



Protecting Children

information for service providers



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Introduction

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

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

Everyone's responsibility to protect children

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

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

- parents



- family members
- friends
- neighbours
- professionals
- members of the public
- voluntary organisations such as youth groups
- religious organisations

Child Abuse

There are different types of abuse, **some examples are:**

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

Abusers

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



What might make you worried about a child

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

The child may:

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- appear afraid, quiet or withdrawn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

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

The adult may be:

- acting in a violent or sexual manner towards a child
- misusing drugs or alcohol while caring for a child



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

What to do if you are concerned about a child

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

- Social Work Services
- health visitor
- family doctor
- teacher or nursery staff
- police officer
- Scottish Children's Reporter Administration (SCRA)



A list of useful telephone numbers can be found at the back of this leaflet.

If a child tells you something has happened

Do

- stay calm
- listen to the child
- keep any questions to a minimum
- reassure the child they were right to tell
- tell the child what you're going to do next
- record in the child's own words what has been said
- act promptly and immediately report to your line manager or designated child protection officer

Don't

- ask too many questions
- make any false promises
- express shock or anger at what is being said to you
- interpret what the child is saying to you - just record and report
- delay listening to the child or passing on your concerns
- carry out an investigation into the allegation



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

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

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

- the child's name, address and date of birth
- parents' names and current whereabouts
- child's current whereabouts
- your details, for example your involvement with the child
- what the concerns are and why they have arisen
- any recent changes in the child's behaviour or presentation
- whether the child said anything which has made you concerned
- whether there are any other children in the household
- whether there are any other agencies currently involved with the family (if known)
- whether there have been any previous concerns about this child or other children in the household



- whether the child has any disabilities or special needs
- whether there are any cultural or religious factors which need to be taken into account
- whether the parents are aware of the concerns and, if so, their reaction

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

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

Making a referral to Social Work Services or Police

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



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

Sometimes it is necessary to convene an inter-agency Child Protection Case Discussion in order to share information and agree the next course of action.

In the case of an unborn child for whom there may be child protection concerns, a Pre-Birth Child Protection Case Conference may be held to consider what action, if any, is necessary to ensure the protection and welfare of the child following his/her birth.

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

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

Where this is the case, Social Work Services and Police have a duty to investigate and take any necessary action to protect the child. They will usually undertake this task together.



This is called a joint investigation and usually involves Joint Investigative Interviews being carried out by Social Work Services and Police working together.

Unless urgent action is required to ensure the immediate protection of the child, Police and Social Work Services will usually convene a Planning Meeting to plan and agree how the joint investigation will be conducted.

At all times the welfare of the child comes first.

Usually social work and police will want to:

- speak to the referrer
- speak to the child
- speak to the parent
- speak to any other relevant person – other family members, teacher or health visitor
- make further enquiries if necessary
- take further action if necessary, such as arranging a medical examination

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

Throughout the process it is important that children and their families are listened to and consulted and given the necessary



information, support and help required.

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



What happens next

Once the investigation has been completed all relevant information is recorded by the agencies involved in the investigation. The social worker will record the information on a CP1 Form (Child Protection Investigation) and the Police will maintain a record of the relevant information on the appropriate police information system.

This will include - details of the initial referral, family background, assessment of risk and needs of the child. It will also include a recommendation of any further action required to protect the child and ensure his/her safety and well-being in the future.

The senior social worker in conjunction with the Social Work Child and Family Manager and where appropriate, the Police Family Protection Unit Supervisor or other appropriate Police Supervisor, will decide on the next course of action.

If there are no child protection concerns

One or more of the following may happen:

- no further action
- Social Work Services offer help or support to the child and his/her family
- a case discussion is held to identify support needs of the child and family and mobilise resources



- referral to another agency for help or support

In the case of ongoing child protection concerns

- An inter-agency meeting (known as an **Initial Child Protection Conference**) will be convened
- In a small number of cases immediate emergency action may be required to protect the child – **Child Protection Order, Exclusion Order, Emergency Police Powers** (See separate section)
- Further criminal enquiries, or report to the Procurator Fiscal may be required
- Referral to the Scottish Children's Reporters Administration (SCRA) may be required

Initial Child Protection Conference

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

- nursery staff
- teacher
- health visitor



- social worker
- general practitioner
- police
- housing
- youth worker
- worker from voluntary organisation

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

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

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

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



Disagreement or Dissent

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

If anyone else attending the Initial Child Protection Conference does not agree with the decisions made they can have their dissent recorded within the Minute of the Initial Child Protection Conference.

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

The Child Protection Register

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



Core Groups

If a child's name is placed on the Child Protection Register, a Child Protection Plan is agreed and a Core Group identified. The Child Protection Plan sets out what needs to be done to support the child and family and reduce the risk of future harm.

The Core Group is made up of a small group of people who work with the child and family. They meet (along with the child and family) on a regular basis (usually four to six weeks) to look at the Child Protection Plan and review progress being made. Any difficulties progressing the Child Protection Plan will be identified and changes to the Child Protection Plan will be considered to deal with these difficulties.

The progress of the Child Protection Plan will be reported to the Review Child Protection Conference.

Review Child Protection Conference

A Review Child Protection Conference is usually held within three months of a child's name being placed on the Child Protection Register.

The purpose of the Review Child Protection Conference is to review the Child Protection Plan.



The Review is similar to the Initial Child Protection Conference in that again a full discussion will take place and reports will be made available. If there has been sufficient progress then consideration will be given to whether the child's name should be removed from the Child Protection Register. If little progress has been made then consideration will be given to the child's name remaining on the Register or whether further child protection action is required.

If the child's name remains on the Register, the Child Protection Plan will be reviewed and any necessary adjustments made. Further Review Child Protection Conference will be arranged for no later than three months from this meeting.



Child Protection Order

If it is believed that a child may be in immediate danger then an application can be made for a Child Protection Order. Under S57(1) of the Children (Scotland) Act 1995 **anyone** can apply for a Child Protection Order if they have reason to **believe** a child may be at risk of 'significant harm'. The local authority can apply for a Child Protection Order under S/57 (2) of the Act if they have reason to **suspect a** child to be at risk.

Social Work Services usually apply for the Child Protection Order on behalf of the local authority. Application is made to the Sheriff.

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

Parents, children and other relevant persons have a right to apply to the Sheriff for the order to be recalled or varied. This should be done prior to an Initial Children's Hearing on the second day. If no application for recall is made the Order will proceed until the full Children's Hearing on the eighth day.



A Child Protection Order lasts up to eight days. Unless the Order is recalled, the child will attend a full Children's Hearing on the eighth day at which the Children's Hearing will then make any necessary arrangements to protect the child through other legal processes.

Assessment Order

Under S/55(1) of the Children (Scotland) Act 1995 the local authority can apply for a Child Assessment Order where they have reason to suspect that a child has suffered or is likely to suffer 'significant harm' and that an assessment is necessary and that this assessment is being denied.

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

On application to the Sheriff for a Child Assessment Order, if the Sheriff believes that the conditions for making a Child Protection Order exist, he/she will grant a Child Protection Order instead.



Exclusion Order

Only a local authority can apply for an Exclusion Order (S76 (1) of the Children (Scotland) Act 1995.

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

An Exclusion Order can last up to six months and the Sheriff can attach conditions to the Order to ensure the child's protection. For example, powers of arrest without warrant, no contact with the child and/or the 'named person' must not go within the vicinity of the child's home or school.

The 'named person' has the right to appear in front of the Sheriff prior to an Exclusion Order being granted to put forward his/her view and state his/her case.

Where a Sheriff believes grounds exist for the making of a Child Protection Order the Sheriff may grant a Child Protection Order instead, and the child may be removed from the home to a place of safety.



Emergency Police Powers

In an emergency situation, where a police officer has reasonable cause to believe that the conditions for making a Child Protection Order are satisfied and it is not practical in the circumstances to make such an application to the Sheriff, then the officer may remove the child to a 'place of safety' Section 61 (5).

The necessity to remove the child must be immediate otherwise a Child Protection Order must be applied for.

The power to remove the child only lasts 24 hours thereafter the Police (or another person) need to apply to the Sheriff for a Child Protection Order to secure the child's place of safety.

What you can do in an emergency

If you are concerned about the immediate safety of a child, for example child at risk of immediate harm or injury, contact your local police or social work office. For telephone numbers see below or dial 999.

Outwith office hours, please contact police or standby social work services. For telephone numbers see below.

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



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

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

List of local contact numbers

Social Work Services:

- East 0141 276 3400
- North..... 0141 276 7010
- South East..... 0141 420 0060
- South West 0141 276 4620
- West 0141 276 4300

Police - Family Protection Unit.....0141 532 3000

Out of Hours Standby Social Work Services.....0800 811 505

Scottish Children's Reporters Administration0141 567 7900



Glossary of Terms

Assessment of Need

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

Assessment of Risk

Evaluation of possibility of child abuse occurring in the future.

Case Discussion (general concerns)

A case discussion is an inter-agency meeting to share information and identify needs of the child (and family) and agree a plan of action to meet these needs.

Child

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

Child Abuse

Child Abuse is defined as where a child's basic needs are not being met in a manner appropriate to his/her stage of development and he/she will be at risk of avoidable acts of omission or commission on the part of his/her parents, sibling(s), other relative(s) or a carer. To define an act of omission as abusive and/or presenting future risk a number



of elements can be taken into account. These include demonstrable or predictable harm to the child that must have been avoidable because of action or inaction by the parent or other carers.

Child Assessment Order

A Child Assessment Order allows for a child to undergo a medical examination or assessment where this has been deemed necessary. This does not supersede the child's rights under the Age of Legal Capacity (Scotland) Act 1991. At all times the child's welfare is paramount.

Child Protection Case Discussion

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

Child Protection Order

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



Child Protection Plan

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

Child Protection Register

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

Core Group Meeting

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

Emergency Police Powers

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

Emotional Abuse

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

Exclusion Order

An Exclusion Order allows for a named person to be ejected or prevented from entering the child's home. Conditions can also



be attached to secure the child's safety and well being.

Initial Child Protection Conference

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

Joint Investigative Interview

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

Non-organic Failure to Thrive

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

Physical Injury

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



Physical Neglect

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

Planning Meeting

A Planning Meeting (usually between Social Work Services and Police) is usually held to plan a joint investigation – who does what, when and where is agreed.

Pre-Birth Child Protection Conference

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

Review Child Protection Conference

An inter-agency meeting which reviews the circumstances of a child whose name is on the Child Protection Register.

Sexual Abuse

Any child may be deemed to have been sexually abused when any person(s), by design or neglect exploits the child, directly or indirectly, with any activity intended to lead to the sexual arousal or other form of gratification of that person or any other person(s) including organised networks. This definition



holds whether or not there has been genital contact and whether or not the child is said to have initiated or consented to the behaviour.

Significant Harm

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

Transfer Child Protection Conference

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

This leaflet has been prepared by the local Child Protection Committee. The Child Protection Committee is made up of representatives from across the main statutory and voluntary organisations in your area. The purpose of the Child Protection Committee is to ensure local agencies work together to protect children. Working together with the community we can be assured that all our children are given the best possible chance in life.

This leaflet can be made available in Braille, large print, on disc and tape. For further information contact Social Work Services Public Information on 0141 287 8897. If you require this information in other languages, please contact the Glasgow Translation and Interpreting Service on 0141 341 0019, who will give advice.