

##### North Lanarkshire Child Protection Committee

**Understanding Child Protection**

Self-Learning Pack 2023

##### Promoting Good Practice in Child Protection

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| **CONTENTS** |  |

|  |  |
| --- | --- |
| Introduction | Page 3 |
| Aims and Learning Outcomes | Page 4 |
| Exercise 1 | Page 6 |
| Child Protection Overview | Page 7 |
| Identifying Child Abuse | Page 8 |
| Child Abuse: Recognition and Response | Page 9 |
| What is significant harm in Child Protection? | Page 12 |
| Involving Children and Families in Child Protection | Page 13 |
| Information Sharing & Child Protection | Page 14 |
| Exercise 2 | Page 16 |
| Dealing with a Child Protection Concern | Page 17 |
| Making a Referral | Page 18 |
| The Child Protection Process: A quick guide | Page 19 |
| The Child Protection Process explained | Page 20 |
| Exercise 3 | Page 22 |
| Exercise 4 | Page 23 |
| Self Learning Certificate | Page 24 |
| Appendix 1 – Agency Roles and Responsibilities | Page 25 |
| Appendix 2 – Contact information | Page 33 |

**INTRODUCTION**

North Lanarkshire Child Protection Committee supports all of those working with children and young people to have, as a minimum a ‘foundation’ knowledge of child protection that allows them to recognise and respond to concerns about a child.

North Lanarkshire Child Protection Committee offers this pack, which has been revised to reflect the changes in practice from the National Guidance for Child protection in Scotland 2021. This Self Learning Pack – Understanding Child Protection forms part of our Learning and Development materials. It offers essential information on child protection issues for those who may not need to attend a learning and development event but require foundation level information to carry out their work, or are waiting to start their learning and development with us.

It should always be treated as first stepinformation for those with an interest in this area and does not replace the need to take the further learning steps you may need. Professionals, volunteers and members of local community groups can access our full Training Programme and find out how to apply for a place from our wide range of other courses by visiting our North Lanarkshire Council website.

**What’s involved in completing this?**

The materials are designed to enable you to recognise a child protection situation and understand your role in ensuring the continued protection of children and young people in North Lanarkshire.

Throughout the pack, activities are provided which are intended to offer an opportunity for practitioners / volunteers and their managers / group leaders to reflect on the learning achieved and identify future learning needs. On completion, practitioners will have sufficient foundation knowledge in child protection to get started, and will be well placed to derive maximum opportunity from CPC training and development opportunities available.

North Lanarkshire Child Protection Committee would wish to acknowledge the support of North Ayrshire Child Protection Committee who are responsible for much of the content of the pack.

**Thank you and good luck!**

Child Protection Co-ordinator, NLCPC .

**AIMS AND LEARNING OUTCOMES**

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Those working within North Lanarkshire including Social Services, NHS Lanarkshire Police Scotland, Educational Services, Housing Services, Voluntary Organisations, Community Groups and all other organisations with a role in the protection of children and young people. This includes those working in Adult Services.

**And will provide:**

* An introduction to child protection
* An opportunity to explore your role in the protection of children and young people.

**On completion you will have:**

* Examined child abuse in the context of your work
* Increased your knowledge about how to recognise and respond to child protection issues
* Explored the child protection process in North Lanarkshire
* An awareness of your own agency child protection procedures
* A foundation knowledge of child protection and be aware of further training opportunities
* Have identified your own further learning needs in child protection

**On completion of the pack, you will have located and read:**

* North Lanarkshire Inter-Agency Child Protection Procedures and
* Your own agency child protection procedures and relevant documentation used for recording and referring cases where there is concern that a child or young person may have been harmed or may be at risk of harm.

**What’s involved in completing this?**

The materials are designed to enable you to recognise a child protection situation and understand your role in ensuring the continued protection of children and young people in North Lanarkshire.

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**EXERCISE 1**

**Please take time to complete**

**Your local Social Work Reception Services Office / Children & Families Team**

Telephone No:

**Multi Agency Public Protection Arrangements (MAPPA)**

Telephone No:

**Line Manager/Designated Child Protection Co-ordinator**

Name: Telephone No:

**Child Protection Advisor (Health)**

Name: Telephone No:

**Location of own agency Child Protection Procedures:**

**Location of North Lanarkshire Child Protection Inter-Agency Procedures:**

**North Lanarkshire Child Protection website Page:**

**Out of hours contact:**

Name: Telephone No:

* 1. Refer to Appendix 2

**CHILD PROTECTION OVERVIEW**

“Child Protection” means protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a *likelihood* or *risk* of significant harm from abuse or neglect. Equally, in instances where a child may have been abused or neglected but the risk of future abuse has not been identified, the child and their family may require support and recovery services but not a Child Protection Plan.

The National Guidance for Child Protection in Scotland (2021) states that:

“All agencies have a responsibility to recognise and actively consider potential risks to a child, irrespective of whether the child is the main focus of their involvement…Effective partnerships between organisations, professional bodies and the public are more likely if key roles and responsibilities are well defined and understood.”

These Child Protection Procedures reflect child protection arrangements set out in the National Guidance for Child Protection in Scotland 2021 and should be read in conjunction with them. These procedures outline how all agencies should work together with parents, families and communities to prevent harm and to protect children from abuse and neglect.

These Inter-agency procedures are for all staff working within North Lanarkshire Council. Child protection procedures will not in themselves keep children safe, everyone has an individual responsibility to protect children from harm and to work collaboratively ensuring good communication and joint working.

Child protection must be seen in the context of the wider Getting it right for every child (GIRFEC) approach, the Early Years Framework and the UN Convention on the Rights of the Child. GIRFEC promotes action to improve the wellbeing of all children and young people in eight areas.

These wellbeing indicators state that children and young people must be; healthy, achieving, nurtured, active, respected, responsible, included and, above all in this context, safe. The primary indicator for child protection is to keep a child safe and, in so doing, attention is given to other areas of wellbeing as appropriate.

Underpinning these Multi-Agency Child Protection Procedures there is a significant and substantial policy context relating to wellbeing and child protection alongside general principles of participation:

* + - United Nations Convention on the Rights of the Child (UNCRC)
    - Getting it right for every child (GIRFEC)
    - #KeepThePromise
    - Trauma Informed Practice

**IDENTIFYING CHILD ABUSE**

**What is child abuse and child neglect?**

Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children may be maltreated at home; within a family or peer network; in care placements; institutions or community settings; and in the online and digital environment.

Those responsible may be previously unknown or familiar, or in positions of trust. They may be family members. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol and drug use.

**What is child protection?**

Child protection refers to the processes involved in gathering and assessing and planning what action may be necessary where there are concerns that a child may be at risk of harm. Child protection procedures should be initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of significant harm.

**Child protection process involves –**

* immediate action, if necessary, to prevent significant harm to a child
* inter-agency investigation about the occurrence or probability of abuse or neglect, or of a criminal offence against a child. Investigation must extend to other children affected by the same risks as the child who is the subject of a referral
* assessment and action to address the interaction of behaviour, relationships and conditions that may, in combination, cause or accelerate risk
* focus within assessment, planning and action upon listening to each child’s voice and recognising their experience, needs and feelings
* collaboration between agencies and persistent efforts to work in partnership with parents in planning and action to prevent harm or reduce risk of harm
* recognition and support for the strengths, relationships and skills within the child and their world in order to form a plan that reduces risk and builds resilience

Children who are subject to child protection processes may already be known to services and have a child’s plan in place. Child protection processes should build on existing knowledge, strengths in planning and partnership to reduce the risk of harm and to meet the child’s needs. The level of risk a child is exposed to can change quickly as circumstances change or new information emerges.

**CHILD ABUSE: RECOGNITION AND RESPONSE**

If you have any concern about a child or young person, it is important that you share this information with the relevant people. ***Appendix 1*** provides a useful summary of the roles and responsibilities of each agency in the protection of children and young people.

**Physical abuse -**  is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after.

There may be some variation in family, community, or cultural attitudes to parenting, for example, in relation to reasonable discipline. Cultural sensitivity must not deflect practitioners from a focus on a child’s essential needs for care and protection from harm, or a focus on the need of a family for support to reduce stress and associated risk.

**Emotional abuse -** is persistent emotional ill treatment that has severe and persistent adverse effects on a child’s emotional development. ‘Persistent’ means there is a continuous or intermittent pattern which has caused, or is likely to cause, significant harm. Emotional abuse is present to some extent in all types of ill treatment of a child, but it can also occur independently of other forms of abuse.

It may involve –

* conveying to a child that they are worthless or unloved, inadequate or valued only in so far as they meet the needs of another person
* exploitation or corruption of a child, or imposition of demands inappropriate for their age or stage of development
* repeated silencing, ridiculing or intimidation • demands that so exceed a child’s capability that they may be harmful
* extreme overprotection, such that a child is harmed by prevention of learning, exploration and social development
* seeing or hearing the abuse of another (in accordance with the Domestic Abuse (Scotland) Act 2018)

**Child Sexual abuse (CSA) -** is an act that involves a child under 16 years of age in any activity for the sexual gratification of another person, whether or not it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening.

For those who may be victims of sexual offences aged 16-17, child protection procedures should be considered. These procedures must be applied when there is concern about the sexual exploitation or trafficking of a child.

The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or in the production of indecent images, in watching sexual activities, using sexual language towards a child, or encouraging children to behave in sexually inappropriate ways.

Signs that should concern you:

As with any kind of child abuse, there is no definite list of signs of sexual abuse. The following are not in themselves absolute evidence of sexual abuse. Concerns must be placed within an understanding of the normal range of children’s development:

* Highly sexualised behaviour, rather than affectionate physical contact
* Abused children may express their worries and experiences through play
* Sexually explicit paintings or drawings
* Sexual knowledge or curiosity (unlikely for their age)
* Children can tell you unhappy secrets or games that they are uneasy about
* Regression in development
* Self-harm
* A child not wishing to go with a certain adult or be looked after by a certain person (i.e. Babysitter)
* Pain, itching or redness in the genital or anal area
* Bruising, bleeding or soreness in any orifice

###### *A note about Child Sex Offenders*

* Abusers may be extremely frightening and threaten to hurt the child or someone they care about
* Abusers may claim that nobody will believe the child if they tell (and may threaten the child with this)
* Some abusers will attempt to bribe children with presents, treats or money
* Some abusers work to convince children that what they are doing is a normal and acceptable activity within the family or between friends
* Abusers come from all classes, professions, racial and religious backgrounds and can be anyone – family members, neighbours, friends, doctors, community group helpers, even professional colleagues
* Most known abusers are men, but some women sexually abuse their own or other children
* Young people also abuse children. About one third of reported cases involve young people

**Child sexual exploitation (CSE) -** is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a person under 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator.

The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact. It can also occur through the use of technology.

Children who are trafficked across borders or within the UK may be at particular risk of sexual abuse.

**Criminal exploitation -** refers to the action of an individual or group using an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator. Violence or the threat of violence may feature. The victim may have been criminally exploited, even if the activity appears consensual.

Child criminal exploitation may involve physical contact and may also occur through the use of technology. It may involve gangs and organised criminal networks. Sale of illegal drugs may be a feature. Children and vulnerable adults may be exploited to move and store drugs and money. Coercion, intimidation, violence (including sexual violence) and weapons may be involved.

**Child trafficking -** involves the recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years for the purposes of exploitation. Transfer or movement can be within an area and does not have to be across borders. Examples of and reasons for trafficking can include sexual, criminal and financial exploitation, forced labour, removal of organs, illegal adoption, and forced or illegal marriage.

**Neglect -** Neglect consists in persistent failure to meet a child’s basic physical and/or psychological needs, which is likely to result in the serious impairment of the child’s health or development. There can also be single instances of neglectful behaviour that cause significant harm. Neglect can arise in the context of systemic stresses such as poverty and is an indicator of both support and protection needs.

Persistent’ means there is a pattern which may be continuous or intermittent which has caused or is likely to cause significant harm. However, single instances of neglectful behaviour by a person in a position of responsibility can be significantly harmful. Early signs of neglect indicate the need for support to prevent harm.

The GIRFEC set out the essential wellbeing needs of all children. Neglect of any or all of these can impact on healthy development. 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); to protect a child from physical and emotional harm or danger; to ensure adequate supervision (including the use of inadequate caregivers); to seek consistent access to appropriate medical care or treatment; to ensure the child receives education; or to respond to a child’s essential emotional needs.

**Faltering growth -** refers to an inability to reach normal weight and growth or development milestones in the absence of medically discernible physical and genetic reasons. This condition requires further assessment and may be associated with chronic neglect.

Malnutrition, lack of nurturing and lack of stimulation can lead to serious long-term effects such as greater susceptibility to serious childhood illnesses and reduction in potential stature. For very young children the impact could quickly become life-threatening. Chronic physical and emotional neglect may also have a significant impact on teenagers.

**Female genital mutilation -** this extreme form of physical, sexual and emotional assault upon girls and women involves partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Such procedures are usually conducted on children and are a criminal offence in Scotland. FGM can be fatal and is associated with long-term physical and emotional harm.

**Forced marriage -**  is a marriage conducted without the full and free consent of both parties and where duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional abuse. Forced marriage is both a child protection and adult protection matter. Child protection processes will be considered up to the age of 18. Forced marriage may be a risk alongside other forms of so called ‘honour-based’ abuse (HBA). HBA includes practices used to control behaviour within families, communities, or other social groups, to protect perceived cultural and religious beliefs and/or ‘honour’.

**Online Abuse**

New technologies, digital media and the internet are an integral part of children's lives. Whether on a computer at school or at home, a tablet, a gaming console or mobile/smart phone, children and young people are increasingly accessing the internet whenever they can and wherever they are.This has enabled entirely new forms of social interaction to emerge, for example, through social networking websites and online gaming. But these new technologies also bring a variety of risks from adults and peers, such as:

* exposure to obscene, violent or distressing material;
* bullying, coercion or intimidation through email and online (cyber-bullying);
* identity theft and abuse of personal information;
* pro-eating disorder, self-harm or suicide sites;
* and sexual exploitation by online predators – for example, grooming – often through social network sites

For further information on spotting the signs and to further your development you can access CEOP (Child Exploitation and Online Protection) Thinkyouknow website.

**WHAT IS SIGNIFICANT HARM IN CHILD PROTECTION?**

Protecting children involves preventing harm and/or the risk of harm from abuse or neglect. Child protection investigation is triggered when the impact of harm is deemed to be significant.

In assessing whether harm is or may become ‘significant’, it will be relevant to consider

* the child’s experience, needs and feelings as far as they are known
* the nature, degree and extent of physical or emotional harm
* the duration and frequency of abuse and neglect
* overall parenting capacity
* the apparent or anticipated impact given the child’s age and stage of development
* extent of any premeditation
* the presence or degree of threat, coercion, sadism and any other factors that may increase risk to do with child, family or wider context

Sometimes, a single traumatic event may constitute significant harm – for example a violent assault, suffocation or poisoning. More often, significant harm results from an accumulation of significant events, both acute and long-standing such as neglect, that impacts the child’s physical and psychological development.

Significant harm is a matter for **professional judgement** and requires practitioners to make a decision about a child’s needs, the capacity of parents or carers to meet those needs, and the likelihood of harm, significant or otherwise. In understanding risk it is important to that the wishes, feelings and reactions of the child inform the assessment of need and risk.

**INVOLVING CHILDREN & FAMILIES IN CHILD PROTECTION**

Children must be helped to understand how child protection procedures work and how they can contribute to decisions about immediate safety and their future. Practitioners must ensure they listen to children, seek their views at every stage of the child protection process and give them information relating to the decisions being made subject to their age, stage and understanding. Where available or where it is deemed to be in the child’s best interest Advocacy Services should be sought to assist the child to illicit and or articulate their views.

Diagram

Description automatically generated

**Expectations from children who may be involved in child protection processes (National Child Protection Guidance, 2022)**

**Involving children**

Children’s right to participation is on par with their right to protection and the provision of conditions favourable to their development. Rights are important anywhere and anytime but paying attention to them may become particularly urgent in a setting where children have been exposed to an increased risk of harm.

* Whenever possible children and young people must have the opportunity to be involved in all decisions affecting their lives. Their right to protection and participation are enshrined in the United Nations Convention on the Rights of the Child, predominately in Article 12
* It is important that the principles of working in partnership with children and their families/carers are at the forefront in child protection
* Chid protection investigations should always be carried out in such a way as to minimise distress to the child, and to ensure that families are treated sensitively and with respect
* Children want to be respected, their views to be heard, to have stable relationships with professionals built on trust and for consistent support provided for their individual needs. This should guide the behaviour of professionals
* Anyone working with children should involve them at every stage of the child protection process, see and speak to the child; listen to what they say, take their views seriously; and work with them collaboratively when deciding how to support their needs
* Child protection investigations need to be conducted taking cognisance of the fact that children may fear reprisals if they disclose, i.e., grooming/coercion.
* The social worker should explain the purpose and outcome of the investigation to children (having regard to age and understanding) and be prepared to answer questions openly, unless to do so would affect the safety and welfare of the child.

**Involving families/carers in child protection investigations**

* The social worker has the prime responsibility to engage with family members/carers
* Parents and those with parental responsibility should be informed at the earliest opportunity of concerns, unless to do so would place the child at risk of significant harm or undermine a criminal investigation
* Good communication should be maintained with parents throughout the investigation, concerns should be shared with them in a way that doesn’t judge them or blame them and allows them the opportunity to reflect, learn and bring about the change needed to keep their children safe

**INFORMATION SHARING & CHILD PROTECTION**

Sharing relevant information is an essential part of protecting children from harm. Practitioners and managers in all services should understand when and how they may share information. Where there is a child protection concern, relevant information should be shared with police or social work without delay, **provided it is necessary, proportionate and lawful** to do so. The lawful basis for sharing information should be identified and recorded.

Practitioners with child protection concerns may share relevant information in order to -

* clarify if there is a risk of harm to a child
* clarify the level of risk of harm to a child
* safeguard a child at risk of harm
* clarify if a child is being harmed
* clarify the level of harm a child is experiencing
* safeguard a child who is being harmed

Professional judgement must always be applied to the available evidence about each specific emerging concern, and about what is relevant, proportionate, and necessary to share. The concern must be placed in the context of available observed and recorded information about the particular child, their needs and circumstances.

These general principles should apply:

* The safety, welfare and well-being of a child are of central importance when making decisions to lawfully share information with or about them.
* Children have a right to express their views and have them taken into account when decisions are made about what should happen to them.
* The reasons why information needs to be shared and particular actions taken should be communicated openly and honestly with children and, where appropriate, their families.
* In general, information will normally only be shared with the consent of the child (depending on age and maturity). However, where there are concerns that seeking consent would increase the risk to the child or others or prejudice any subsequent investigation information may need to be shared **without consent**.
* At all times, information should be relevant, necessary and proportionate to the circumstances of the child, and limited to those who need to know.
* When information is shared, a record should be made of when it was shared, with whom, for what purpose, in what form and whether it was disclosed with or without informed consent.

**The Legal Position**

Article 8 of the European Convention of Human Rights (ECHR) guarantees respect for a person's private and family life, his home and his correspondence. Disclosure of information would breach that right unless it is in accordance with the law, or necessary for the protection of an individual, or is in the public interest.

Data Protection Act 1998 and GDPR

Disclosure of personal information is governed by the Data Protection Act 1998 (DPA). Personal data covers both facts and opinions about a living individual, which might identify that person. Purpose. This prevents unauthorised disclosure of a wide range of information.

GDPR AND INFORMATION SHARING FOR CHILD PROTECTION

For the purposes of processing information in relation to child protection matters, GDPR will have no impact on practitioner’s ability to share proportionate and relevant information to appropriate authorities in the same circumstances as they now do. Currently, child protection matters are up at significant harm bar that equates to processing being necessary to protect the vital interests of the child and the reliance on consent may be prejudicial to that purpose. The same lawful purpose is provided for in the GDPR for both personal and sensitive personal information so nothing will change in that regard” Judith Ainsley, head of Chid Protection, Scottish Government May 2018

###### What to say to families when sharing information without consent

When concerns about children's safety or welfare require a professional or agency to share confidential information without the person's consent, they should tell the person that they intend to do so, unless this may place the child, or others, at greater risk of harm. They should also tell them what information and to whom that information will be disclosed. Each agency should make clear to people using their service that the welfare and protection of children is the most important consideration when deciding whether to share information with others. No agency can guarantee absolute confidentiality as both statute and common law accept that information may be shared in some circumstances.

Children’s (Scotland) Act 1995

Centres on the needs of children and their families and defines both parental responsibilities and rights in relation to children. It sets out the duties and powers available to public authorities to support children and their families and to intervene when the child’s welfare requires it.

Children and Young People’s Act (Scotland) 2014

Strengthen existing legislation that affects children and young people by creating a new right to appeal a local authority decision to place a child in secure accommodation, and by making procedural changes in the areas of children’s hearings support arrangements and school closures.

**EXERCISE 2**

**My Agency child protection procedures are located:**

I have read the child protection procedures in my workplace setting and

/ or have accessed relevant documents from the North Lanarkshire Child Protection Committee Website.

**Signed Date**

It is important that anyone working with children and young people refers to their own agency child protection procedures *(or the information provided on our website)* whenever there is a concern that a child or young person has been harmed or may be at risk of being harmed.

If I am concerned or worried about a child or young person, I should be aware of whom I need to talk to and how to make a referral

The designated child protection person in my organisation is:

Their contact details are:

I should also remember to:

* Record the actions you have taken as soon as practicable, signed and dated preferably within 24 hours.
* Follow a verbal referral with a written referral within 24 hours, to the relevant Social Services Team.
* Discuss with my line manager / designated child protection person

**DEALING WITH A CHILD PROTECTION CONCERN**

It is important that practitioners recognise that children and young people are harmed or are at risk of harm from those people who are supposed to care for them. If you are concerned about a child but unsure whether they are being abused, simply discuss your concerns with the identified child protection person in your organisation.

If a child / young person tells you someone may have abused them;

**DO**

* Stay Calm
* Listen to the Child
* Keep questions to a minimum
* Record what the child says in their own words

**DON’T**

* Ask too many questions
* Make false promises
* Express shock or anger
* Delay in passing on your concern

**NEVER**

Carry out an investigation into an allegation this is **NOT** your role.

**MAKING A REFERRAL**

Once you have discussed your concerns with the designated child protection person in your organisation may decide to pass on your concerns to Social Services or the Police. You will be required to share the following information:

|  |
| --- |
| Name role/contact details of person reporting concern |
| Key contacts |
| Name of the child, age, date of birth and home address if possible |
| Name/address/phone of parents/carers or guardians |
| Culture/language/understanding: any considerations in communication? |
| Name of child’s school, nursery/ early learning centre or childcare |
| Is it known if the child is on the Child Protection register? |
| Immediate needs and concerns |
| What is the nature of the child protection concern? |
| Where is the child now? |
| How is he/she now? |
| Physically: does he/she have any known injuries or immediate health needs and do they require |
| medical treatment? |
| Emotionally: how is he/she right now and what does she/he need immediately for their |
| reassurance/understanding? |
| Communication and understanding; is he/she able to communicate without interpreting/without |
| additional support for communication? |
| Is the child safe now? |
| If not, in your view, is there action that might be taken to make them safe? |
| Record of concerns |
| When did these concerns first come to light? What happened? (For example because of an |
| injury? through what this or another child has said? because of how a child appears? or due to |
| e.g. parental behaviour?) |
| Is a person are persons are believed to be responsible for harm to a child? |
| If so, is/are their name/address/occupation/relationship to the child known? |
| Are you aware if this person has/these persons have access to other children? (Name, age and |
| address details of such children if available?) |
| If the concern was raised by this child then who has spoken to him/her? |
| Is the person who has spoken to the child available to be spoken with? |
| What has the child said to this point? (Please note and share) |
| What he/she has been asked, when and by whom? (Please note and share) |
| If concerns were not reported when they first arose, was there a reason for this |

**REMEMBER** YOU SHOULD ALWAYS REFER TO YOUR CHILD PROTECTION PROCEDURES!

**THE CHILD PROTECTION PROCESS**

- **A Quick Guide –**

**CHILD PROTECTION REFERRAL**

No further action / Joint Police & Social Work Investigation

###### **INITIAL CHILD PROTECTION PLANNING MEETING**

When there are significant concerns that a child may be / or is at risk of abuse

###### **DECISION ON REGISTRATION**

The CP conference decides whether child (ren) should be placed on the child protection register and whether a referral to the Scottish Children’s Reporters Authority is required.

###### **CHILD PROTECTION PLAN MULTI-AGENCY CORE GROUP**

Multi-agency intervention/support/protection plan

###### **REGULAR CORE GROUPS**

A Review of the child protection plan to consider progress being made in protecting the child / young person

###### **REVIEW CHILD PROTECTION PLANNING MEETING**

A meeting to consider whether continued Registration is required

###### **DE-REGISTRATION**

Ongoing support & services considered

N.B. Following a referral and an initial assessment, there will be a decision made about whether the Child Protection Process will proceed or not.

**THE CHILD PROTECTION PROCESS EXPLAINED…**

**Child Protection Planning Meeting**

A Child Protection Planning Meeting is a multi-agency meeting where information relevant to concerns about abuse, or risk of abuse, is shared and considered, and decisions are made regarding the future protection of children. The roles and tasks of key agency personnel are clarified at a Child Protection Case Conference. A Child Protection Case Conference will be arranged, where it appears there may be risks to child(ren) and there is a need to share and assess information and if it is felt that a child or young person would benefit from an inter-agency **Child Protection Plan** that addresses the risk of significant harm.

Risk Indicators have been revised and updated and are now separated into two categories as follows –

|  |  |
| --- | --- |
| **Impact on/ Abuse of the Child** | **Vulnerability Factor** |
| Physical abuse | Services finding it hard to engage |
| Emotional abuse | Parent(s)/carer(s) with learning disability |
| Sexual abuse | Child affected by parent/carer mental ill-health |
| Criminal exploitation | Child experiencing mental health problems |
| Child trafficking | Domestic abuse |
| Neglect | Parental alcohol use |
| Female genital mutilation | Parental drug use |
| Honour-based abuse and/or Forced Marriage | Child displaying harmful sexual behaviour |
| Child sexual exploitation | Online safety |
| Internet-enabled sexual offending, | Other |
| Underage sex |  |
| Other |  |

When a child’s name is placed on the child protection register the Chair of the CPPM will identify the risk indicators that apply to the child and their circumstances. The risk indicators will be recorded on the child protection register.

**Child Protection Plan**

When the conference decides to place a child’s name on the **Child Protection Register**, a plan must be agreed by the conference to reduce risk to the child and provide support to the family. This multi- agency plan is referred to as the Child Protection Plan.

**Core Group**

Core Groups provide an important mechanism to ensure a co-ordinated approach to the protection of a child. A Core Group is set up in all cases where a decision has been reached to place a child on the Child Protection Register. The primary purpose of the group is the implementation of the **Child Protection Plan**.

The purpose of the Core Group is to ensure that an identified multi-agency group of professionals working alongside the family, finely tune the Child Protection Plan, ensuring that the agreed tasks are being carried out, and to continuously review the risk to the child or young person.

**Child Protection Register**

The Child Protection Register is the system in place for alerting professionals that there is sufficient concern about a child or young person to warrant an inter-agency **Child Protection Plan**. The local authority Social Work Service are responsible for maintaining a Register of all children who are the subject of an inter-agency Child Protection Plan, which provides a point of enquiry for professionals who are concerned about a child’s well-being or safety. The multi-agency **Child Protection Conference** takes the decision of whether or not to place a child’s name on the Child Protection Register.

A child’s name will remain on the Child Protection Register until such times as the risk to the child or young person is significantly reduced. After the initial Child Protection Conference regular reviews will take place as required until such times as the child is removed from the Register.

**EXERCISE 3**

**Exploring your role**

In relation to what you might be expected to do after making a child protection referral, take the opportunity to discuss the implications for you in relation to these tasks with your line manager or the person in your organisation responsible for child protection.

**Please compete:**

1. **What will your role be in the child protection process?**
2. **What support might you need?**
3. **Do you need any training now?**
4. **What future learning needs may you have?**

**Exercise 4**

**Continued Professional Development**

You should now have read and completed the exercises within this pack.

Along with your line manager or person with responsibility for child protection within your organisation, please complete the following.

**I have had the opportunity to read this pack and its appendices.**

**Signed**

**Date**

**I have had the opportunity to discuss the implications of this with my line manager or person with child protection responsibility.**

Signed

Date

We have agreed what my future learning needs in child protection are and these will be met by:

**Congratulations**

**Self – Learning Certificate**

Understanding Child Protection This is to certify that (name)

has visited North Lanarkshire Child Committee page on the North Lanarkshire Website and completed the self –learning pack as a first step to learning about Child Protection in North Lanarkshire.

Signed by (group leader / line manager)

Date

**APPENDIX 1**

**Roles and Responsibilities of Agencies involved in Child Protection**

All agencies working with children and young people have a shared responsibility for protecting children and young people and safeguarding their welfare. Local authorities have a specific legal duty in terms of the Children (Scotland) Act 1995 to safeguard and promote the welfare of children and young people in need in their area. This welfare responsibility is carried out by the local authority department with responsibility for social services. Those bodies responsible for education, health, the police and other agencies with a role in providing children's services also have significant responsibilities for the protection of children and young people. *The National Guidance for Child Protection in Scotland 2021* provides guidance on how agencies and professionals should work together to protect children and young people from abuse and neglect, and to safeguard and promote their welfare. The duty to safeguard and promote the welfare of children and young people in need falls upon the local authority as a whole and embraces social work services, education, housing and any other relevant services required to safeguard and promote the welfare of such children and young people.

The roles and responsibilities of agencies in touch with parents and children to promote children’s welfare and protection are set out in national guidance on inter- agency co-operation in child protection, and on implementation of the Children (Scotland) Act 1995. Agencies working with vulnerable families either directly or indirectly including Adult Services, should be familiar with this guidance.

It’s everyone’s job to play their part in gathering and sharing of information and to take responsibility for the welfare and safety of vulnerable children. However, the danger of it being everyone’s responsibility is that it may in practice become no one’s. It is therefore important to identify roles and responsibilities of agencies and individuals that are implicit and explicit in these protocols.

Professionals must always consider these key points

* Children and young people's welfare and safety must be the paramount consideration when decisions are made about them
* Children and young people have the right to safety, stability and security of care
* Children and young people have a right to express their views and for their views to be taken into account when decisions are made about them
* Children and young people have a right to express concerns in confidence in so far as their safety and that of others is not compromised
* Sexual exploitation of children through prostitution is abuse.
* Children and young people cannot consent to their own abuse and exploitation
* Children and young people have the right to be protected from abuse and exploitation.
* Agencies should work in partnership with parents/carers
* Agencies should work in collaboration to protect and support children and young people

It is important to recognise the responsibilities of those with parental duties for children and young people including local authorities where they are acting in *loco parentis*

**Single Agency Child Protection Responsibilities**

**Local Authority Children Services**

Child protection responsibilities apply to all departments and services of the Local Authority who have a legal duty, under the Children (Scotland) Act 1995, to safeguard and promote the welfare of children in need and to enquire into the circumstances of children and young people who may require compulsory measures of supervision,

who may have been abused or neglected or be at risk of abuse or neglect, and to take all measures to protect them from further harm. This responsibility extends to all children whether they are in the community with their parents, in the

care of others or being looked after by the Local Authority.

Social Work Children and Families Services have a key role in the investigation of child protection concerns and managing the child protection process. This includes referring concerns about children to the Children’s Reporter where there is reason to believe that the child is in need of compulsory measures of supervision. Social work practitioners should actively seek to involve parents, carers and where appropriate, the child in discussions and decisions which may affect their lives, and to consult with other professional agencies that know the family or have knowledge that would inform decision making and the child protection plan.

**Education Services**

Staff working in education establishments including early years and childcare, child minders, private and third sector providers have a key role in the support and protection of children. They are well placed to observe physical and psychological changes in a child which may indicate abuse. Education and early years staff can have the greatest level of day-to-day contact with children, and they are able to contribute a great deal to the assessment of children in need of protection.

Every educational setting should have a designated person who undertakes the role of child protection coordinator taking lead responsibility for child protection in liaison with the head of establishment they both have responsibility for ensuring staff have access to appropriate learning and development opportunities to enable them to respond effectively to child protection concerns.

Education staff have a responsibility to cooperate, share information and assist social work, police and other relevant agencies in the child protection process. They can contribute a great deal to the assessment of vulnerable children and assist in the investigation process and longer-term support planning.

While all staff in education and early learning have responsibilities in relation to child protection, the named person within the GIRFEC approach has a key role in the recognition of concerns and coordination of their agency response to the needs of the child and their family.

The named person will contribute to the assessment of risk during the investigation at the CPPM and subsequent core groups should the child’s name be placed on the child protection register They will be expected to attend all meetings, providing updated reports contribute to the risk assessment and decisions regarding child protection registration.

Where the concerns do not meet the child protection threshold, but a child needs extra help and support that cannot be provided by their family and universal services, the Named Person will be responsible for accessing support as required and will have a key role in developing a Child’s Plan.

**Children Missing from Education** - Children missing from education are children and young people of compulsory school age who are not on a school roll and not being educated otherwise (at home, privately or in an alternative provision).

An enrolled child or young person have usually not attended school for a period (up to four weeks, but substantially less for a child with welfare concerns).

The most important factor for any missing child is safety. Should there be any concern that the child may be at risk, it is essential that local child protection procedures are followed. Education staff should refer to the Scottish Governments Children Missing from Education Statutory Guidance 2016

**Children educated at home -** Local authority education services have responsibility towards children educated at home.

**Grant Aided/Independent Schools** - As for all staff in education services grant aided and independent schools have the same responsibilities for child protection and wellbeing and should be fully engaged in any child protection investigation regarding children in their care. They should have robust child protection procedures in place with an identified child protection lead officer.

**Children’s Hearing**

It is the role of the Children’s Reporter to decide if a child requires Compulsory Measures of Supervision. Anyone can refer a child to the Children’s Reporter and a referral must be made when it is considered that a child is in need of protection, guidance, treatment or control and that Compulsory Measures of Supervision might be necessary. On receipt of the referral, the Reporter will conduct an investigation, involving an assessment of the evidence supporting the ground for referral, the extent of concerns about the child’s wellbeing and behaviour and the level of cooperation with agencies, which all leads to an assessment of the need for compulsory measures of supervision.

In making this assessment, the Reporter will rely on information from agencies involved with the child and family including the Named Person, Lead Professional/social worker and other service providers. The sharing of this information should be appropriate, proportionate and timely. If the Reporter decides that there is sufficient evidence to necessitate compulsory supervision measures, he/she will arrange a Children's Hearing. The investigation can take place at the same time as a criminal investigation or criminal court case, but the focus will remain on the needs and wellbeing of the child or young person. Within the spirit of the 'minimum intervention principle' and in line with the ethos of the 'Getting it Right for Every Child' approach, where staff make a referral to the Reporter, their report should outline the action which has been taken already to prevent the necessity for compulsory measures of supervision.

The Children’s Hearing can only consider a case where the child and parents or relevant persons accept the grounds for referral stated by the Reporter. Where the grounds of referral are not accepted, or the child does not understand them the hearing may direct the Reporter to apply to the sheriff to decide whether the grounds are established. If the sheriff is satisfied that any of the grounds are established, the sheriff will remit the case to the Children’s Hearing for disposal.

During the Children’s Hearing, panel members will have discussions with the child, relevant persons and any representatives of the statutory agencies and/or service providers involved. Following discussions, the Children’s Hearing can decide to impose an Interim Compulsotry Supervision Order, or a supervision order where it considers compulsory measures of supervision are in the best interests of the child.

It should be remembered that, in circumstances where there is insufficient evidence to pursue criminal proceedings, the Reporter can still take measures to protect children considered to be at risk. In relation to child protection matters, the standard of proof is the balance of probabilities.

There is no need for corroboration, and hearsay is admissible in child protection cases, unlike criminal prosecutions where corroboration is required, and hearsay is only admissible in special circumstances.

**Crown Office and Procurator Fiscal Service**

Allegations of crime are normally reported to the procurator fiscal by the Police. The Crown Office and Procurator Fiscal Service (COPFS) is Scotland’s sole prosecuting service. They receive reports about crimes from the police and others, and then decide what action to take in the public interest, including whether to prosecute someone. COPFS is also responsible for the investigation of sudden or suspicious deaths. Procurators fiscal are subject to the direction of, and control by, the Lord Advocate but on a day-to-day basis they maintain a high degree of independence.

Their powers and duties include deciding whether or not to prosecute any allegations of criminal behaviour made known to them. Before acting upon a report, the procurator fiscal must first be satisfied that the circumstances disclose a crime known to the law of Scotland.

The **Victims and Witnesses (Scotland) Act 2014** outlines the legal requirements in such cases (see below).

Under this legislation, which amended some sections of the Criminal Procedure (Scotland) Act 1995, children who are called upon as witnesses are no longer required to undergo a competence test to ascertain whether they can demonstrate an understanding of the distinction between telling the truth or not.

Equally important is that under section 6 (which inserts section 288E to the Criminal Procedure (Scotland) Act 1995), an accused cannot conduct their own defence where the child concerned is under 16 and the offence involves sexual assault or violence.

One of the most important aspects of this legislation is the introduction of a range of special measures which may be put in place to support the vulnerable child when giving evidence or being cross-examined.

The Act covers criminal cases, civil cases and children’s hearings. Standard special measures available to child witnesses under the age of 16 are a live TV link, screens in the courtroom and the presence of a supporter in conjunction with either of these measures.

Further special measures may include, evidence being taken in advance in the form of a prior statement (criminal cases only) or the taking of evidence by a commissioner. The Procurator Fiscal must an application to the court for the use of special measures. Courts are not obliged to grant requests.

It is important to note that a person under the age of 16, known as a 'child witness' is, per se, a 'vulnerable witness'. The 2004 Act underpins the acceptance that oral evidence is no longer the only means by which testimony can be given by children. The provision of standard special measures will always be considered for them.

Guidance is available in the **Special measures for vulnerable adults and child witnesses; a guidance pack (2005) (Scottish Executive, 2005)**.

The procurator fiscal (or precognition officer acting on their behalf), is likely to talk to a child in advance of any prosecution in order to ascertain what evidence they may be able to give, and to explain the court processes.

In cases of particular delicacy or where there is doubt about the sufficiency of evidence, procurator fiscals are available for discussion with any other professionals. The office of the procurator fiscal can be contacted during working hours, or at any time through the police. Procurator fiscal offices are organised into regions for administrative purposes. Within each region there are designated members of staff who have received specialist training in the investigation and prosecution of cases involving children. In particularly difficult or sensitive cases, all or part of an investigation may be conducted by a member of the regional resource team. In appropriate cases members of the regional resource team will liaise with the officers from child protection agencies and are available to provide advice on precognition and court processes.

**Local Authority Services**

All local authority staff have responsibilities to respond to the needs of children who may be vulnerable and/or at risk of harm or abuse, this includes staff from

* Criminal Justice
* mental health workers
* adult services
* learning disability
* substance misuse
* hospital social work services
* child and adolescent mental health services
* housing services
* culture and leisure services
* young carers services

All staff across Social Work Services have a duty to work in collaboration with colleagues in children and families services and contribute to the assessment of risk of all children. They must report (without delay) any actual, suspicion or risk of abuse to the Duty Social Worker or Children and Families allocated Social Worker. All referrals received that suggest that a child may be in need of protection, will be dealt with as a matter of the highest priority on the same working day unless the appropriate Social Work manager decides otherwise.

**Early learning and childcare**

Early learning and childcare (ELC) is a service consisting of education and care for children who are under school age. All three- and four-year-olds, and certain two-year-olds, are entitled to funded ELC. Local authorities also have discretionary powers to provide ELC in addition to the funded early learning and childcare entitlement to children deemed to be 'in need'. ELC is delivered by local authority, private and Third Sector providers, including self-employed childminders. As with any service that works directly with children and their families, ELC providers are well placed to identify concerns, offer support, and participate in plans to reduce risk as appropriate. They are also expected to have effective child protection procedures in place to ensure staff have a clear understanding of their responsibilities, and to respond appropriately.

**Health Services**

NHS Boards will have designated lead roles for child protection, though titles may vary. This section describes overarching responsibilities for all health practitioners and describes some of the essential roles within a wide spectrum of services.

All NHS practitioners have a role in protecting the public, and all regulated staff in NHS Boards and services have duties to protect the public. All health staff, practitioners and services should:

* be aware of their responsibilities to identify and promptly share concerns about actual or potential risk of harm to a child from abuse or neglect, in line with national guidance and local policy
* be aware of the early signs or indicators of neglect, and engage promptly and proportionately in co‑ordinated multi-disciplinary or agency assessments
* work collaboratively with agencies who have statutory functions for specific aspects of child protection, namely social work services and Police Scotland
* be alert and responsive when children are not brought to health appointments, and consider what, if any action they are required to take (as opposed to applying a 'did not attend' policy without question)
* prioritise the needs of the child and ensure practice is underpinned by the principles and values of the [GIRFEC National Practice Model](https://www.gov.scot/publications/girfec-national-practice-model/)
* be alert to other factors which may contribute to risk of harm, and which may be a barrier to receiving preventative health care. This could include poverty, disability, culture, lack of understanding or fear of public and formal systems
* consider the potential impact of adult alcohol and drug use, domestic abuse and mental ill health on children, regardless of care setting or service being accessed by adults
* when engaged, work collaboratively with the lead professional (usually a social worker) who is responsible for co‑ordinating and overseeing a multi-agency child's plan
* consider the need for a Lead Health Professional when multiple health services are involved within a child's plan, particularly when a child has multiple and/or complex health needs
* seek to ensure and contribute to planned and co‑ordinated transitions between services

**Police Scotland**

Police Scotland have a statutory duty to protect the public and investigate matters on behalf of the Procurator Fiscal where they believe that a criminal offence may have been committed. This duty is always balanced with the welfare of the child being paramount. Police Scotland are also guided by their Standard Operating Procedure for Child Protection

All police officers have a responsibility for child protection. The Public Protection unit (PPU) of Police Scotland has a key role in the investigation of crimes and incidents involving children and adults.

The investigation of all child protection referrals will as far as possible be carried out by officers of the PPU, however should an emergency occur, a uniformed officer will undertake the investigation.

Police Scotland have emergency powers under the Children’s Hearing (Scotland) Act 2014.

**British Transport Police (BTP)**

BTP alike other statutory agencies has a responsibility for promoting the safety, wellbeing and protection of children, intervening to protect them from harm They will refer to their Child Protection and Standard Operating Procedures, and refer any concerns regarding children to local authority social services and or Police Scotland

**Third Sector**

The third sector provides a valuable role in providing flexible and collaborative support to children and families for a wide range of reasons. This requires direct and indirect contact with children, young people and their parents. Commissioned and non-commissioned services should have robust organisational polices and protocols in relation to child protection. anyone with concerns regarding a child should share information immediately and in accordance with their organisational protocol.

**Scottish Prison Service (SPS)**

SPS is a an agency of the Scottish Government they have a crucial role in providing secure custody for prisoners, whilst ensuring that prisoners are cared for with dignity and respect and are offered opportunities to reduce reoffending when they return to the community.

Their role extends to ensure that children’s relationship with parents in the criminal justice system are maintained when it is safe to do so. When a child is considered at risk the response should be timely appropriate and proportionate and in keeping with Girfec and the SPS Child Protection policy held within their Family Strategy. Every establishment has a Designated Child Protection Co-ordinator.

**Scottish Fire and Rescue (SFRS)**

SFRS have a central role in protecting children through fire prevention, any concerns that should arise throughout their duties should be passed to police or social work with immediate effect.

**Faith Organisations**

Religious leaders, practitioners and volunteers within faith organisations have a central priority in relation to the protection of children. They should have robust child protection protocols and a named Child Protection Coordinator. Any concerns regarding children should be passed to the police or social work without delay.

**Armed Services**

The defence community includes serving members of the armed forces, cadets, reservists, veterans and their families.

If a child /family of a serving member of the forces reqires child protection services standard processes apply. There is a need for good communication and collaboration between the staff within the military unit and statutory services.

**Sports Organisations/Clubs**

Sports organisations work with a diverse range of children and young people within their communities. As in other activities and contexts abuse of trust can occur in sport of all kinds at all levels.

The Safeguarding in Sport Servicein partnership with Children 1st supports sports organisations in keeping children safe by providing advice, consultancy, training and support. Every organisation/Club should have a designated Safeguarding Officer and should refer any concers to police/social work without delay.

**WIDER PLANNING LINKS**

**Public Protection**

The aim of public protection is to reduce the risk of harm to both children and adults. Public protection involves collaborative inter-agency work at strategic and operational level , and overseen by a dedicated public protection fora. Child and Adult protection committees have a key role in delivering an integrated and consistent approach to planning and service delivery.

**Multi Agency Public Protection Agency (MAPPA)**

The purpose of MAPPA is public protection and the reduction of serious harm . MAPPA brings together Police Scotland, Scottish Prison Service, Health and Local Authorities in partnership as the *Responsible Authorities* to assess and manage the risk posed for certain categories of offenders. A *Duty to Cooperate* extends to other services including the Third Sector. Multi-agency consideration must be given to managing high-risk individuals. For those who have committed Sexual Offences, multi-agency consideration will include their levels of contact with children, both within the family and in the community. These considerations will also be taken into account where appropriate, for individuals convicted of certain violent offences , i.e., those assessed at MAPPA as “*Other risk of serious harm” .*

**Community Justice Partnerships**

Community Justice partners are defined in the Community Justice (Scotland) Act 2016 (s13) as Chief Constables, health boards, integrated Joint Boards, local authorities, Scottish Courts and Tribunal Service, Scottish Fire and Rescue, Scottish Ministers, e,g., SPS and Skills Development Scotland. The statutory partners are required to engage and involve the Third Sector in the planning, delivering and reporting of services and improved outcomes against the Community Justice Outcomes and Improvement Plan (CJOIP).

**Violence Against Women Partnerships (VAW Partnerships)**

VAW Partnerships are the multi-agency mechanism delivering the local strategy and delivery plan relating to the eradication of violence against women and girls. The VAW partnership strategy highlights that violence against women and girls is underpinned by gender inequality, and that prevention necessitates tackling perpetrators and intervening early. Every Local Authority should have a VAW Partnership and designated Coordinator to provide collaboration between public and third sector organisations.

**Alcohol and Drug Partnerhsips (ADP’S)**

Alcohol and Drug partnerships and Child Protection Committees should have local protocols to support relevant, proportionate and necessary information sharing between drug and alcohol services and children and families services . These protocols should define standard terms standard terms and processes withing assessments, co-ordinated and response to risk of harm to a child , including to responses to concerns during pregnancy. Specialist Third Sector and adult support services should be aware of the potential risks and need of children affected.

Multi-agency child protection training should be a standard requirement of the planning, and delivery of adult drug and alcohol services.

###### **Voluntary Organisations**

The voluntary sector in North Lanarkshire plays an important role in supporting children and young people and families.

In the interests of protecting children and young people, each voluntary organisation will have a clear Child Protection Policy detailing its procedures. If an organisation has a concern in relation to the safety or well-being of a child they will always contact social services to share their concern.

###### **Local Communities**

The community as a whole has responsibility for the well-being of children and young. Members of the public should remain alert to circumstances in which children and young people may be harmed. Individuals can assist the statutory agencies by bringing cases to their attention. Relatives, friends and neighbours of children and young people are particularly well placed to do so, but they must know what to do if they are concerned.

Because of the difficult and sensitive nature of the situation, people must be confident that any information they provide will be treated in a sensitive way and used only to protect the interest of the child. They should know that early action on their part is often the best way of helping a family stay together as well as protecting the child.

All community groups have a responsibility to protect children from harm or abuse and will refer to their own procedures when dealing with concern or may refer to the document

“***Protecting Children in Community Groups”*** available from the North Lanarkshire Child Protection Committee website.

Contact numbers for those with a concern are listed in **Appendix 2**

**APPENDIX 2**

**Important Contacts and Telephone Numbers**

**Social Work Area Team**

|  |  |
| --- | --- |
| **Airdrie** | **01236 757000** |
| **Bellshill** | **01698 346666** |
| **Coatbridge** | **01236 622100** |
| **Cumbernauld** | **01236 638700** |
| **Motherwell** | **01698 332100** |
| **Wishaw** | **01698 348200** |
| **Social Work Emergency Services** | **0800 121 411** |

**Police**

All Areas

|  |  |
| --- | --- |
| **The Family Protection Unit** | **01698 438095 / 96** |

**Health**

|  |  |
| --- | --- |
| **All Areas** | **01698 245000** |

**Education**

|  |  |
| --- | --- |
| **All Areas** | **01236 812294** |