above, since the advent of the **Prevent Strategy**, there has been an awareness of the specific need to safeguard children, young people and families from violent extremism.

- **Radicalisation** is defined as the process by which people come to support terrorism and extremism and, in some cases, to then participate in terrorist groups.
- “**Extremism** is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Extreme views include views justifying political, religious, sexist or racist violence,

Keeping children safe from these risks is a safeguarding matter and should be approached in the same way as safeguarding children from other risks.

**4.5 The Concept of Significant Harm** – The Children Act 1989 introduced the concept of significant harm as:

*‘the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm’*



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In addition, 'harm' is defined as the ill treatment or impairment of health and development. The Adoption and Children Act 2002 added

*'impairment suffered from seeing or hearing the ill treatment of another'* for example, where there are concerns of Domestic Violence and Abuse.

Sometimes, a single traumatic event may constitute significant harm, however it is more usually a number of significant events, which interrupt, change or damage the child's physical and psychological development.

**4.6 Early Intervention and Prevention** - can ensure that a child or young person's needs are assessed; understood and responded to before they develop into more serious Safeguarding concerns.

Nationally, the term **Early Help Assessment** is replacing the Common Assessment Framework (CAF) for the early identification and assessment for family support. The Common Assessment Framework remains a tool to be used by partnership agencies to undertake an assessment of the level of need.

**4.7 Transitions to and from Adult Safeguarding** - The statutory guidance is very clear on this:

- Where someone is 18 and over but is still receiving children's services, and a safeguarding issue is raised, the matter should be dealt with through adult safeguarding arrangements

Domestic Abuse / Violence

- Although the definition of domestic violence has been extended to 16 and over, any safeguarding concern for 16 and 17 year olds should be referred to children's safeguarding.

## 5. Safe Recruitment and Staff Training

**5.1 Recruitment** - Framework has clear Policies and Procedures for 'Recruitment and Selection' and the 'Recruitment of Ex-Offenders and Disclosure and Barring'. These support the organisation's recruitment activity and our approach to the recruitment process and include guidance on:





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- Planning and advertising roles, ensuring that the organisation's commitment to safeguarding and our expectations of applicants is highlighted.
- Creating an information pack for candidates that highlights the importance of a rigorous selection process and our duty to safeguard.
- Scrutinising and shortlisting candidates, including any gaps in employment.
- Requirements regarding the take up of references and the interview process
- Carrying out pre-employment and right to work checks.
- The involvement of Children and Young People in the process .
- The post selection process and validation checks such DBS disclosures.
- Post appointment induction and training.

Framework is committed to ensuring safe recruitment, selection and vetting of all employees, befrienders and volunteers and trustees. Framework uses the Disclosure and Barring Service, if applicable, to assess applicants' suitability for positions of trust. Framework complies fully with the Disclosure and Barring Services Code of Practice and undertakes to treat all applicants fairly.

As an employer undertaking both 'regulated' and 'controlled' activity Framework is legally required to carry out pre-employment checks for all staff and volunteers who undertake regulated activity/have regular contact with our service users.

DBS checks are renewed every three years and staff are required to declare where they may have a new conviction, any perceived conflict of interest or have an existing relationship with a Service User or Ex Service User.

We are also obliged to refer employees and volunteers to the DBS in the event of being dismissed for acts of alleged abuse. Other pre-employment checks, such as the taking of two references are also applied to maximise the safety of our service users.

We will seek to protect and support our staff, contractors and volunteers from false or malicious accusations by ensuring robust investigation processes, including right of representation at any investigation and right of appeal against any decision reached. We will take appropriate action in the event of false or malicious allegations being made and disproved.

Where the use of agency staff is necessary, Framework ensures that there is confirmation of all appropriate checks having been made.

**5.2 Safeguarding/Child Protection Awareness training** - All staff and volunteers are provided with access to a range of child safeguarding training courses via Framework's e-learning portal. All employees are required to complete basic child safeguarding awareness training as a mandatory training package. This is in addition to both internal and externally validated Safeguarding training. In those services specifically working



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with children and young people, additional training is provided and forms part of the specialist skills required to work in that service e.g. Signs of Safety, Child Sexual Exploitation and Working with Young Refugees and Asylum Seekers.

Service Managers must ensure that Child Safeguarding is well understood within their teams. There should be regular discussion within supervision sessions and in team meetings. Where significant risks are identified and especially if the child concerned is on a Child Protection Plan, staff must be alert and ensure a full understanding and contemporary knowledge of the case and any actions required.

Locality Safeguarding Champions are available to signpost services to training, fora and resources in the areas they operate.

### **6. Legislation, Policy and Guidance**

The legislative and policy framework for Safeguarding Children is drawn from the following:

**Working Together to Safeguard Children' Policy and Guidance 2018** - a guide to inter-agency working to safeguard and promote the welfare of children. The latest guidance includes changes to:

- referral of allegations against those who work with children
- clarification of requirements on local authorities to notify serious incidents
- a definition of serious harm for the purposes of serious case reviews.

Other amendments include the specification that local Safeguarding Children Boards, local authorities and their partners should be commissioning and providing services for children at risk of sexual exploitation, female genital mutilation and radicalisation.

**The Education Act 2002** Included a provision requiring school governing bodies, local education authorities and further education institutions to make arrangements to safeguard and promote the welfare of children.

**The Education Act 2011** Made changes to provisions on school discipline and placed restrictions on the public reporting of allegations made against teachers.

**The Children Act 1989** currently provides the legislative framework for child protection in England. Key principles established by the act include:

- the paramount nature of the child's welfare
- the expectations and requirements around duties of care to children.



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**The Children Act 2004** strengthens the 1989 Act. It encourages partnerships between agencies and creates more accountability.

**Safeguarding Vulnerable Groups Act 2006** Established a single body to make decisions about individuals who should be barred from working with children and to maintain a list of these individuals.

**Protection of Freedoms Act 2012** Merged the Independent Safeguarding Authority with the Criminal Records Bureau (CRB) to form a single, new, non-departmental public body called the Disclosure and Barring Service (DBS).

**Children and Families Act 2014** is very child focussed and introduces changes for children who are adopted and fostered; children in care, children with disabilities or special educational needs and young carers.

**Adoption and Children Act 2002** Amended the Children Act 1989 by expanding the definition of "harm" to include witnessing domestic violence.

**Female Genital Mutilation Act 2003** As amended by sections 73 and 74 of the **Serious Crime Act 2015**, makes provisions for FGM Protection Orders and the legal duty for regulated social care and health professionals and teachers to make a report to the police if a girl under 18 tells them she has undergone an act of FGM, or if they observe physical signs that a girl under 18 has undergone FGM.

**Children and Young Persons Act 2008** Legislates for the recommendations in the Care Matters white paper (DfES, 2007) to provide high quality care and services for children in care.

**Borders, Citizenship and Immigration Act 2009** Placed a duty on the then UK Border Agency to safeguard and promote children's welfare, bringing them in line with other public bodies that have contact with children.

### **The Children and Social Work Act 2017**

This Act intends to improve support for looked after children and care leavers, as well as promoting the welfare and safeguarding of children. It sets out corporate parenting principles for the local authority to be the 'best parent it can be' to children who are in its care. Local authorities are, under this Act, obliged to publish their support offer to care leavers and promote any educational attainment of children who have been adopted or placed in long-term care arrangements.

### **Keeping Children Safe in Education 2019**

This document outlines statutory guidance for keeping children safe in schools and colleges. It is an update from the 2016 document. The key takeaway from this document is the focus on making sure that all staff are knowledgeable about



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safeguarding and current legislation. It provides a step-by-step approach for how safeguarding should be structured in schools and colleges, and what good practice looks like.

### **The United Nations convention on the Rights of the Child 1992**

The United Nations Convention on the Rights of the Child (UNCRC) underpins many pieces of legislation that relate to the roles of individuals who work with children, such as the Children Act (2004) and the Equality Act 2010. The UNCRC highlights the importance of treating every child as a unique person, which helps to ensure that all of their needs are met in a way that is specific to them, enabling them to have a high quality of life.

### **The Human Rights Act 1998**

Human rights within the United Kingdom are protected by the Human Rights Act 1998, which means that if an individual believes that their human rights have been breached, they can take action against this in a court of law. Examples of rights that are contained within the Act, known as 'Articles' are:

- The right to freedom from torture and inhumane or degrading treatment or punishment.
- The right to liberty and security.
- The right to freedom of thought, conscience and religion.
- The right to freedom of expression.
- The right of access to an education.

Although usually associated with adults, this Act provides equal rights to children who are also protected by its content.

## **7. Inclusive Practice**

Framework is committed to equality, diversity, inclusion and anti-discriminatory practice. Any action taken within these guidelines will reflect equal opportunities principles. Framework recognises the negative impact of prejudice on a child's development. Every effort will be made to challenge prejudice both externally and within Framework itself.

All services must ensure equality of opportunity, sensitivity, understanding of diversity and challenging of stereotypes or assumptions. Issues of race, culture, language, gender, gender identity, religion, sexuality, age and disability are integral to appropriate service provision for all children. Services should be mindful of any previous experiences of prejudice or discrimination in service delivery the child or young person may have experienced. It is also important to recognise the additional



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needs of children from minority ethnic groups and disabled children and the barriers they may be faced with, especially around communication.

Positive action should be taken to ensure all children and young people are able to be fully involved in the planning of services to them.

### 8. Responsibility for Safeguarding/Child Protection in Framework Services

**Safeguarding is everybody's responsibility. All Framework staff including volunteers and trustees, regardless of where in the organisation they work are responsible for good child protection practice and for alerting a manager if they witness, suspect or have any incident of child abuse reported to them. All Framework staff must follow the internal Policy and Procedures when dealing with safeguarding/child protection issues.**

Framework has a designated '**Named Senior Manager for Safeguarding**'.

**All Managers**, including Team Leaders and Assistant Managers have a responsibility to assess information they are given in relation to witnessed, suspected or reported child abuse. They are responsible for referring this in accordance with the Multi-agency Procedures to Children's Social Care and/or the Police where appropriate; managing the process and guiding staff, ensuring they are aware of and adhere to the internal Policy and Procedures.

**Additional support** – See Section 3 - Statement of Principles.

In the event of conflict with Children's Social Care or where a Child Protection issue requires escalation and/or strategic intervention, the Named Senior Manager for Safeguarding should be consulted. Alternatively, contact can be made with the relevant Children's Social Care Duty Team for advice on whether to proceed.

**Reporting and Investigating** suspected child abuse is sensitive, complex and the two activities are not easy to separate. Some Framework staff may have child care knowledge and expertise, however, child protection investigation is a statutory function and so Framework staff should restrict their activity to reporting initial concerns and the evidence that it is based upon to the appropriate authorities (Children's Social Care and /or the Police). The statutory authorities then make the decision on the need for further action and investigation.

**Colleagues and professionals** - If any member of staff or volunteer has reason to believe that a child is being abused they must discuss this with their supervisor or line manager immediately. This may include suspicion about the actions of a colleague or another professional. If there are concerns about the actions or conduct of a staff



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member, volunteer or other professional in relation to incidents of child abuse in either the professional or personal sphere these should be reported immediately to 'The Named Senior Manager for Safeguarding' and/or the Head of Human Resources.

**Thorough, accurate record keeping** is essential where any evidence or action taken in respect of child protection concerns occurs. The nature, extent and format of record keeping requirements for Child Protection cases is outlined in detail in Framework's Child Safeguarding Procedures.

Whether or not this results in a Child Protection referral to Children's Social Care, staff **must** complete an Incident form/Datix report and copy this to the 'Named Senior Manager' as well as to the Health and Safety Manager and relevant Operations Manager for that service. Some services, where working with children features more strongly, such as Teenage Parents or Homeless Families services, will also keep a Safeguarding concerns log.

In addition, some Local Authorities require that records of referrals, actions and outcomes are communicated to them; along with notification of Serious Incidents. This will be clear within the contracts for individual services and should be monitored by Service Managers.

When making a referral to Children's Social care, have as much essential information as possible, on all members of the household to hand if you are making a telephone referral, e.g. date of birth, ethnicity, religion, language spoken, which school the child attends. Always follow up the communication of concerns and or a referral in writing.

The 'Named Senior Manager' is responsible for monitoring all Safeguarding incidents and reporting any issues, concerns or need for changes to practice to the Organisational Leadership Group on a regular basis.

### **9. Informing Service Users**

When a service user moves into a hostel or accesses any other Framework service (including Drug and Alcohol Treatment or Employment and Skills services) and is informed about the rules that apply to them, they should at the same time be informed that the organisation has a policy on Safeguarding/Child Protection and Confidentiality.

It is important that all service users understand that there are limits to confidentiality when child protection issues are involved. They should be aware that if there are indications that a child is at risk of, or suffering actual abuse or significant harm, Framework will assess the need to refer the case to Children's Social Care and/or the



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Police as appropriate. Although it is good practice to discuss concerns with the child's parent, carer or guardian in advance of a Child Protection referral, it is possible that they might not be informed in advance of such a referral, particularly where it is considered that:

- They might be the perpetrator of the abuse
- They might be otherwise complicit in failing to protect
- Children may be placed at further risk of harm
- Subsequent criminal investigation may be interfered with
- Framework staff safety may be compromised

If a decision is taken not to seek parental permission or inform the parent, carer or guardian before making a referral to LA children's social care, this decision must be clearly recorded and include the reasons for the decision, the date, and the signature of the decision maker. The decision must be confirmed to Children's Social Care as part of the referral. If in any doubt about whether to withhold information, seek advice.

If a referral is considered necessary and in the interests of the child, and the parent, carer or guardian has been informed but disagrees with the decision, the decision maker must:

- Record the reason for proceeding without parental or competent young person's agreement;
- Inform Children's Social Care that permission has not been given in any verbal or written referral to Children's Social Care;
- Contact the parent, carer or guardian to inform them that, after considering their wishes, a referral has been made.

Professionals cannot make anonymous referrals.

### **10. Confidentiality and Information Sharing in Child Protection**

Personal information about children and families is subject to a legal duty of confidence and should not normally be disclosed without their consent. However the law permits the disclosure of confidential information if this is necessary to safeguard a child.

The **Data Protection Act 1998** requires that personal information is obtained and processed fairly and lawfully, that it is accurate, relevant and not held longer than necessary, that it is kept securely and only disclosed in appropriate circumstances. Personal information may be disclosed without the consent of the subject in order to prevent or detect a crime, to apprehend or prosecute an offender or where failure to disclose could prejudice such action.



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Article 8 of the **European Convention on Human Rights** allows disclosure of information for the prevention of crime or disorder, for the protection of health or morals, or for the protection of the rights and freedoms of others. The disclosure of information to safeguard children could come under any of these headings, but disclosure should be justifiable, appropriate for the purpose and only to the extent needed to achieve that purpose.

**Working Together to Safeguard Children** states that:

*“Effective sharing of information between professionals and local agencies is essential for effective identification, assessment and service provision.*

*Early sharing of information is the key to providing effective early help where there are emerging problems. At the other end of the continuum, sharing information can be essential to put in place effective child protection services. Serious Case Reviews (SCRs) have shown how poor information - sharing has contributed to the deaths or serious injuries of children.*

*Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.”*

Framework takes data protection and information security very seriously, adhering to the principles of the General Data Protection Regulation (GDPR), the Data Protection Act 1998 and also holds iso27001 in Information Security Management.

The organisations rules, expectations of staff and guidance on confidentiality, data protection and information security management are referenced in the following organisational policies and guides:

- Confidentiality of Client information Policy
- High Level Information Security Policy
- Information Security Management Policy
- Information Classification and Handling Policy
- Whistleblowing Policy
- Code of Conduct
- Employee Handbook

Each Policy, Procedure or Guidance document clearly outlines the responsibilities of staff and the limitations of their authority to disclose confidential information; in what circumstances and to whom.

In delivering a range of different contracts for different commissioning bodies the organisation has to be mindful of those principles enshrined in Information Governance across Health and Social Care.





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Framework adheres to the **Caldicott Principles** – 6 general principles for information governance that should be used by all organisations with access to patient (Service User) information.

We are also required to adhere to the NHS '**Duty of Candour**'. Introduced in November 2014, the statutory duty of candour requires providers of health or social care to be open with patients (Service Users) when they suffer harm related to care or treatment.

### ***11. Location of Policies, Procedures and additional guidance***

All internal Policies and Procedures are available on Framework's intranet – Fred.

Alongside these internal documents staff can find the Multi-Agency Child Protection Procedures for all local authority areas in which Framework operates as well as key guidance on a range of Child Safeguarding issues.

### ***12. Review timetable and actions***

Comprehensive revision of Framework's Safeguarding Policies and Procedures is undertaken by the 'Named Senior Manager for Safeguarding' every 3 years. These revisions will be subject to consultation with key stakeholders including staff and service users, relevant partners such as Children's Social Care personnel and commissioners of services.

Safeguarding Champions meet quarterly and will maintain a record of any significant changes to Multi-Agency processes, key legislation or guidance. The Champions will undertake annual reviews to ensure that the policies and procedures are contemporary and reflect up to date good practice.

**Lisa Del Buono – Service Director, Housing and Safeguarding and 'Named Senior Manager for Safeguarding'**

**December 2020**