



GATWICK DETAINEES WELFARE GROUP

Registered Charity No. 1124328

A Company Limited by Guarantee registered in England and Wales No. 4911257

Policy title	Child Safeguarding Policy & Procedures
Approved by	Pious Keku
Date	March 2020
Date ratified by Board	June 2021
Date revision next due	June 2022

Contents:

1. Policy statement
2. Principles
3. Categories of abuse
4. Reporting procedures
5. Record keeping
6. Recruitment & selection of staff, volunteers and trustees
7. Allegations against a member of staff, volunteer or trustee
8. Contacts
9. Related policies and resources

1. Policy statement

The Gatwick Detainees Welfare Group (GDWG) seeks to promote the welfare, safety and protection of children at all times. A child is anyone under the age of 18 years.

The nature of our work is primarily concerned with visiting adults in detention. However, it may sometimes bring us into contact with detained children being held with their families at Tinsley House Immigration Removal Centre. We may also occasionally be in contact with minors being detained as adults either because their age is disputed by the UK Visas and Immigration (UKVI) of the Home Office or because they have not previously identified themselves as a child. They may be held at both Tinsley House and Brook House (also at Gatwick Airport).

During the course of a visit to an adult in detention, the person being detained may tell their GDWG visitor of a concern they have about a child in their network living in the community, or may disclose that a child is being abused, neglected or exploited.

GDWG commits to ensuring that should there be any concerns about the welfare of a child being held under immigration powers, or of a child known to a person being detained and living in the

community, we will do everything in our power to alert the appropriate authorities so that the child is protected. We also commit to ensuring that all staff, trustees and volunteers who come into contact with children during the course of their duties with GDWG have read this document, are committed to the principles which it outlines and understand the responsibilities that it entails. All staff, trustees and volunteers will be required to sign GDWG's Code of Conduct confirming they have read and understood this policy before they start their duties.

The Director will act as the Designated Safeguarding Person in the organisation, ensuring adherence to the policy and procedures, which will be in line with the Pan-Sussex Child Protection & Safeguarding Procedures. GDWG will register for updates of the Pan-Sussex Procedures Manual, and the GDWG Director will draw the attention of staff, volunteers and trustees to these as appropriate. One of the trustees will have a lead on safeguarding, ensuring policies and procedures are compliant with the law and best practice.

2 Guiding principles

GDWG agrees with the principles enshrined in the 1989 and 2004 Children Acts, that all children deserve the right to be protected from abuse, neglect and exploitation. The organisation commits to the good practice enshrined in "Working Together to Safeguard Children 2018".

The following principles will help to ensure the promotion of children's health and welfare, including their physical, emotional, social and intellectual development: -

- The welfare of the child is paramount
 - Treating children as individuals entitled to dignity and respect
 - Promoting effective partnership working amongst all agencies involved in the protection of children and families whilst they are detained at Tinsley House or Brook House.
 - Promoting the safety of children at all times
 - Making safeguarding the responsibility of all members of the organisation
 - Establishing effective and open procedures in responding to complaints or concerns so that they can be shared and dealt with promptly
 - Adopting and applying safe recruitment practices for all staff and volunteers
- Where there is a conflict of interest between the child and parent or carer, the welfare of the child must be paramount

This policy will be reviewed annually or when legislation changes, whichever is the sooner.

3 Categories of abuse and neglect

The following is taken from the Pan-Sussex Child Protection & Safeguarding Procedures:

Abuse and neglect are forms of maltreatment of a child. Somebody may cause or neglect a child by inflicting harm, or failing to act to prevent harm. Children may be abused in a family, or in an institutional or community setting; by those known to them or, more rarely by a stranger. They may be abused by an adult or adults or another child or children.

Working Together to Safeguard Children 2018 includes definitions of the four broad categories of abuse which are used for the purposes of recognition: physical abuse; emotional abuse; sexual abuse; and neglect.

3.1 Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

3.2 Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

3.3 Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening... Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual Abuse is not solely perpetrated by adult males. Women can also commit acts of Sexual Abuse, as can their children.

In law children under 16 years of age cannot consent to any sexual activity occurring, although in practice young people may be involved in sexual contact to which, as individuals, they may have agreed. Children under 13 years cannot in law under any circumstances consent to sexual activity and specific offences, including rape, exist for child victims under this age.

3.4 Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health and development.

All staff and volunteers having direct or indirect contact with children through their work with GDWG need to note the above definitions. If they need further clarification of what might constitute abuse they should consult the Pan-Sussex Procedures and pass on any concerns to the designated safeguarding person (see "Reporting Procedures" section below).

Remember!

- You may not be the only person who has noticed or experienced the abuse or neglect
- There could be lots of people who have 'low-level' concerns about the same thing but if you do not pass the information on it cannot be addressed
- Even if it has not affected you, or someone you know directly, it could be affecting someone else who may not be able, or in a position, to say something about it.
- Abuse and neglect does not just appear from nowhere. Sharing information before something becomes abuse or neglect is really important – do not think you are making a fuss about nothing!
- It is also important to report any concerns relating to previously unreported disclosures of historic abuse

4 Reporting procedures

In all circumstances where staff/volunteers believe there to be an urgent, serious and imminent threat to a child's safety they must call 999 and report the matter to the police.

Otherwise GDWG members will take the following course of action:

4.1 Detained children:

The designated GDWG Child Safeguarding Person is the GDWG Director. Under normal circumstances staff/volunteers are required to pass on promptly any concerns about possible child abuse, or concerns about the welfare and safety of a child, to the GDWG Director. However, should an urgent issue arise during a visit that requires immediate action, the staff member/volunteer should approach directly the Gatwick IRCs duty safeguarding team by calling 01293 566537 / 07725 577925. The staff member/volunteer should endeavour to also inform the GDWG Director as soon as possible.

If the GDWG Director is not available the staff member/volunteer is required to contact the Chair of Trustees, or in extreme cases whilst in the detention centre the staff member/volunteer can ask the nearest staff member to contact the Duty Operations Manager of the Day at Tinsley House or Brook House ("Oscar 1"). Refer to telephone list at the end of this document.

4.2 Unaccompanied asylum-seeking children:

If a person being detained as an adult divulges to a staff member/volunteer that they are under 18, GDWG commits to the following courses of action:

- Alert the Gatwick IRCs duty safeguarding team by calling 01293 566537 / 07725 577925. The staff member/volunteer should endeavour to also inform the Director as soon as possible.

The GDWG Designated Safeguarding Person (the Director) should:

- Ensure that the necessary steps are taken to notify West Sussex Multi-Agency Safeguarding Hub (MASH) of the child's whereabouts immediately.
- Take every measure within our powers to ensure that the child has access to legal advice, or that any existing representative is aware of the child's status as a minor.
- Refer any age-disputed children to the Age Dispute Project in the Children's Section managed by the Refugee Council.

4.3 Concerns about children in the community known to people in detention:

During the course of a visit to an adult in detention, a person being detained may tell their GDWG visitor of a concern they have about a child in their network living in the community (e.g. they fear a young person has been trafficked, or is facing a forced marriage, or a female relative is to be taken abroad for the purpose of FGM), or they may disclose that a child is being abused, neglected or exploited. The staff member/volunteer will need to explain that this is not something they can keep confidential and that the GDWG Director will need to be informed so they can take appropriate action.

If the child lives in West Sussex, the Director should contact the MASH to make a referral; if the child does not live in West Sussex, the MASH covering the area where they live should be contacted. Either the local West Sussex MASH or Sussex Police will be able to assist in identifying which MASH should be contacted.

4.4 Former Detainees in the community:

GDWG's primary purpose is to assist people in detention whilst they are being held at Tinsley House or Brook House. All volunteers are made aware of this fact upon joining the group. However GDWG recognises that, on occasion, a volunteer may form a close friendship with the person they have been visiting and choose to stay in touch with them if they are released. All new volunteers are given guidelines which state that the relationship henceforth becomes a private arrangement and falls

outside of the remit of GDWG. We advise any volunteer whilst acting from this position and who is concerned about a child known to the person formerly detained to seek the advice of the NSPCC child protection team on their help line and follow the course of action suggested (see contacts at end).

5 Record keeping

It is essential that GDWG members record what they have seen or heard that has led them to believe that a child's welfare or safety is at risk. The designated safeguarding person also needs to keep clear and concise records as to the action taken and why. Any records pertaining to child safeguarding will be kept for 75 years.

Staff and volunteers should bear in mind that it is not their job to investigate a concern or an allegation, nor to inform the parents or carers.

Records should include the following details where possible and/or relevant:

- Name of the child
- Name of parent's/carer's
- Relevant address and telephone numbers
- What is said to have happened/be about to happen or what was seen
- When it occurred
- Who else was there
- What was said by those involved (if known)
- Whether there is any actual evidence e.g. bruises, bleeding, change in behaviour
- Who has been told about it
- Who was concerned
- Was the child able to say what happened
- The precise action, if any, that the staff member/volunteer has taken
- Whether the parents have been advised
- Sign and date the record, ensuring it is legible

A standardised recording format is available for staff and volunteers' use. An electronic copy of the record will be securely stored in the password protected 'Management' folder in Sharepoint on Office 365.

- The volunteer/staff member reporting abuse or flagging up a concern will also receive a copy of any record kept and must retain this record in a manner consistent with GDWG's data protection responsibilities.
- When an incident /event is reported it is paramount that the exact words that the child has used (if known) are noted. It is imperative that this information is recorded as soon as possible after the conversation and that the exact wordings are noted

In the event that a volunteer is called to attend a Police station to make a statement, the Director will also attend (or another GDWG member of staff or trustee acting on his/her behalf).

All information about concerns regarding the welfare of a child needs to be kept confidential and should only be passed on to other staff members/volunteers if it is essential for them to know.

6 Recruitment and selection of staff & volunteers

GDWG is committed to “Safer Recruitment” practice as detailed in the “Safer Recruitment Policy”. GDWG’s core business is providing support to adults in Immigration Removal Centres who, by the very nature of their situation, are deemed to be adults at risk. As such, the business is exempt from the provisions of the Rehabilitation of Offenders Act 1974 and safe recruiting practices apply. Measures taken to reduce the risk of abuse by staff members, volunteers and trustees include being required to provide references, attend an interview and agree to a DBS check (for adults); signing the Code of Conduct, staff and volunteers undertake to inform GDWG of any subsequent criminal charges, convictions or cautions, or any other safeguarding matters concerning them; subject to a satisfactory DBS check, new staff work for a probationary period.

However, any contact with children by staff, volunteers or trustees is not “substantial”, or a “regulated activity”, in the meaning of government guidance and they will never be alone with a child in the course of their duties. Even if a visitor or staff person visits a person in detention who discloses that they are a child, and not an adult, the visit will be taking place under the supervision of IRC staff. Similarly, if a visitor is seeing a family who are detained, they will see the children in the company of their parents. For this reason, the criteria for requiring a DBS check for children is not met and they will not be carried out.

7. Allegations against a member of staff, volunteer or trustee

Gatwick Detainees Welfare Group assures all staff/volunteers that it will fully support and protect anyone, who in good faith reports his or her concern about a colleague’s poor practice or that a colleague has, is, or may be, abusing a child/young person. Such concerns should be reported to the GDWG Director, or in her absence, the Chair of Trustees. If the person making the report considers their concerns are not being taken seriously, they should refer to the GDWG “Whistleblowing Policy” or may wish to use the Charity Commission’s whistleblowing helpline. They may also wish to consult the GDWG “Bullying and Harassment Policy”.

Where there is a complaint against a member of staff there may be three types of investigation:

- A joint investigation carried out by the police and West Sussex Children’s Services.
- A child protection investigation carried out by West Sussex County Council Children’s Services.
- A disciplinary or misconduct investigation carried out by GDWG.

The results of the police and child protection investigation may well influence the disciplinary investigation, but not necessarily.

Action if there are concerns:

Any concerns or allegations about a member of staff, volunteer or trustee should be brought to the attention of GDWG’s insurer immediately by the GDWG Director. It may also be a condition of some grant making trusts that they are informed promptly of any allegations made against staff or volunteers. Reporting requirements to the Charity Commission about serious incidents (defined as “adverse events, whether actual or alleged”) relating to harm to beneficiaries or others, property, finance or reputation will be followed as required.¹ Trustees will review the handling of any serious safeguarding incident at the Board Meeting following the incident, or earlier if appropriate. We wish to be a learning organisation, and are committed to acknowledge and learn from our failures or poor practice.

¹ See <https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

Concerns about poor practice:

- If, following consideration by the GDWG Director, the allegation is clearly about poor practice, this will be dealt with as a training or misconduct issue as appropriate.
- If the allegation is about poor practice by the GDWG Director or if the matter has been handled inadequately and concerns remain, it should be reported to the Chair of Trustees who will decide how to deal with the allegation and whether or not the organisation should initiate disciplinary proceedings.

Concerns about suspected abuse

- Any suspicion that a child/young person has been abused by either a member of staff or a volunteer should be reported to the GDWG Director, who will take such steps as considered necessary to ensure the safety of the child/young person in question and any other child/young person who may be at risk.
- The GDWG Director will refer the allegation to the West Sussex Multi-Agency Safeguarding Hub (MASH) stating clearly that it is regarding a child safeguarding concern.
- The parents or carers of the child/ young person will be contacted as soon as possible but only following advice from the MASH.

If the GDWG Director is the subject of the suspicion/allegation, the report must be made to the Chair of Trustees who will refer the allegation to the MASH.

Internal Enquiries and Suspension

- The GDWG Director will contact the West Sussex Local Authority Designated Officer (LADO) to inform them of the allegation, and seek their advice as to whether any individual accused of abuse should be suspended pending any police and Children's Services inquiries.
- Should allegations be made against a staff member, they should be made aware of their rights under employment legislation and of the GDWG internal disciplinary procedure. Any investigation will be carried out in a timely manner.
- Following the outcome of any investigation, and in consultation with the LADO, the organisation will assess all individual cases to decide whether a member of staff or volunteer can be reinstated and how this can be sensitively handled. This may be a difficult decision, particularly where there is insufficient evidence to justify any action by the police. In such cases, the organisation must reach a decision based upon the available information which could suggest that on a balance of probability, it is more likely than not that the allegation is true. The welfare of the child/young person should remain of paramount importance throughout.

Employers and managers of volunteers working with people in regulated activity have a legal duty to make referrals to the Disclosure and Barring Service in circumstances where they have permanently dismissed a person from the organisation (or would have if the person had not left, resigned, retired or been made redundant) because the person has:

- been cautioned, arrested or convicted for a relevant offence, or,
- engaged in misconduct in relation to children or adults at risk – i.e. that an action or inaction (neglect) has harmed a child or adult or put them at risk of harm, or,
- satisfied the 'Harm Test' in relation to children or adults at risk – i.e. that there has been no relevant misconduct but a risk of harm to a child or adult still exists.

8 Contacts and telephone numbers

Please contact the GDWG office in the first instance. We will follow up on all concerns as appropriate, speaking to Brook House or Tinsley House management as needed.

GDWG: Office number: 01293 657070

Out of hours, or if above not answered, please contact Anna Pincus – 07804 903157

If Anna is unavailable, please contact Marie Dewson (Chair of Trustees) – 07801 950306

Brook House and Tinsley House:

Duty Safeguarding team Gatwick IRCs (concerns can be raised anonymously) 01293 566537/ 07725 579925 or Safercommunitygatwick@gmail.com.

West Sussex Multi-Agency Safeguarding Hub (MASH) – works 24/7

Office hours (Mon –Fri 8am – 5pm): 01403 229900

Out of hours: 0330-222-6664 (Should there be any problems with this phone number the duty Social Worker can be contacted on 07711 769657)

E-mail: MASH@westsussex.gov.uk

West Sussex County Council Local Authority Designated Officer (LADO)

Office hours: 0330-222-3339

E-mail: MASH@westsussex.gov.uk (marked for LADO's attention)

NSPCC helpline: Mon-Fri – 8am-10pm; weekends – 9am-6pm Tel: 0808-800-5000

Referrals and queries can be made 24 hours a day by:

E-mail: help@nspcc.org.uk

Or on-line: <https://www.nspcc.org.uk/preventing-abuse/our-services/nspcc-helpline/>

GDWG insurers - Ecclesiastical Insurance: 0345 777 3322

Email: information@ecclesiastical.com

Charity Commission:

<https://www.gov.uk/guidance/how-to-report-a-serious-incident-in-your-charity>

Independent Monitoring Board (IMB): www.imb.org.uk

Email: IMB@justice.gov.uk

9. Related policies and resources

- Bullying and harassment policy
- Guidelines for visiting people in detention who pose a safety risk
- Guidelines for visiting suicidal people
- Safer recruitment policy
- Health & Safety policy
- Walk With Us policy
- Whistleblowing policy
- Visitors' Code of Conduct

- Leaflet about visiting for people in detention

Charity Commission:

- <https://www.gov.uk/guidance/safeguarding-duties-for-charity-trustees>
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756636/10_safeguarding_actions_for_charity_trustees_infographic.pdf

WSCC:

- WSCC leaflet “Safeguarding Adults: What to do if you think someone is being abused, neglected or exploited”
- WSCC leaflet “Safeguarding children: What do you do if you’re worried a child is being abused?”