

# Newtownabbey Borough Council

**Safeguarding**

Children, Young People

**and** Vulnerable Adults

**2010**



## Foreword from Chief Executive

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## Chief Executive's Foreword

Media reports have frequently highlighted the need for the proper safeguarding of children, young people and vulnerable adults.

This had led to the introduction of legislation and protocols which require organisations that work with vulnerable groups to introduce policies to safeguard their wellbeing.

Newtownabbey Borough Council is no exception to this because all Council staff have contact with children, young people and vulnerable adults in a wide variety of settings. Our Leisure Centres, for example, are used by these vulnerable groups. However, we all come into contact with them in a number of ways in the course of our work.

We are committed to best practice in this area, with the ultimate aim of offering the highest standards of safety and protection to all vulnerable groups. Therefore, it is vital that we all have the skills, knowledge and understanding required to deal with safeguarding issues.

This policy has been developed to this end and will apply to all staff within the organisation. It provides comprehensive guidelines, sets responsibilities and provides details of where support can be obtained.

I commend this policy to all staff and ask you to ensure that you are familiar with the contents.

**JACQUI DIXON**

Chief Executive

June 2010

## 1. Scope of the policy

The Safeguarding of Children, Young People and Vulnerable Adults Policy covers all Council services and functions.

The Policy is for all who work with children, young people and vulnerable adults including full time, part time, seasonal and on call staff, student placements and external service providers. All of them will be subject to relevant recommended checks and safeguarding training. Within this document, the term 'staff' includes all those listed above.

This policy is designed to provide a basic foundation under which more specific guidance may be developed to meet service needs. All council functions where staff work directly with children or have contact indirectly with children are governed by this policy.

Examples of Council departments, their sections and the types of services which children, young people and vulnerable adults are involved in are outlined as follows:

<b>Council Department</b>	<b>Section and Service</b>
Leisure Services	Leisure facilities, parks and open spaces, events, play areas, museums, heritage arts and summer schemes
Development Services	Capital projects, events, community development, tourism, twinning and summer schemes
Corporate Services	Marketing and PR, registration, administration, HR and reception
Environment Services	Technical services, security, environmental health, street cleansing and refuse collection, building maintenance
Finance Services	Payroll, audit, insurance, procurement and invoicing/ payments

**Any member of staff may come into contact with children, young people and vulnerable adults in the course of their duties.**

## 2. Context

The following Safeguarding Children, Young People and Vulnerable Adults Policy outlines the systems and procedures in place at Newtownabbey Borough Council in order to achieve the aim of ensuring that children, young people and vulnerable adults are protected from harm whilst visiting Council premises or using Council services. The Policy endeavours to uphold the rights within the Human Rights Act 1998, the principles identified in the UN Convention on the Rights of the Child and the requirements of all relevant UK and NI legislation (See Appendix 1).

A child is defined within UK legislation as being between the ages 0-18 years. Within an employment setting young people over school leaving age and under 18 years are referred to as young workers and there are special laws to protect the employment rights of young workers. These laws focus on the health and safety of the young worker, what jobs they can do, when they can work, and for how many hours.

A vulnerable adult is a person 18 years and over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation (Law Commission Report 231, 1995 - Who Decides? 1997).

The duty to safeguard is a responsibility of all organisations, groups, services and agencies within the “community” that come into contact with children and young people directly and/or indirectly, independent or whether or not a child or his/her family pay for use of the service. Children and young people are considered to be a vulnerable grouping and therefore society has responsibilities, legally and morally, to make very reasonable effort to prevent and protect them from suffering harm, i.e. ill treatment or the impairment of health or development.

### 3. Aims of the policy

The aims of this policy are as follows:

- a. To ensure that staff are carefully selected, trained and supervised, and that they are familiar with the Safeguarding Children, Young People and Vulnerable Adults Policy.
- b. To ensure that Council staff accept and recognise their responsibilities to develop awareness of the issues that cause children harm.
- c. To ensure that those hiring Council services are familiar with the Policy and Procedures. See Appendix 2 Safeguarding Guidelines for Hirers, Coaches and Volunteers.
- d. To promote an open environment in which everyone feels comfortable and free to share information and concerns. A culture of sharing and communicating will enable this environment to develop.
- e. To endeavour to safeguard children, young people and vulnerable adults by:
  - Adopting safeguarding guidelines through a Code of Behaviour for staff.
  - Sharing information about safeguarding and good practice with children, parents, carers, and staff.
  - Sharing information about concerns with agencies who need to know, and involving parents, carers, children and vulnerable adults appropriately;
  - Following carefully the procedures for recruiting and selecting staff.
  - Providing effective management for staff through supervision, support and training;
  - Taking appropriate action to respond to issues of safeguarding which occur on Council premises or involve Council staff and
  - Appointing two Designated Officers to implement the policy. These officers will be the designated officer and the deputy designated officer. For the purpose of this document they will be referred to as the designated officers.

The Council is also committed to reviewing this policy and good practice at regular intervals.

The Council is committed to delivering a service that promotes good practice and protects children, young people and vulnerable adults from harm.

## 4. What is Abuse?

A parent, sibling or other relative, carer, acquaintance or stranger, who may be an adult or a young person, can abuse children. The abuse may be the result of a deliberate act or of a failure on the part of the responsible adult to act or to provide proper care, or both. According to the Children (NI) Order 1995, Volume 6, the abuse may take a number of forms including:

### Neglect

Neglect is the persistent failure to meet a child's physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive.

### Physical Abuse

Actual or likely deliberate physical injury to a child, or wilful or neglectful failure to prevent physical injury or suffering to a child. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

### Sexual abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities. 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 the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

### Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse affects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened, in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose children to emotional abuse.

## **Bullying**

Bullying is the persistent, intentional harming of another person with an unequal power relationship. The types of bullying fall into a number of categories, including verbal, physical, emotional and non-verbal.

Bullying is not confined to school; bullying happens in the home and other areas of a child's life, particularly in places where children congregate.

## **Cyber Bullying**

Cyber bullying is the use of e-mail, instant messaging, chat rooms, pagers, mobile phones, or other forms of information technology to deliberately harass, threaten, or intimidate someone. Cyber bullying is often done by children, who have increasing access to these technologies. The problem is compounded by the fact that a bully can hide behind an electronic veil, disguising his or her true identity.

Cyber bullying can include such acts as making threats, sending provocative insults or racial or ethnic slurs, derogatory or inappropriate comments on gender or sexual orientation, attempting to infect the victim's computer with a virus, and flooding an e-mail inbox with nonsense messages.

These types of abuse apply equally to children, young people with disabilities and vulnerable adults but the abuse may take slightly different forms, for example, lack of supervision or care. Financial abuse is also prevalent in relation to vulnerable adults. This is when the vulnerable adult is exploited in financial decisions which they do not truly comprehend and to which they are unable to give informed consent.

The categories of abuse are not necessarily exhaustive or mutually exclusive. Any of them may result in a failure of the child or adult to thrive and develop. Within this document, the term "abuse" is intended to cover all these categories

## **Confidentiality**

Whilst it is important that a partnership approach is adopted to ensure the safety and welfare of children, young people and vulnerable adults, it is of equal importance that all concerned are confident that the information they provide will only be disclosed where it is in the best interests of the vulnerable adult or child to do so. Newtownabbey Borough Council's procedures have been carefully constructed to ensure such confidentiality.

In addition, Newtownabbey Borough Council has appointed members of staff as Key Workers at each site who have been especially trained in the area of Safeguarding and are acutely committed to the principle of confidentiality. Two Designated Officers have been appointed to take charge of safeguarding activities and concerns. (See appendix 7 for Roles and Responsibilities of a Designated Officers and Key Worker).

## 4a Roles and definition

### All council staff

The policy recognises that the safety and welfare of children young people and vulnerable adults is the responsibility of all staff members. All staff must ensure that they are familiar with the policy and accept and recognise their responsibility to develop their awareness of the issues that cause children harm.

### Human resources (HR)

HR will play an important role within the various aspects of the policy including:

- Assisting the line manager in identifying those roles which would be considered as regulated and or controlled activities
- Ensure relevant pre employment checks are carried out for new staff members
- Liaise with line managers/supervisors, designated officers, key workers in relation to dealing with concerns and when to refer to Independent Safeguarding Authority

### KEY WORKER

This is an employee who has been identified as a point of contact within their department in relation to all aspects of reporting incidents involving the Safeguarding of Children, Young people and Vulnerable adults. (Full roles and responsibilities are listed in appendix 7)

### DESIGNATED OFFICERS

These are employees who have operational responsibility for receiving concerns about the safety and welfare of Children, Young people and Vulnerable adults, making decisions about what action needs to be taken and contacting and liaising with other agencies involved in Safeguarding Children, Young people and Vulnerable adults. (Full roles and responsibilities are listed in appendix 7)

## 5. Supervision

Making arrangements for the proper supervision of children, young people and vulnerable adults is vital to prevent anyone suffering any harm whilst using Council services. It is important to ensure that, in planning and running activities for children, young people and vulnerable adults, consideration is given to providing an appropriate staffing/supervision ratio of adults to participants. This will minimise any risks to participants, enhance the benefits they draw from the activity, reassure carers, and provide some protection for those responsible for providing the activity in the event of concerns or incidents arising.

As Council staff come into contact with children, young people and vulnerable adults, across a range of activities and contexts, ranging across leisure and sports development, theatre, arts development, play area maintenance etc, it is recommended that a risk assessment be carried out to determine the appropriate adult child ratios in respect of safeguarding. Levels of supervision must be adequate whether at the council's facilities or on an external journey/visit. Therefore, when deciding how many adults are required to supervise, assessors must take into account any practical considerations that may be relevant and the number of participants in the group.

Supervision must be adequate, whether at the organisation's venue or on a journey or visit. Leaders need to decide how many adults will be needed for supervision. Practical matters need to be considered.

The standard recommended ratios stated are:

### On site

0-2 years of age  
2-3 years of age  
3-7 years of age  
8 years and over

one staff member to three children  
one staff member to four children  
one staff member to eight children  
two staff members (preferably one male, one female) for up to 20 children.  
There should be one additional staff member for every 10 extra children and/or young people.

### Off site

0-3 years of age  
3-7 years of age  
8 years and over

one staff member to two children  
one staff member to five children  
one staff member to 10 children

- The ratio of staff and volunteers to children with disabilities depends on the needs of the individual child.

The risk assessment may well indicate the need for an enhanced level of supervision and staffing for a particular activity. The risk assessment should include: -

- The number of participants in the group.
- The nature of the site or venue.
- The activities to be undertaken - if an activity is hazardous, e.g. mountain climbing, there are specific ratios of adults to children and vulnerable adults that you must follow. You can check these ratios by contacting the relevant sporting bodies, or the Education and Library Board - Youth Service.
- It is important that each individual supervisor knows their own responsibilities.
- It is recommended not to make a journey or visit without at least two adults in attendance, one of whom must be a worker. Do not count bus drivers as supervisors.
- It is up to the leader in charge to decide on the level of supervision, taking into account guidance as stated above.
- If a party consists of both girls and boys, both male and female supervision should be provided, unless otherwise agreed.
- If an activity involves swimming and the children are under eight years of age, the ratio must be one adult to one child.
- There should always be at least two members of staff supervising any group of children.
- For specialist sports or activities (e.g. canoeing), ratios recommended by the appropriate governing body should be followed.

The Council's duty to care, which is recognised as the standard for good practice in Child Protection in Northern Ireland, suggests that when journeys, visits or trips are organised, the guidelines below should be followed. These guidelines should also be applied for children, young people and vulnerable adults.

### **Planned activities**

- When journeys or visits are organised, a detailed programme of activities for those involved should be prepared.
- Children's welfare and safety must be taken into consideration for the whole time they are away from home.
- No one should be left to their own devices; for example, in a town for the evening or on shopping expeditions.

- Everyone should be adequately supervised and engaged in suitable activities at all times.
- When planned activities are disrupted, e.g. because of weather conditions, alternative activities should be planned.
- Written parental consent should be given to join an organised trip.

Parents should receive full information about the trip, including details of the programme of events, the planned activities and the supervision ratios.

### **Supervising children, young people and vulnerable adults**

- Staff with supervising responsibilities of children, young people and vulnerable adults, frequently or intensively must possess a satisfactory Enhanced Disclosure check from Access Northern Ireland. From 1 November 2010 those supervising children, young people and vulnerable adults must be registered with the Vetting and Barring Scheme enacted by the Independent Safeguarding Authority. For more details on Access Northern Ireland and the Vetting and Barring Scheme, please refer to Appendix 12.
- The leader in charge must be satisfied that the workers and adults who accompany group parties are fully competent to do so.
- Children, young people and vulnerable adults must be supervised at all times.
- Children, young people and vulnerable adults must not be left unsupervised at any venue, whether it is indoors or outdoors.
- The staff should know at all times where children, young people and vulnerable adults are, and what they are doing.
- Any activity using potentially dangerous equipment should have constant adult supervision.
- Children, young people and vulnerable adults will be safer if supervised by two or more adults.
- Dangerous behaviour by children, young people and vulnerable adults should not be allowed.

## 6. Code of Behaviour for Council staff

It is recognised that it is not practical to provide definitive instructions that would apply to every situation when staff come into contact with children, young people and vulnerable adults and that would guarantee their protection.

The following points cover the standards expected from our staff, so that they can fulfil their roles in the Council. This Code of Behaviour should help to protect children, young people, vulnerable adults and members of staff.

### I. Staff must follow the Safeguarding Policy and procedures at all times.

### II. Staff must never:

- Engage in rough, inappropriate games including horseplay with children, young people or vulnerable adults.
- Allow, or engage in, inappropriate touching of any kind.  
The main principles of touching are:
  - it should always be in response to the child's, young person's or vulnerable adult's needs
  - it should always be appropriate to the child's, young person's or vulnerable adult's age and stage of development
  - it should always be with the child's, young person's or vulnerable adult's permission.
- Physically restrain a child, young person or vulnerable adult, unless it is to:
  - prevent physical injury to the child, young person or vulnerable adult to other children, young people, vulnerable adults, visitors or staff, or to themselves
  - prevent damage to any property
  - prevent or stop the child, young person or vulnerable adult committing a criminal offence.
- Make sexually suggestive comments to, or within earshot of, a child, young person or vulnerable adult.
- Do things of a personal nature for children, young people or vulnerable adults that they can do for themselves, or that their parent/carer or the group leader can do for them.

- Do anything which could be construed as bullying. Clear guidelines for staff are given in the Appendix 4

In all circumstances, physical restraint must be appropriate and reasonable. If not, your action can be defined as assault.

### **III. It is strongly recommended that staff do not, except in emergency situations:**

- have children, young people or vulnerable adults in their own in a vehicle, unless parents/carers have been notified and extreme caution is taken.
- go to the toilet with vulnerable adults or children unless another adult is present or gives permission (this may include a parent, teacher, group leader, carer).
- Spend time alone with a child 0-11 years of age, on his/her own. For young people aged between 12-18 and vulnerable adults over the age of 18, staff should make sure that they could be clearly observed or seen by others.

### **IV. Dealing with Work Experience Students, Young Workers and Voluntary Placements**

Due to the fact that Newtownabbey Borough Council offers a facility whereby students from schools and colleges are able to learn about Council facilities for short and long-term periods, some staff will be required to work on a one-to-one basis with young adults from 15-18 years of age and with vulnerable adults over the age of 18 years.

It is recognised that schools, colleges and training providers expect those undertaking work experience placements to develop independence, responsibility and the ability to make decisions and to apply learning. It is also recognised that it is not always practical to have two or more staff working with one vulnerable adult or young person during work experience placements for a variety of reasons. However, it is also appreciated that in the light of the entire content of this policy, the welfare of the vulnerable adult or young person must be paramount.

To enable both Newtownabbey Borough Council staff members and the student to have a positive experience, all staff should follow the procedures listed in Appendix 6.

## V. Dealing with Anonymous Complaints in Children's Sport

Anonymous complaints can be difficult to deal with but should never be ignored. The safety and the welfare of the child, young person or vulnerable adult is paramount at all times. Any complaints relating to inappropriate behaviour should be brought to the attention of the Designated Officers. All information should remain confidential. Any such complaints relating to safeguarding concerns should be handled in accordance with reporting procedures.

## VI. Rumours

Rumours should not be allowed to hang in the air. Any rumours relating to inappropriate behaviour circulating within Council premises should be brought to the attention of the key worker/Designated Officers and checked without delay. Any ensuing information should be handled confidentially and with sensitivity. If the Designated Officer has reasonable grounds for concern that a child, young person or vulnerable adult has been abused she/he should refer the matter to the relevant authorities using the standard procedures. If there is any doubt about the requirement to report the substance of a rumour, advice should be sought from Social Services in the local Health Board or Social Services Department.

## VII. Whistleblowing

### • Public Interest Disclosure (Northern Ireland) Order 1998

If an employee becomes aware of activities which he/she believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure (Northern Ireland) Order, and with the Council's confidentiality reporting procedure, or any other procedure designed for this purpose. An individual who reports a concern in "good faith" is not deliberately attempting to slander another person's name. The Public Interest Disclosure (Northern Ireland) Order 1998 protects workers who "blow the whistle" about wrongdoing.

- **The Criminal Law Act (Northern Ireland) 1967**

The Criminal Law Act (Northern Ireland) 1967 places the responsibility on everybody to report offences or to forward information to the police by emphasising the:

- duty of every other person, who knows or believes, that the offence or some other arrestable offences has been committed; and
- that he has information which is likely to secure, or to be material assistance in securing, the apprehension, prosecution or conviction of any person for that / offence

### **VIII. Procedures to be followed by staff in Cases of Lost/Found Children**

If someone reports that a child in their care is missing:

Contact reception and the Duty Manager (or equivalent) immediately giving as much detail as possible including:

- name of child
- age of child
- address/name of school
- physical description of child (height, colour of hair, clothing, etc.)
- where child was last seen
- the time the child was last sighted.

On receipt of this information, the member of staff in the Control room on duty will circulate these facts by radio and telephone to other relevant staff, and contact the Duty Manager. If necessary, the Duty Manager will issue instructions and advice in relation to a more extensive search. The Duty Manager dealing with the situation will be responsible for contacting local police if necessary.

The member of staff who has had the report made to them should reassure the parent/guardian that action is being taken to locate the child and explain that contact will be maintained with them through the Duty Manager.

The Duty Manager will maintain contact with the parent/guardian until the child is found by relaying messages by telephone, radio or in person.

If a **child who is lost** comes to you follow this procedure:

- Reassure the child.
- If deemed appropriate, try to locate the parent/leader in the vicinity on the way to contacting Duty Management.

Contact the member of staff at reception giving the following details if possible:

- name of child
- age of child
- address/name of school
- physical description of child (height, colour of hair, clothing, etc.)
- where child was found

If anyone else is with the child, ask them to remain with you until the parent/leader has been located or the Duty Manager has arrived.

If you are on your own with the child, ensure that you are in a public area where you can be seen or heard.

Making sure the child is accompanied by another adult (member of public or council staff member) the Duty Manager will attempt to locate the parent/guardian.

The Duty Manager will then issue instructions and advice in relation to a more extensive search. The Duty Manager dealing with the situation will be responsible for contacting local police if necessary.

A written record (appendix 8) will be kept by the Duty Manager of all children lost/ found in each Council premises or using a Council service such as a summer scheme.

## **IX. Implications for staff**

Staff members and volunteers who breach any of the above Codes of Behaviour may face the disciplinary procedure. If an allegation is made against a member of staff, it will be investigated in line with our procedure for dealing with allegations against staff. The investigating officer will liaise with the Designated Officers for Safeguarding, to see if there are any relevant records and any other information concerning the staff member under investigation.

## 7. When to refer to Independent Safeguarding Authority

Under the Independent Safeguarding Authority (ISA) procedures the Council may have a duty to refer individuals to the ISA for consideration for barring and to provide information to the ISA upon request.

The Council must refer the case to the ISA if they think:

- an individual who is working closely with vulnerable groups has harmed, or may harm, a child or vulnerable adult.
- an individual who might in the future work closely with vulnerable groups has harmed, or may harm, a child or vulnerable adult.

or

- the ISA may consider it appropriate to bar the individual.

### Relevant Conduct

Failure to provide information to the ISA is a criminal offence and can result in a fine.

Referral will be made to the Independent Safeguarding Authority after sufficient evidence has been gathered as part of the investigation supporting their decision for withdrawing permission to engage in regulated or controlled activity and consultation has taken place with the Designated Officer and/or advice has been sought from a designated officer within the Health and Social Care Trust.

All referrals to the ISA should use the ISA Referral Form, refer to Appendix 11. The completed and signed ISA Referral Form and supporting evidence and documents should be forwarded to the ISA.

## 8. Reporting procedures

If a staff member is concerned about a child, young person or vulnerable adult it is essential that they know how to report that concern.

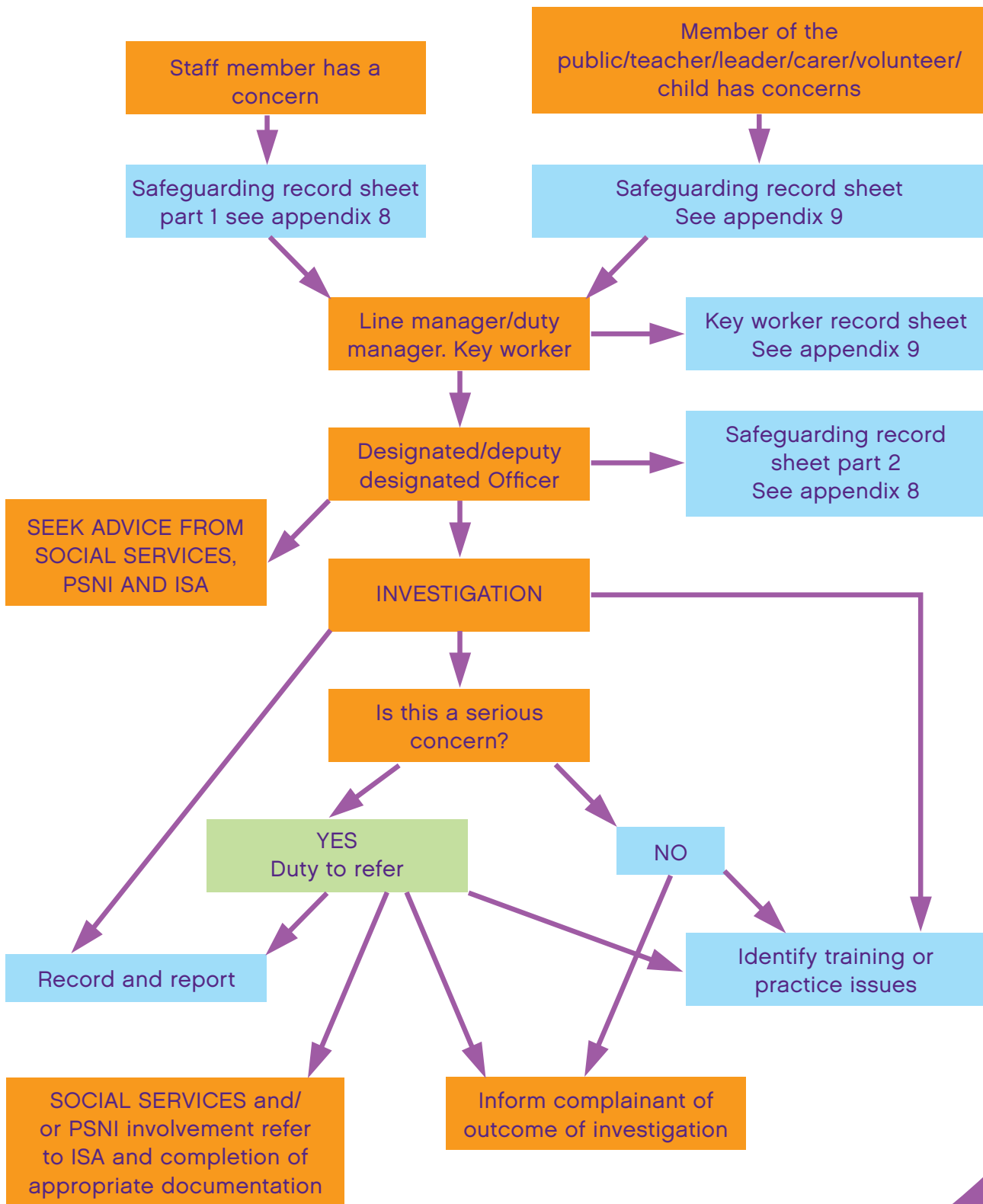
The Council has appointed Key Workers and a Designated and Deputy Designated Officer. They have been trained in safeguarding, and they are committed to the principle of confidentiality.

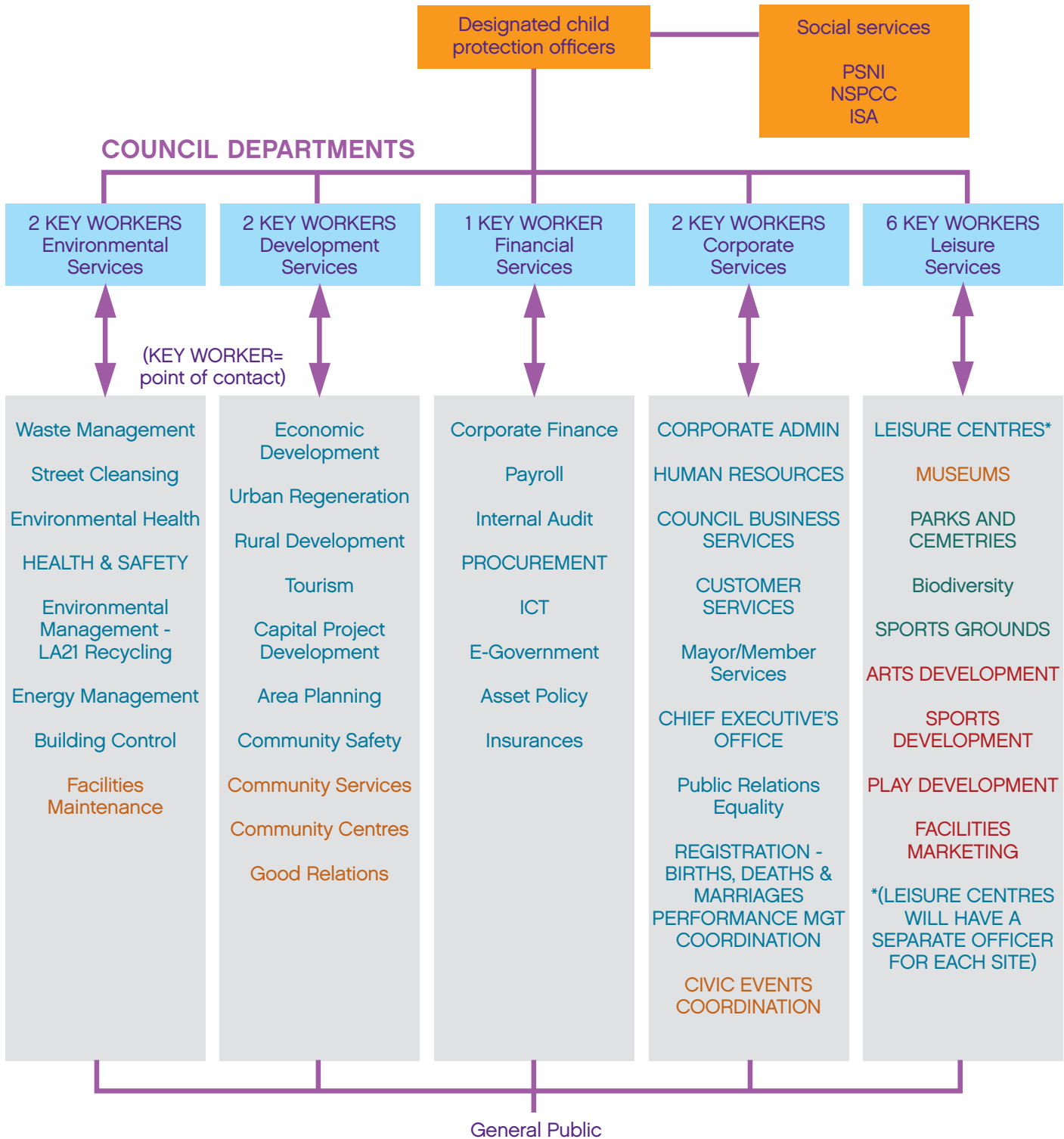
### Confidentiality

Discussion should not take place with anyone else within the line management structure as this impedes investigation and affects the confidentiality of the situation. It is up to the Designated Officer/Key Worker, as to who else is to be informed of the situation, including incidents where a member of staff may be the alleged abuser.

- The appropriate Safeguarding Report Forms should be completed (Appendix 8, 9 & 10) recording the child or vulnerable adult's condition including emotional state; any observed injuries and any statements made by them or adults involved.
- The Designated or Deputy Designated officer must complete the Safeguarding Record Sheet Part 2 (see Appendix 8)
- All information must be factual and as accurate as possible.
- All information must be stored appropriately by the Designated or Deputy Designated officer and no other copies must be kept.
- Information must not be emailed or forwarded to anyone involved in the process unless a confidential mailing system is used.

The flow chart shows the procedure for reporting child protection issues:





(Each colour refers to the proposed department subsection under which each KEY WORKER will be responsible)

## 9. Recruitment and Selection guidelines

### (a) Introduction

Children are the least able to protect themselves from abuse or exploitation, and the least able to seek help if they are ill-treated. Vulnerable adults are often limited in their ability to protect themselves from abuse or exploitation and in their ability to seek help if they are ill-treated. It is therefore the Council's responsibility to ensure that all staff working in a "Regulated" position with children and vulnerable adults whether they are full time, part time, paid or unpaid, have the same recruitment and selection procedures applied to them and that as much information as possible is ascertained as to their suitability for the position.

### (b) Regulated and Controlled positions defined

This section of the policy provides guidelines for recruiting staff into a paid or unpaid 'regulated' or 'controlled' position as set out in the Safeguarding Vulnerable Groups (NI) Order 2007.

The following explains the terms regulated and controlled activities as used in the legislation.

#### Regulated activities

Regulated activities include:

- Any activity which involves contact with children (anyone under 18 years) or vulnerable adults and is of a specified nature (e.g. teaching, training, care, supervision, advice, treatment or transport) ... frequently\*, intensively\* and/or overnight.
- Any activity allowing contact with children or vulnerable adults and is in a specified place (e.g. schools, care homes, etc) ... frequently\* or intensively\*.
- Fostering and childcare.
- Certain defined positions of responsibility (e.g. school governor, director of social services, trustees of certain charities).

\* Regulated activity applies where the activity is frequent, or satisfies a period condition of taking place 4 days per month or more or overnight (referred to above as "intensively").

\* Frequent contact applies when contact with children or vulnerable adults takes place once a week or more.

## **Duties and responsibilities under regulated activity include:**

To undertake regulated activity a person must have a satisfactory enhanced disclosure check by Access NI completed before carrying out regulated activities. It will be an offence for a barred person to undertake regulated activity for any length of time.

An employer taking on a person in a regulated activity will commit a criminal offence if they fail to check the status of an applicant, employee, or volunteer. It will also be an offence for employers/providers to permit a barred person, or a person who has not yet had an Independent Safeguarding Authority check, to work for any length of time (no matter how infrequent) in regulated activity.

## **Controlled Activities**

Controlled activities include:

- Frequent or intensive support work in general health, NHS, FE settings.
- Those working for specified organizations (e.g. a local authority) with frequent access to sensitive records about children and vulnerable adults.
- Support work in adult social care settings (e.g. day centre cleaners, those with access to social care records).

\* Controlled activity applies where the activity is frequent, or satisfies a period condition of taking place 4 days per month or more or overnight (referred to above as “intensively”).

\* Frequent contact applies when contact with children or vulnerable adults takes place once a week or more.

## **Duties and responsibilities under controlled activity include:**

An employer taking on a person in a controlled activity will commit a criminal offence if they fail to carry out the appropriate checks on an applicant, employee or volunteer as required by the current legislation.

Providing sufficient safeguards are put in place, the provider can permit a barred person to work in controlled activity.

## **PROCEDURES FOR RECRUITING STAFF FOR REGULATED OR CONTROLLED POSITIONS**

The recruitment of all positions in the Council is centralised in the Human Resources Section which administers recruitment exercises on behalf of each of the Council Departments.

Any person working paid or unpaid in a regulated or controlled position will be required to complete an Access NI Disclosure Certificate application form to enable an Enhanced Disclosure to be carried out by Access NI operating under the provision of Part V of the Police Act 1997 and subsequently the Council must receive a satisfactory Enhanced Disclosure Certificate.

Newtownabbey Borough Council is registered with Access NI as a 'registered body'. A member of the HR team is the Lead signatory for the organization and is responsible for the management of the disclosure process and the Council's relationship with Access NI. The HR team may also nominate counter signatories to assist with the management of the disclosure process.

Since 12 October 2009, it is a criminal offence for barred individuals to work or apply to work with children or vulnerable adults in a wide range of posts. The Council will comply with any legislative change or requirement in relation to those who are applying to work in a regulated or controlled activity.

Appendix 12 provides more detailed information on Access Northern Ireland and the role of the Independent Safeguarding Authority along with the current legislative requirements in relation to recruitment and selection for controlled and regulated activities.

## CHECKS PRIOR TO COMMENCEMENT

The Council will comply fully with all current legislation, official guidance and codes of practice such as the Vetting and Barring Scheme enacted by the Independent Safeguarding Authority and Access Northern Ireland.

Before a position is advertised, the job activities will be reviewed by Line Managers and HR staff to identify if the activities fall within the definitions for either regulated or controlled activities.

### Applicants must complete an application form which:

Draws attention to the Rehabilitation of Offenders (Exceptions) (Amendments) Order (NI) 1979 as amended by the Rehabilitation of Offenders (NI) 1987. This Order states that convictions are 'spent' under the Terms of the Rehabilitation of Offenders (NI) Order 1978.

The summary of the Terms and Conditions of Employment will outline that the post is a regulated position as defined by the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 and also falls within the definition of 'excepted' employment as provided by the Rehabilitation of Offenders (Exceptions) Order (NI) 1979 and will require the receipt of a satisfactory Enhanced Disclosure Certificate from Access NI.

Therefore, all applicants for regulated positions or controlled activities must provide details in respect of all previous convictions including 'spent' convictions. Any disclosed convictions will be taken into account only when the conviction is considered relevant to the work and will be viewed in the context of the work, the nature of the offence and the responsibility of care of existing client/customer and employees.

A pre condition of employment will be the return of two satisfactory references. This will include one from their current or most recent employer, along with a referee who can comment on the applicants experience to work in a regulated or controlled activity. The referee will be directly asked to comment on the applicant's suitability for the working with children, young people or vulnerable adults.

To complete the Disclosure Application Form, the applicant must return the form to the HR department in person to allow for the inspection by the Counter signatory of the identification documents.

All applicants have the right to have their disclosure information treated sensitively and confidentially and their certificate protected from unauthorized access. Access NI requires the organization to comply with their code of practice. The code of practice is intended to ensure that all the information is handled confidentially, sensitively and fairly by the organisation and all applicants can request a copy of this code of practice.

The lead signatory or Counter signatory and the subject of the application will each receive a copy of the Disclosure, so that a decision can be made about whether any information it contains affects the person's ability to perform the role they have applied for.

Where a Disclosure check reveals a conviction or other information, currently the decision rests with the Council as to whether or not to employ the person in the position that they applied for, bearing in mind their overarching responsibilities for the welfare of the people who use the service.

The Safeguarding Vulnerable Groups Act 2006 Order sets out legal sanctions in relation to barred persons engaging in regulated activity. As such the Council will have a duty to refer these applicants and all other relevant information to the ISA for investigation.

## **Agency Staff**

Any employment agency supplying us with temporary staff to cover regulated positions must carry out an Enhanced Disclosure check to ensure the person's suitability for working with children, young people and vulnerable adults. The Council will ensure employment agencies comply with any legislative requirement in relation to controlled/regulated activities.

## Coaches

The host department will carry out the following procedures for individuals in regulated positions who wish to coach classes:

Consider the skills and qualifications needed for the job to identify if the person is suited to the task. For coaches, host departments should ensure all coaches' certifications are in date and copies should be obtained.

A Coaches Form should be completed. For regulated positions, the application form must indicate that an Enhanced Disclosure from Access NI will be sought and all coaches must provide details in respect of all previous convictions including 'spent' convictions. Any disclosed convictions will be taken into account only when the conviction is considered relevant to the work and will be viewed in the context of the work, the nature of the offence and the responsibility of care of existing client/customer and employees.

The coach must provide a recommendation from a person who will vouch for their suitability to coach children, young people or vulnerable adults.

The host department must meet with the coach, go through the information on their coach's form and once the department is satisfied to consider the coach, HR must be informed.

The HR Lead signatory for Access NI will forward an Access NI Disclosure Application Form to the coach for completion and arrange an agreeable time for inspection of the required identification.

Before commencing, all coaches should be made aware by the host department of the Council's Child Protection Policy and other induction materials and Payroll must be informed.

Coaches will be required to comply with any legislative requirements or changes in relation to controlled/regulated activities. See Appendix 12

## 10. Supervision, support and training

Working with children, young people and vulnerable adults is both worthwhile and fulfilling, but it is also challenging.

Having recruited staff the Council needs to ensure that they will be well informed, trained, supervised and supported, so that staff are less likely to become involved in actions that can cause harm or be misunderstood.

This process should include the following:

- **Induction**

Staff need clear instructions on the tasks and limits that apply to them as newcomers. They need to be familiar with the Safeguarding Policy and Code of Behaviour, as well as other policies such as on Health and Safety.

### **Probationary or trial period**

The Council aims to review the development and suitability of new staff within six months of commencement in post. For seasonal posts and short-term contracts, this period is usually reduced.

### **Supervision and support**

This focuses on the work that new staff need to do, and how they should do it. Leaders and managers can also comment on any good work that the new recruits have done. Supervision provides an opportunity for new staff and volunteers to share concerns about their working environment. This supervision and support may be on a one-to-one basis, or in a group setting. It may be a regular formal meeting, or an informal discussion, as the need arises. It should provide an opportunity for both parties to discuss issues of importance and identify training needs. It is recommended that everyone involved keeps a note of any agreed action points.

- **Training**

As an Investor in People organisation, The Council recognises the importance of excellent training and development practice. It is management's responsibility to identify both the individual and common training needs of our staff and volunteers. (See Appendix 13)

Training should be an ongoing process, and relevant to the roles that people play in the organisation. All staff who work with children, young people and vulnerable adults will participate in safeguarding training, which should include:

- Awareness of Safeguarding issues
- Code of Behaviour
- Reporting procedures
- Guidance on the use of photographs and images of children, young people and vulnerable adults.

All staff will have the opportunity, once a year, to participate in the performance review scheme. For seasonal employees, a review report will be completed at the end of their employment period.

<b>Appendix 1</b>	Legal Context
<b>Appendix 2</b>	Safeguarding guidelines for hirers, coaches and volunteers
<b>Appendix 3</b>	Indicators and effects of abuse
<b>Appendix 4</b>	Bullying
<b>Appendix 5</b>	How to react and what to do
<b>Appendix 6</b>	Procedures for Work Experience/Voluntary Placements/ Young Workers/Vulnerable Adult
<b>Appendix 7</b>	Role and Responsibility of a Designated Officer and Key Worker
<b>Appendix 8</b>	Safeguarding Record Sheet for a member of staff approached by a child, young person or vulnerable adult
<b>Appendix 9</b>	Safeguarding Record Sheet for a member of the public Teacher/Leader/Carer reporting an incident
<b>Appendix 10</b>	Key Worker Record Sheet
<b>Appendix 11</b>	ISA Referral Form
<b>Appendix 12</b>	Information on Access NI and the Vetting and Barring Scheme
<b>Appendix 13</b>	Newtownabbey Borough Council – Safeguarding Training
<b>Appendix 14</b>	Guidance for staff on the use of photographs and images of children, young people and vulnerable adults
<b>Appendix 15</b>	Useful contacts

## APPENDIX 1

### Legal Context

#### UN Convention on the Rights of the Child

The UK Government ratified the UN Convention on the Rights of the Child on 16 December 1991. This Convention consists of fifty-four articles setting out the rights that all children and young people up to the age of eighteen have, no matter where they live or what their circumstances. In relation to this Policy document, children's rights that need to be borne in mind are:

- Article 12** - the right to express views freely in matters affecting him/her
- Article 13** - the right to freedom of expression, to seek, receive and impart Information and ideas of all kinds
- Article 16** - the right to privacy, family, home or correspondence and to no Unlawful attacks on his/her honour and reputation
- Article 19** - the right to protection from all forms of physical or mental Violence, injury or abuse, neglect or negligent treatment, Maltreatment or exploitation including sexual abuse
- Article 32** - the right to protection from economic exploitation
- Article 33** - the right to protection from sexual exploitation
- Article 35** - the right to protection from all forms of exploitation


The ratification of a UN Convention is in itself not a legal statute, however, recognition of children's convention rights were adopted as part of the underpinning value base of the Children (NI) Order 1995

#### Children (NI) Order 1995

The Children (NI) Order 1995 came into force in Northern Ireland on 4 November 1996. There are 5 key principles that underpin the Children (NI) Order, otherwise known as the 5 P's.

#### Principles

- (i) **Paramountcy** - is the fundamental principle in child care law and practice, i.e. that the welfare of the child must be of paramount consideration in decisions taken about him or her.
- (ii) **Parental responsibility** - parents have responsibilities for their children rather than just rights over them. There may be situations where significant adults share this responsibility with one or both parents.

- 
- (iii) **Prevention** - this principle is in regard to the prevention of the possibility of children being separated from their families because of the existence or continuance of a harmful situation.
  - (iv) **Partnership** - the basis of this principle is that the most effective way of ensuring that a child's needs are met is by working in partnership, especially with parents.
  - (v) **Protection** - children should be safe and should be protected by intervention if they are / in danger.

The Children (NI) Order Regulations and Guidance Volume 6: Co-operating to Protect has been reviewed resulting in a number of developments to practice, not least the proposed title of the Regulations and Guidance – Duty to Safeguard. These Regulations and Guidance acknowledges that:

“Safeguarding children” depends upon effective information sharing, collaboration and understanding between families, agencies and professionals....For those children who are suffering, or at risk of suffering significant harm, joint working is essential to safeguard them, and where necessary, to help bring the perpetrators of crimes to justice. The staff of all agencies should:

- Be alert to potential indicators of abuse or neglect;
- Be alert to the risks that individual abusers, or potential abusers, may pose to children;
- Share, and help to analyse information so that an informed assessment can be made of the child's needs and circumstances;
- Contribute to whatever actions are needed to safeguard the child and promote his welfare;
- Work in co-operation with parents unless this is inconsistent with the safety of the child.”

## Human Rights Act 1998

The HRA 1998 is now active law in the province and as a consequence all domestic legislation must be human rights compatible. Therefore, as stated whilst the Children (NI) Order currently promotes children's rights, this legislative statute is now further re-enforced by the local judiciary in line with Human Rights legislation. The Human Rights legislation is effective for all members of society, regardless of age, gender, religion, ability, disability etc. Several of the human rights as stated in law that support the need for and content of this policy are:

- Article 3** - the right to freedom from torture and inhuman or degrading treatment or punishment
- Article 5** - the right to liberty and security of person
- Article 8** - the right to respect for private and family life, home and correspondence
- Article 10** - the right to freedom of expression



## Implications of legislation for Newtownabbey Borough Council

In practical terms, there is a legal duty on Newtownabbey Borough Council, as the provider of a service to children, young people and vulnerable adults, to ensure that the principles identified in the legislation are followed, i.e.:

- to provide a safe environment
- to respect and meet the rights of children, young people and vulnerable adults
- to hear the child/young person/vulnerable adult's voice, views and concerns
- to ensure the person's right to privacy and physical integrity is protected, unless his or her safety and/or well-being is at risk
- to ensure the welfare of the child is of paramount importance in decisions likely to affect him/her
- to work in partnership with customers and external statutory agencies to ensure vulnerable adult and child protection
- to provide effective procedures for the prevention of harm and the protection of all vulnerable adults and children whilst on Newtownabbey Borough Council's premises
- to provide effective guidance to advise staff on how to fulfil their responsibilities

## Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003

The Protection of Children and Vulnerable Adults (NI) Order was made on 27 February 2003.

### BACKGROUND

It was intended that the Order will strengthen existing arrangements, under which checks are carried out as to the suitability of those seeking work with children or adults with a learning disability. In broad terms the Order provides an equivalent to the Protection of Children Act 1999, Part VII of the Care Standards Act 2000 and provisions equivalent to some of those in the Criminal Justice and Court Services Act 2000 in relation to the protection of children.

## The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 was made on 2 May 2007.

### BACKGROUND

This Order provides the legislative framework for a new vetting and barring scheme for people who work with children and vulnerable adults. The purpose of the new scheme is to minimize the risk of harm posed to children and vulnerable adults by those that might seek to harm them through their work (paid or unpaid). It seeks to do this by barring unsuitable individuals not just on the basis of referrals but also at the earliest possible opportunity as part of a centralized vetting process that all those working closely with children and/or vulnerable adults will need to go through. These arrangements will enable vetting and barring processes to operate coherently across the UK.

## APPENDIX 2

### Safeguarding guidelines for hirers, coaches and volunteers

#### Introduction

Newtownabbey Borough Council aims to ensure that children, young people and vulnerable adults are safe while visiting any Council premises. In addition to our responsibilities, we ask that hirers, coaches and volunteers exercise the same responsibilities and follow Council's Safeguarding Policy.

These guidance notes apply to all hirers, coaches and volunteers using Council services and property.

#### In particular, these individuals/groups must:

- make sure they have adequate staff supervision by using the ratios stated earlier in this Safeguarding Policy;
- ensure that they supervise the children, young people and vulnerable adults at all times
- never abuse a child, young person or vulnerable adult in any way;
- ensure adequate insurance cover for the group and leaders; and
- explain to groups what standards of behaviour are expected from the group while using the Council's facilities.

The Hirer has the primary responsibility for the welfare of the children, young people and vulnerable adults at all times.

#### Expected standards of behaviour from groups using Council facilities

Council expects all our visitors and service users to show courtesy and respect for Council property at all times.

Groups should therefore not allow their members to:

- make any sectarian, sexist, racist or other offensive remarks towards any person in their group or any other group;
- vandalise Council property;
- leave litter in or around Council property;
- use bad language;
- smoke;
- bully (verbally or physically); or
- use threatening, abusive or violent behaviour.

If any of the above standards are not followed, Council has the right to refuse future requests to hire or use facilities, and can ask the group to leave.

## APPENDIX 3

### Indicators and effects of abuse

#### Introduction

- Even for those experienced in working with cases of abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. It is unlikely that staff will be experts and it should also be stressed that under the Children (NI) Order 1995, the relevant Health and Social Services Care Trust has a statutory duty to ensure the welfare of a child, young person or vulnerable adult.
- It is Council's responsibility to provide a safe environment for children, young people and vulnerable adults by employing people who are suitable to work with, or to have contact with, children, young people and vulnerable adults. Council will do this by having effective and clear procedures for staff to report any suspicions, through Council procedures, to the relevant Health and Social Service Care Trust.

#### Indications that a child, young person or vulnerable adult may be suffering abuse include:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if they are on a part of the body not normally prone to such injuries.
- An injury for which the explanation seems inconsistent.
- The child, young person or vulnerable adult describing what appears to be an abusive act involving him/herself.
- Someone else – a child or adult – expressing concern about the welfare of the child, young person or vulnerable adult.
- Unexplained changes in the child, young person or vulnerable adult's behaviour over time; e.g. becoming very quiet, withdrawn or displaying sudden outbursts of temper.
- The child, young person or vulnerable adult showing inappropriate sexual awareness for their age.
- The child, young person or vulnerable adult engaging in sexually explicit behaviour in games.
- Distrust of adults, particularly those with whom the child, young person or vulnerable adult previously had, or would normally be expected to have, a close relationship.
- Difficulty in making friends.
- The child, young person or vulnerable adult being prevented from mixing with other children.
- Displaying changes in their eating patterns, including overeating or loss of appetite.
- Loss of weight for no apparent reason.
- Increasingly dirty or unkempt appearance.

This list is not meant to be complete, and the presence of one or more of these indicators is not proof that abuse is actually taking place. It is stressed, however, that it is not the responsibility of managers to prove that abuse is taking place. Instead, it is their responsibility to act on any concerns by reporting them to the Designated Officers.

## APPENDIX 4

### Bullying

Bullying will not be accepted or condoned. Bullying can include:

- Physical pushing, kicking, hitting, pinching etc
- Name calling, sarcasm, spreading rumours, persistent teasing, emotional torment through ridicule and humiliation
- Exclusion from peers
- Harassment
- Gang-bullying
- Racial taunts, graffiti, gestures
- Sexual comments and/or suggestion
- Unwanted physical contact
- Witnesses watching and laughing (as this may encourage the process)

When two children or young people of approximate equal strength or confidence are fighting, it may not be bullying. Bullying usually involves an imbalance of power in the situation, where one person is using their power to hurt or exploit the other.

Children from ethnic minorities, disabled children, young people, gay or lesbian, or those with learning difficulties are more vulnerable to this form of abuse and may well be targeted. Bullying is not an accepted behaviour and anyone found bullying will be dealt with seriously.

### CYBER BULLYING

Cyber bullying will not be accepted or condoned. Cyber Bullying can include:

Inappropriate use of e-mail, instant messaging, chat rooms, pagers, mobile phones, or other forms of information technology to deliberately harass, threaten, or intimidate someone.

Cyber bullying can include such acts as making threats, sending provocative insults or racial or ethnic slurs, derogatory or inappropriate comments on gender or sexual orientation, attempting to infect the victim's computer with a virus, and flooding an e-mail inbox with nonsense messages.



## Action if bullying or cyber bullying is suspected

If bullying is suspected, the same procedure should be followed as set out in Appendix 5.

Action to help the victim and prevent bullying in sport:

- Take all signs of bullying very seriously.
- Encourage all children, young people and vulnerable adults to speak and share their concerns (It is believed that up to 12 children per year commit suicide as a result of bullying, so if anyone talks about or threatens suicide, seek professional help immediately). Help the victim to speak out and tell the person in charge or someone in authority.
- Create an open environment.
- Investigate all allegations and take action to ensure the victim is safe. Speak to the victim and the bully(ies) separately.
- Reassure the victim to trust and reassure that they will be helped, although do not promise not to report the incident.
- Keep records of what is said (what happened, by whom, when).
- Most “low level” incidents can be dealt with at the time. However, if the bullying is severe or if it persists despite efforts to deal with it, incidents should be referred to the Designated Officer.

## Key messages that a victim of bullying needs to hear

- “It’s not your fault” – The child, young person or vulnerable adult being bullied may need help to recognise this. The person doing the bullying can make the child, young person or vulnerable adult feel that it is their fault it is happening. The victim may also feel that they need to change, when the problem is actually with the bullying behaviour.
- “You do not have to face this alone” – Isolation is a big effect of bullying and the stigma that the person is being bullied may create an obstacle in asking for help.

## APPENDIX 5

### How to react and what to do

There is not one simple set of rules to follow when you respond to these situations. However, the following key points should guide the actions of staff and volunteers who are told of abuse or have reason to be concerned:

### Specific Response Procedures

DO	DO NOT
<p><b>Stay calm</b></p> <p><b>Listen</b> and hear Give the person time to say what they want to say</p> <p><b>Reassure</b> them that they have done the right thing in telling someone Record in writing what was said as soon as possible</p> <p><b>Report</b> the matter to a Key worker/ Designated Officers</p> <p><b>Record</b> the report</p>	<p>Panic</p> <p>Ask leading questions (questions that influence the person to give a particular answer)</p> <p>Promise to keep secrets</p> <p>Ask for details of the abuse</p> <p>Make a child, young person or vulnerable adult repeat the story unnecessarily</p>

**Note** It is essential that staff record the exact information (word for word if possible), rather than recording an interpretation of the child's statements.

## APPENDIX 6

### Procedures for work experience/ voluntary placements/ young workers/ vulnerable adults

#### Placement procedures

To ensure the safety of all work experience and voluntary placements, the following procedures must be followed:

#### Application stage:

- All persons interested in either work experience or voluntary work placement with the Council, must contact the Human Resources (HR) department and obtain a request form. On receipt of the completed form, the HR department will consider the request in conjunction with the most relevant Council department.
- Once the work experience or placement has been approved, a placement supervisor will be appointed. This supervisor will be required to complete the Risk Assessment form and return to the HR department. A copy of this form will be provided to the school or education centre and this information must be conveyed to the individual's parent or guardian. A copy of the risk assessment will be retained on the Student File.

#### Prior to Placement:

- The relevant supervisor in conjunction with the Learning and Development section will document an induction plan detailing:
  - Proposed activities for the duration of the student's placement;
  - Who will have overall supervisory responsibility for the student;
  - Details of individuals who the student may be assigned to work with at different times during the placement.
  - Welfare and emergency arrangements etc.
- Any reasonable adjustments that are required need to be in place before the young worker or vulnerable adult commences.

## During the Placement:

- The Responsible Supervisor must:
  - Ensure that an appropriate level of supervision is maintained;
  - Provide adequate information, instruction and training;
  - Ensure that health and safety responsibilities and procedures are discussed and understood;
  - Ensure the young person or vulnerable adult is aware of their duty to take reasonable care of their own health and safety and that of other people who may be affected by their actions;
  - Ensure that they comply at all times with the Council's Health and Safety policy;
  - Arrange regular interviews to discuss progress;
  - Provide assistance and support where required.
- All staff that will come into contact with the student during the work experience placement must adhere to all aspects of this policy and procedural document, plus the requirements of Newtownabbey Borough Council's relevant policies.
- Similar procedures apply to young persons commencing paid employment with the Council.

## Appendix 7

### Roles and Responsibilities of the Designated Officers and Key Worker

#### • Responsibility

The Designated Officers are responsible for acting as a source of advice on safeguarding matters, for co-ordinating action within the Council and for liaising with Health and Social Service Care Trusts and other agencies about suspected or actual cases of child/vulnerable adult abuse.

#### The role of the designated person is to:

- establish contact with the senior member of Social Services' staff responsible for safeguarding in the Council's catchment area;
- provide information and advice on safeguarding within the Council;
- ensure that the Council's Safeguarding Policy and procedures are followed and particularly to inform Social Services within the appropriate Trust of relevant concerns about individual children, young people and vulnerable adults;
- ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing, under confidential cover;
- liaise with the Key Worker in the handling of any concerns regarding safeguarding;
- liaise with Social Services and other agencies, as appropriate;
- keep relevant people within the Council informed about any action taken and any further action required;
- ensure that an individual case record is maintained of the action taken by the Council, the liaison with other agencies and the outcome
- Advise the Council of the need to review policies and procedures and the need for refresher training.

#### The role of the Key Worker is to:

- to act as the first point of contact;
- to discuss future action with the member of staff who made the report;
- to record all action taken and advise the Designated Officers within 24 hours;
- To record all action taken and advise the relevant line management, where appropriate. Details of information provided will be based on the "need to know" principle;
- to ensure all written records in relation to Safeguarding issues are securely and confidentially filed;
- to seek advice from the relevant agencies/PSNI/Social Services;
- to keep up to date with relevant Safeguarding legislation, good practice and developments;
- to liaise with the Designated Officers to ensure the ongoing implementation and review of the Council's Safeguarding Policy; and
- To fulfil any other relevant duties which may become apparent as the role of Key Worker develops.

## Confidentiality

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need to know basis only. This includes the following people:

- The Designated Officer.
- The parents of the person who is alleged to have been abused.
- The person making the allegation.
- Social Services.
- PSNI.
- The (Organisation/Club) Regional Development Manager and (Sport Governing Body) Safeguarding Officer.
- Advice will be sought from Social Services on who should approach the alleged abuser.

## Appendix 8

### SAFEGUARDING RECORD SHEET FOR A MEMBER OF STAFF APPROACHED BY A CHILD, YOUNG PERSON OR VULNERABLE ADULT

#### Part 1

To be completed by member of staff approached by child, young person or vulnerable adult  
who observed an incident against a child, young person or vulnerable adult.  
Please complete as many sections as possible

Staff member approached: \_\_\_\_\_

Date and time of incident: \_\_\_\_\_

Location: \_\_\_\_\_

Name of vulnerable adult/child (if known): \_\_\_\_\_

and/or Group name: \_\_\_\_\_

Age of vulnerable adult/child (if known): \_\_\_\_\_

Address of parents/organising group/name of school/name of facility, as appropriate:  
\_\_\_\_\_

Physical description of vulnerable adult/child as follows:

Gender: \_\_\_\_\_

Height and build: \_\_\_\_\_

Colour and length/style of hair: \_\_\_\_\_

Clothing: \_\_\_\_\_

Or any distinguishable feature to help recognition: \_\_\_\_\_

Supervisor on duty at the time: \_\_\_\_\_

Name of any other person's involved/present/witnessing the incident:  
\_\_\_\_\_

Incident / disclosure: (including what was heard & seen and any other descriptions)

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Record of child, young person or vulnerable adult's statements:

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Any Other Comments:

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Any Other Action Taken:

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Signature of Staff Member Involved: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_

Key worker/Designated Officer attending (if applicable): \_\_\_\_\_

Signature of Designated Officer: \_\_\_\_\_ Date: \_\_\_\_\_

Print name: \_\_\_\_\_



Any other comments:

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Advice Sought

Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Who advice sought from?: \_\_\_\_\_

Which Agency?: \_\_\_\_\_

Advice given:

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Action agreed:

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Action taken (incl day, date & time):

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Referred to: (Person and Organisation)

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Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

If not referred, reason why:

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Feedback given to staff involved:

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Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Print name: \_\_\_\_\_

## Appendix 9

### SAFEGUARDING RECORD SHEET FOR A MEMBER OF THE PUBLIC/TEACHER/LEADER/CARER REPORTING AN INCIDENT

Name of the Member of the Public:

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Date, Time and Location:

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Address:

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Telephone Nos:

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Incident / disclosure: (incl. what was heard & seen and any other description)

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Signature of Member of Staff Involved: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Member of Staff Involved: \_\_\_\_\_  
(if possible)

Date: \_\_\_\_\_

Signature of Member of Staff Involved: \_\_\_\_\_

Date: \_\_\_\_\_



Advice Sought:

Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Who advice sought from: \_\_\_\_\_

Which Agency: \_\_\_\_\_

Advice given:

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Action agreed:

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Action taken (incl day, date & time):

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Referred to: \_\_\_\_\_

Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

If not referred, reason why:

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Feedback given to staff involved:

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Day: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

File closed:

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

## Appendix 10

### RECORDING/REFERRAL SHEET

To be completed by Line Manager/Duty manager/Key worker

Please ensure questions are fully answered.  
This form must be kept in a secure place

DATE OF MEETING(S): \_\_\_\_\_

Names of those attending and positions:

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Department: \_\_\_\_\_

Section: \_\_\_\_\_

Work Location/Centre: \_\_\_\_\_

Briefly describe incident concerned – including dates:

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Was the incident recorded by the member of staff concerned?

YES

NO

Date and time report received: \_\_\_\_\_

If no - state reasons incident was not recorded:

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If more than 24 hours have elapsed between receipt of the report and the initial meeting - please state reasons for delay:

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Key issues discussed:

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Decision made:

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Signed and Dated: \_\_\_\_\_

Key Worker: \_\_\_\_\_

Others in attendance at Meeting:

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Date passed to Designated officer: \_\_\_\_\_



## APPENDIX 11

### ISA REFERRAL FORM

Please follow link:

[http://www.isa.gov.org/Docs/SVGA2006\\_ISA\\_Referral\\_form\\_19-09-2009.doc](http://www.isa.gov.org/Docs/SVGA2006_ISA_Referral_form_19-09-2009.doc)

## APPENDIX 12

### INFORMATION ON ACCESS NORTHERN IRELAND

#### What is Access Northern Ireland (NI)?

Access NI was established by a joint programme between the Northern Ireland Office and the department of Health, Social Services and Public Safety, the Department of Education and the Police Service of Northern Ireland. Access NI is not a vetting service; however it does allow organisations in Northern Ireland to make more informed recruitment decisions by providing criminal history information about anyone seeking paid or unpaid work in certain defined areas, such as working with children, young people and vulnerable adults. Access NI operates under the provisions of Part V of the Police Act 1997.

#### Who uses Access NI and why?

The services of Access NI can be used by individuals or organisations in situations where an employer requires a job applicant to supply criminal history information. Once an application is submitted to Access NI and checks carried out, a Disclosure Certificate will be produced. The Disclosure Certificate will provide details of the Applicants criminal records, if they have one. The details provided will depend on the level of disclosure required.

#### Basic Disclosures:

Provide details of convictions considered to be unspent under the Rehabilitation of Offenders Order 1978 or state that no such convictions were found.

#### Standard Disclosures:

Provide details of the spent and unspent convictions and cautions.

Please note that from 12 October 2009, Standard Disclosures will not contain information about those included on the Independent Safeguarding Authority's (ISAs) Children's list or Vulnerable Adults list and therefore barred from working with children or vulnerable adults. Standard Disclosures are not suitable for those working with children and vulnerable adults in regulated and controlled activity, providing day care, childminding, fostering or adoption services. While such posts are included within the scope of the Exceptions Order, an Enhanced Disclosure must be sought.



## Enhanced Disclosures:

Contain all information in the Standard Disclosures in addition to any other relevant information held on police records or by any law enforcement agencies. Enhanced Disclosures are used mainly for positions that involve contact with children or vulnerable adults.

The type of work will involve regulated or controlled activity, as defined in the Safeguarding **Vulnerable Groups (NI) Order 2007** or regularly caring for, supervising, training or being in sole charge of young people; or regular contact with residents of care homes or providing services to unwell, infirm or disabled people.

An individual can apply for a basic disclosure but a Registered Body is the mechanism through which Standard or Enhanced Disclosures are sought.

Newtownabbey Borough Council is registered with Access NI as a 'registered body'. A member of the HR team is the Lead signatory for the organisation and is responsible for the management of the disclosure process and the Council's relationship with Access NI. The HR team may also nominate counter signatories to assist with the management of the disclosure process.

## Standard and Enhanced Disclosure Process

### Step one:

The type of disclosure check is determined by examining the definitions of 'Regulated Activities' or 'Controlled Activities'. The applicant must be made aware of the level of disclosure required and have opportunity to review Access NI code of practice, if they so wish.

### Step two:

The applicant must complete a Disclosure Application Form completing parts A, B and C of the form.

### Step three:

The completed form must be returned in person and the Lead Signatory or Counter Signatories must verify the applicants' identity and complete Parts E, F and G of the Disclosure Application Form. Applicants must produce appropriate **identification** documents. Please refer to:

<http://www.dojni.gov.uk/accessni>

### Step four:

The Registered Body forwards the completed Disclosure Form to Access NI.

### Step five:

Access NI will carry out a Standard or Enhanced Disclosure Check on the applicant and issue a Disclosure Certificate to both the Registered Body and the Applicant.

Further details on Access NI and the service they provide is available from:

<http://www.dojni.gov.uk/accessni>



## INFORMATION ON THE VETTING AND BARRING SCHEME

The Independent Safeguarding Authority (ISA) has been created to help prevent unsuitable people from working with children and vulnerable adults. The ISA has been set up to help implement the 'Vetting and Barring' scheme and make decisions over who should be barred from working with vulnerable people in England, Wales and Northern Ireland.

From 12th October 2009, certain employers may face fines of up to £5,000 if they fail to report an employee who harms or poses a risk of harm to children or vulnerable adults under the new Vetting and Barring Scheme (VBS).

The Scheme is one of the Government's key responses to the Bichard Inquiry which followed the murders of Holly Wells and Jessica Chapman by Ian Huntley. The events in Soham focused public attention on the way people who work with children are vetted. The resulting inquiry recommended a new scheme that would ensure that everyone working in regulated activity with children or vulnerable adults is checked and registered.

Access NI and CRB are responsible for processing applications to the Scheme and CRB is responsible for the monitoring features of the Scheme on behalf of Northern Ireland, England and Wales.

The new barred lists will replace the existing Disqualification from Working with Children (DWC) List, Disqualification from Working with Vulnerable Adults (DWVA) List and the unsuitable Persons (UP) List in Northern Ireland, the Protections of Children Act (PoCA) List, List 99 and the Protection of Vulnerable Adults (PoVA) List in England and Wales as well as the current.

## EMPLOYER RESPONSIBILITIES

Those employing people in **regulated or controlled activities** now have a legal duty to refer a worker or volunteer to the ISA if they remove that person for causing harm or risk of harm to a child or vulnerable adult. (Referral Guidelines and VBS Guidance available on ISA website [www.isa-gov.org.uk](http://www.isa-gov.org.uk).)

Employers must decide which posts are **regulated** and which are **controlled**.

### The timeframe for the Vetting and Barring Scheme

#### 12th October 2009

This was the scheme's launch date, the following changes came into operation:

- the definitions of regulated activity and controlled activity came into operation
- the offence of working in a regulated activity while barred came into effect
- the offence of knowingly allowing a barred person to work in regulated activity came into effect

From this date organisations are eligible to ask for enhanced CRB disclosures with barred list checks on any new, or moving, staff engaging in regulated activity.

#### April 2010

From this date new members of staff, including those moving within an organisation, engaging in controlled activity, will need to have an enhanced CRB disclosure with a barred list check.

More information available from The Independent Safeguarding Authority web page - [www.isa-gov.org.uk](http://www.isa-gov.org.uk)

## Appendix 13

### Newtownabbey Borough Council – Safeguarding Training

The following levels of Safeguarding Training will be offered to appropriate Council departments, managers and staff. The aim is to increase awareness of Safeguarding issues and procedures set out in the Newtownabbey Borough Council Safeguarding Policy.

The training will be provided on four different levels as follows:

<b>CUSTOMER CARE</b>
For staff who have general contact with the public, an additional element to the Customer Care Course will be provided on Codes of Behaviour and familiarisation with the Council's Safeguarding Policy

<b>INTRODUCTORY LEVEL COURSE</b>	
Duration:	1 hour
Who for:	Any staff who have regular contact with children
Content:	<p>Awareness of safeguarding issues:</p> <ul style="list-style-type: none"><li>• What is abuse?</li><li>• Who abuses?</li></ul> <p>Signs and Symptoms Dealing with Disclosure</p> <p>Code of Behaviour:</p> <ul style="list-style-type: none"><li>• Why a code of behaviour?</li><li>• Protecting children and workers</li><li>• The use of a code of behaviour</li></ul> <p>Newtownabbey Borough Council's Policy and Reporting Procedures</p>

<b>INTERMEDIATE LEVEL</b>	
Duration:	3 hours
Who for:	Anyone who works within a regulated position
Content:	<p>Awareness of safeguarding issues including:</p> <ul style="list-style-type: none"> <li>• What is abuse?</li> <li>• Who abuses?</li> </ul> <p>Signs and symptoms Dealing with Disclosure</p> <p>Code of Behaviour:</p> <ul style="list-style-type: none"> <li>• Why a code of behaviour?</li> <li>• Protecting children and workers</li> <li>• The use of a code of behaviour</li> </ul> <p>Awareness of issues around:</p> <ul style="list-style-type: none"> <li>• Working with children, young people and vulnerable adults from ethnic backgrounds or with disabilities</li> <li>• Dealing with bullying</li> </ul> <p>Newtownabbey Borough Council's Policy and Reporting Procedures</p> <p>Guidance and awareness of the Vetting and Barring Scheme</p>



<p><b>ADVANCED LEVEL COURSE</b></p>	
<p>Duration:</p>	<p>Attendance at the Intermediate Course is a prerequisite to attending this course.</p> <p>3 hours</p>
<p>Who for:</p>	<p>Employees who have completed the Intermediate course and are also a Designated Officer or Key worker under the procedure for reporting child protection and vulnerable adult protection issues.</p>
<p>Content:</p>	<p>Awareness of safeguarding issues:</p> <ul style="list-style-type: none"> <li>• What is abuse?</li> <li>• Who abuses?</li> <li>• Signs and symptoms</li> <li>• Dealing with disclosure</li> </ul> <p>Recruitment and Selection of Staff and Volunteers</p> <p>Supervision, Support and Training</p> <p>Code of Behaviour:</p> <ul style="list-style-type: none"> <li>• Why a code of behaviour?</li> <li>• Protecting children, young people, vulnerable adults and workers</li> <li>• The use of a code of behaviour</li> </ul> <p>Awareness of issues around:</p> <ul style="list-style-type: none"> <li>• Working with children, young people and vulnerable adults from ethnic backgrounds or with disabilities</li> <li>• Dealing with bullying</li> <li>• Residential issues</li> </ul> <p>Policy and procedures:</p> <ul style="list-style-type: none"> <li>• Newtownabbey Borough Council's Policy</li> <li>• Reporting procedures</li> <li>• Development of a Policy</li> <li>• Dealing with concerns</li> </ul> <p>Guidance and awareness of the Vetting and Barring Scheme</p>

## Appendix 14


Guidance for Staff on the use of photographs and images of children, young people and vulnerable adults

### 1. Rationale

- 1.1 Within both local child-care and human rights legislation, children, young people and vulnerable adults have been given a number of rights ensuring protection from exploitation of any kind plus the right to privacy, family, home or correspondence and to no unlawful attacks on his/her honour and reputation. Children, young people and vulnerable adults are considered to be a “vulnerable group” and therefore must be protected. These rights ensure that their physical integrity, person and image cannot be exploited in any way.
- 1.2 As a result of these legislative drivers, an accepted best practice approach has been developed. Schools, agencies, organisations, companies and individuals must acquire written signed consent to take a photograph, video or digital image of a child, young person or vulnerable adult. The signed consent is to be acquired from the child’s parent or person with parental responsibility and/or the young person if s/he is of competent age to make his/her own decisions, or the adult with responsibility for the vulnerable adult.

### 2. Newtownabbey Borough Council Practice – individual and small groups of children, young people and vulnerable adults.

- 2.1 In all marketing and company materials produced by or for them, Newtownabbey Borough Council require written confirmation from all PR, photographic and printing companies that signed written consent has been acquired from all individuals, small groups of children or young people and vulnerable adults for use of their photographs or images. Council deems a small group of children, young people or vulnerable adults to be no more than eight. Alternatively, such PR, photographic and printing companies may confirm use of pre-consented children’s or vulnerable adults’ photographic packs produced via CD ROMs or disks. Images downloaded from the Internet will not be acceptable for use by Newtownabbey Borough Council.
- 2.1 At promotional, special or client organised events, facilitated either at Newtownabbey Borough Council’s premises or at any external venue, council staff may wish to take a photograph or digital image of an individual or small group of children, young people or vulnerable adults who are enjoying Newtownabbey Borough Council’s services. Staff will acquire signed written consent from **all** the children, young people or vulnerable adults present or their parents/carer, involved in the photograph and/or image. The signed written consent will be completed on Newtownabbey Borough Council’s standard Consent Form. If signed written consent is not acquired by all the children, young people, vulnerable adults or their parents/carer, then the photograph or image will not be used by Newtownabbey Borough Council but will be destroyed immediately on processing.
- 2.2 Appropriate services will keep the photographs and images acquired from such events. They are also responsible for collecting and keeping the signed Consent Forms as such documents will contain personal information such as contact details of the child/young person/vulnerable adult. These photographs and documents will be kept securely and confidentially.



2.3 All other staff members must seek permission from the Marketing and PR Manager for additional usage of any photographs and images. They will be used by Newtownabbey Borough Council for:

- Public Relations including media coverage
- Internal training and/or marketing presentations
- Processing on to the original customer/event organising group

These reasons for use have been detailed on the standard Consent Form so that parents, carers, children, young people and vulnerable adults are made aware of the limited usage of their photograph or image.

2.4 Newtownabbey Borough Council will only pass individual or small group photographs to photographers, journalists or other individuals involved with the Media if consent has been given for the photograph to be taken.

2.5 The date when the photograph and/or digital image were taken will be recorded on them. These photographs and images will be retained by Newtownabbey Borough Council.

### **3 Newtownabbey Borough Council Practice – large groups of children and young people**

It is recognised that there are practical difficulties in obtaining signed written consent from all members of a large group of children, young people or vulnerable adults.

A large group of Children, young people or vulnerable adults is nine or more. In light of this, Newtownabbey Borough Council have developed the following approach:

3.1 Newtownabbey Borough Council will not require the provision of large group photographs from PR, photographic and printing companies for inclusion in marketing and company materials.

3.2 At promotional, special or client organised events facilitated either at Newtownabbey Borough Council's premises or at any external venue, Council staff may wish to take a large group photograph or digital images of children, young people or vulnerable adults enjoying Newtownabbey Borough Council's services. The purpose of using such photographs or images is detailed in 2.4 and 2.5 above.

3.3 In making reasonable efforts to protect and respect the rights of children, young people and vulnerable adults, Newtownabbey Borough Council will, in tender documents, contracts and/or confirmation of work correspondence, advise the following:

“At events organised, facilitated, sponsored or supported by Newtownabbey Borough Council, we may take photographs, digital images and/or video footage of large groups of children, young people or vulnerable adults enjoying our services. We deem a large group to be nine or more people. Newtownabbey Borough Council may use these photographs or images for:

- Public Relations
- Internal training and/or marketing presentations
- Processing onto the original customer/event organising group

If for any reason your organisation and/or individual children, young people or vulnerable adults from your organisation or who may attend the event, do not wish to be included in such photographs or images, please advise a Newtownabbey Borough Council representative in confidence, and he/she will ensure that we comply with your wishes.”

- 4. Companies, customers and event organisers will be advised of these procedures in relation to photographs and image taking of children/young people/vulnerable adults in advance and as part of the confirmation of contract.**

## Appendix 15

### Useful contacts

RELEVANT TRUSTS	
<p><b>Northern Health and Social Care Trust</b> The Cottage 4 Greenmount Avenue Ballymena County Antrim BT43 6DA</p> <p>Tel: 0845 6012333 Fax: (028) 2563 3733</p>	<p><b>The South Eastern Health and Social Care Trust Trust Headquarters</b> Top Floor Thompson House Hospital 19/21 Magheralave Road Lisburn Co Antrim BT23 3BP</p> <p>Tel: 028 9266 9111</p>
<p><b>Southern Health and Social Care Trust</b> Craigavon Area Hospital 68 Lurgan Road Craigavon BT63 5QQ</p> <p>Tel: 028 3861 3950 Fax: 028 3833 5496</p>	<p><b>Western Health and Social Care Trust Trust Headquarters</b> Chief Executive's Office Trust HQ Altnagelvin Area Hospital Site Glenshane Road Londonderry BT47 6SB</p> <p>Tel: 028 71 345171</p>
<p><b>Belfast Health and Social Care Trust</b> Knockbracken Health and Social Care Trust Saintfield Road Belfast BT8 8HB</p> <p>Tel: 028 9096 0000</p>	

<b>INFORMATION AND TRAINING</b>	
<p><b>Volunteer Now</b> 129 Ormeau Road Belfast, BT7 1SH</p> <p>Tel: 028 9023 6100 Fax: 028 9023 7570 Email: <a href="mailto:info@volunteering-ni.org">info@volunteering-ni.org</a> Web: <a href="http://www.volunteernow.co.uk">www.volunteernow.co.uk</a></p>	<p><b>Youth Net</b> The Warehouse 7 James Street South Bedford Street Belfast BT2 3JH</p> <p>Tel: 028 9033 1880</p>
<p><b>Child Care NI</b> 216 Belmont Road Belfast BT4 2AT</p> <p>Tel: 028 9065 2713</p>	<p><b>Mencap</b> Segal House 4 Annadale Avenue Belfast BT7 3JH</p> <p>Tel: 028 9069 1351</p>
<p><b>NIPPA</b> 6C Wildflower Way Apollo Road Belfast BT12 6TA</p> <p>Tel: 028 9066 2825</p>	<p><b>Kidscape</b> 12 Buckingham Palace Road London SUW 9TR</p>
<p><b>Sports Council NI</b> House of Sport Upper Malone Road Belfast BT9 5LA</p> <p>Tel: 028 9038 1222</p>	<p><b>Disability Action</b> 189 Airport Road West Belfast BT3 9ED</p> <p>Tel: 028 90297880</p>

<b>ADVICE AND COUNSELLING</b>	
<p><b>NSPCC</b> Child Protection Helpline 24 hours, call free</p> <p>Tel: 0800 800500</p>	<p><b>Childline (NI)</b> PO Box 111 Belfast BT1 7DZ</p> <p>Tel: 028 9032 7773 Freephone 0800 1111</p>
<p><b>Contact Youth</b> 2A Ribble Street Belfast BT4 1HW</p> <p>Tel: Youthline Freephone 0808 8088000 (ay, 4-9pm)</p>	<p><b>Nexus Institute - Awareness of Abuse</b> 119 University Street Belfast BT7 1HP</p> <p>Tel: 028 9032 6803</p>
<p><b>Independent Safeguarding Authority</b></p> <p>Tel: 0300 123 1111</p>	
<p><b>Access Northern Ireland</b> Brooklyn 65 Knock Road Belfast BT5 6LE</p> <p>Tel: 02890 259100 Fax 02890 259186 E-mail accessni@ani.x.gsi.gov.uk</p>	

