



CHILD PROTECTION AND SAFEGUARDING POLICY 2024

Contents:

- 1. Statement of Intent**
- 2. Legal Framework and Legislation**
- 3. Staff / Team Recruitment**
- 4. Training and Induction**
- 5. Definition of Safeguarding**
- 6. Types of Abuse**
- 7. Recognising Cultural Diversity in Safeguarding**
- 8. Equal Opportunities and Safeguarding**
- 9. Pupils with Special Educational Needs**
- 10. Mental Health**
- 11. Staff / Team Responsibilities**
- 12. Guidelines for MINDHEART staff and volunteers**
- 13. Good Practice – Advice on Disclosure**
- 14. Sharing Information about Child Protection**
- 15. Safeguarding and the Creative Arts Therapies**
- 16. Explaining Confidentiality to Children**
- 17. Record Keeping**
- 18. GDPR**
- 19. Safeguarding Allegation against a member of MINDHEART team**
- 20. Whistleblowing**

1. **Statement of Intent**

MINDHEART offers different provisions – Creative Arts Therapies, CPD, Peer Support Groups, Supervision and Workshops to children and young people, families and school staff at different Primary and Secondary Schools, as well as Creative Arts Therapies, Workshops/Training and Supervision to mental health professionals within mental health organisations in South London.

This policy applies to all paid supervisors, therapists and volunteers/trainee therapists on placement.

Supervisors, therapists and volunteers will receive a handbook, induction and participate in online safeguarding training. Additionally, they will have a safeguarding induction in the school/organisation where they are based. All therapists, supervisors and volunteers will read, and sign policies and procedures created by MINDHEART and relevant key legislation from the Government.

MINDHEART will review its safeguarding policy and procedures every year.

This policy sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation, statutory guidance and safeguarding protocol from each institution.

It will be achieved by:

- Creating a culture of safer recruitment. Directors and any new therapists, supervisors, trainees and volunteers are only appointed when all the appropriate checks have been satisfactorily completed.
- Supporting children and recipients of interventions to feel safe to speak about a range of experiences and recognise unacceptable behaviour.
- Ensuring that all MINDHEART employees, contractors, trainees and volunteers understand their responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child abuse and know how to refer their concerns.

2. **Legal Framework**

This policy has been created with due regard to all relevant legislation including, but not limited to, the following:

Legislation

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- Sexual Offences Act 2003
- Data Protection Act 2018
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
- Voyeurism (Offences) Act 2019

Statutory Guidance

- HM Government (2013) 'Multi-agency practice guidelines: Handling cases of Forced Marriage' DfE (2018) 'Working Together to Safeguard Children'
- DfE (2015) 'The Prevent Duty'
- DfE (2020) 'Keeping Children Safe in Education'
- DfE (2018) 'Disqualification under the Childcare Act 2006'
- DfE (2017) 'Statutory Framework for EYFS'

Non-statutory Guidance

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information Sharing'
- DfE (2017) 'Child Sexual Exploitation'
- DfE (2018) 'Sexual Violence and Sexual Harassment Between Children in Schools and Colleges'
- NPCC – When to Call the Police
- Extremism and Radicalisation Policy

3. Staff / Team Recruitment

MINDHEART's therapists, supervisors, trainees and volunteers will have excellent awareness and understanding of safeguarding issues.

All therapists, supervisors, trainees or volunteers working for MINDHEART will be registered with their professional body such as HCPC (Health and Care Professions Council) and subject to an Enhanced DBS check.

Two references are always taken up for candidates who successfully complete the interview stage, with specific reference to the applicants' awareness of safeguarding.

4. Training and Induction

Before starting work with children and young people, all therapists/supervisors/trainees/volunteers, will complete safeguarding training, which will form part of the induction to MINDHEART.

Refresher training will also happen every two 2 years or when new legislation comes out.

Schools will also offer an induction for the therapists based at their institution; this will cover child protection procedures.

5. Definition of Safeguarding

(Working Together to Safeguard Children 2015)

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring children are growing up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all children to have the best chances.

Safeguarding can involve a range of potential issues, such as

- Child Sexual Exploitation (CSE)
- Domestic abuse
- Human Trafficking
- Peer on peer abuse
- Bullying
- Substance misuse
- Sexting

Therapists/supervisors/trainees/volunteers are expected to access information and learning tools from [Lambeth Safeguarding Children Partnership | London \(lambethsaferchildren.org.uk\)](http://lambethsaferchildren.org.uk) to understand further key safeguarding themes emerging locally and nationally.

All employees, contractors, trainees and volunteers of MINDHEART will be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be given a specific label, and multiple issues often overlap one another. Therapists, supervisors, trainees and volunteers will be aware of the indicators of abuse and the appropriate action to take following a child being identified as at potential risk of abuse or neglect.

When identifying children and young people at risk of potential harm, therapists/trainees/volunteers will look for indicators including, but not limited to, the following:

- Injuries in unusual places, such as bite marks on the neck, that are also inconsistent with their age
- Lack of concentration and acting withdrawn
- Knowledge ahead of their age, e.g. sexual knowledge
- Use of explicit language
- Fear of abandonment
- Depression and low self-esteem

All therapists/supervisors/trainees/volunteers will be aware of the indicators of peer-on-peer abuse, such as those in relation to bullying, gender-based violence, sexual assaults and sexting. They will also be aware of the effects of a child witnessing an incident of abuse, such as witnessing domestic violence at home. Contextual safeguarding – as individuals grow and become more independent, risks may lie outside home environments and situations. Therapists/supervisors/trainees/volunteers will be aware of the potential risks of digital online exposure.

6. **Types of Abuse and Neglect**

Abuse: A form of maltreatment of a child that involves inflicting harm or failing to act to prevent harm. Children may be abused in a family, institutional or community setting by those known to them or, more rarely, by others, e.g., via the internet.

Physical abuse: A form of abuse that may involve hitting, throwing, burning, drowning and poisoning, or otherwise causing physical harm to a child. Physical abuse can also be caused when a parent fabricates the symptoms of or deliberately induces illness in a child.

Emotional abuse: A form of abuse that involves the emotional maltreatment of a child to cause severe and adverse effects on the child's emotional development. This may include telling a child they are worthless, unloved, inadequate, not giving them the opportunities to express their views, deliberately silencing them, or often making them feel as though they are in danger.

Sexual abuse: A form of abuse that involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, and whether the child is aware of what is happening. This may involve physical assault, such as penetrative assault and touching, or non-penetrative actions, such as looking at sexual images or encouraging children to behave in inappropriate ways.

Neglect: A form of abuse which involves the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of a child's health or development. This may involve providing inadequate food, clothing or shelter, or the inability to protect a child from physical or emotional harm and/or ensure access to appropriate medical treatment.

7. Recognising Cultural Diversity in Safeguarding

FGM (Female Genital Mutilation)

For the purpose of this policy, FGM is defined as the partial or total removal of the external female genitalia or any other injury to the female genital organs. FGM is considered a form of abuse in the UK and is illegal.

All therapists/supervisors/trainees/volunteers will be alert to the possibility of a girl being at risk of FGM or already having suffered FGM. If they are worried about someone who is at risk of FGM or who has been a victim of FGM, they are required to share this information with social care and/or the police.

Therapists/supervisors/trainees/volunteers will not examine children and young people, so they will rarely see any visual evidence, but they will report to the school and police where an act of FGM appears to have been carried out. Unless the therapist/supervisor/trainee/volunteer has a good reason not to, they should also consider and discuss any such case with the DSL from the school, MINDHEART and involve Children's Social Care Services (CSCS) as appropriate.

FGM is also included in the definition of 'Honour-Based' Abuse (HBA), which involves crimes that have been committed to defend the honour of the family and/or community, alongside forced marriage and breast ironing.

Forced Marriage

For the purpose of this policy, a “forced marriage” is defined as a marriage that is entered into without the full and free consent of one or both parties, and where violence, threats or any other form of coercion is used to cause a person to enter into the marriage. Forced marriage is classed as a crime in the UK.

If therapists/supervisors/trainees/volunteers have any concerns regarding a child who may have undergone, is currently undergoing, or is at risk of forced marriage, they will speak to the DSL of the school and of MINDHEART and school / local safeguarding procedures will be followed – this could include referral to CSCS, the police or the Forced Marriage Unit.

Radicalisation

Radicalisation is an issue in all areas of the country. Therapists/supervisors/trainees/volunteers may be asked by their school/organisation to complete online training in relation to this.

8. Equal Opportunities and Safeguarding

MINDHEART employees, contractors, trainees and volunteers adhere to the following statement:

"The Equality Act 2010 puts a responsibility on public authorities to have due regards to the need to eliminate discrimination and promote equality of opportunity. This applies to the process of identification of need and risk faced by the individual child and the process of assessment. No child or group of children must be treated any less favourably than others in being able to access effective services which meet their particular need."

9. Pupils with SEND (Special Educational Needs)

MINDHEART recognises that pupils with SEND can face additional safeguarding challenges and understands that further barriers may exist when determining abuse and neglect in this group of children.

Therapists/supervisors/trainees/volunteers will be aware of the following:

- Certain indicators of abuse, such as behaviour, mood and injury, may relate to the child’s disability without further exploration; however, it should never be assumed that a child’s indicators pertain only to their disability.
- Children with SEND can be disproportionately impacted by things like bullying, without outwardly showing any signs.
- Communication barriers may exist, as well as difficulties in overcoming these barriers.

When reporting concerns or making referrals for children and young people with SEND, the above factors will always be considered.

When managing a safeguarding issue relating to a child with SEND, the staff from MINDHEART will liaise with the school’s DLS and SENCO / organisation’s DLS, as well as the child’s family where appropriate, to ensure that the child’s needs are effectively met.

10. Mental Health

All MINDHEART therapists, supervisors, trainees and volunteers should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Therapists and Supervisors however, are well placed to observe children every week and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that therapists/supervisors/trainees/volunteers from MINDHEART are aware of how these children's experiences can impact their mental health, behaviour, and education.

If therapists/supervisors/trainees/volunteers have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following protocol outlined during induction and speaking to the DSL and DDSL of the school / organisation they are based, and report to the DSL and DDSL of MINDHEART.

11. **Staff / Team Responsibilities**

Nicola Thorp (Co-Founder of MINDHEART) is the Designated Safeguarding Lead for MINDHEART, and all concerns regarding safeguarding should be reported to her. Yolanda Calzado Gil (Co-Founder of MINDHEART) is the Deputy Designated Safeguarding Lead. The Designated Leads are responsible for recording, acting upon or escalating all instances of alleged or reported safeguarding issues.

All therapists/supervisors/trainees/volunteers will be given the emergency contact details of the DSL, Deputy and the details of the MASH (Multi-Agency Safeguarding Hub) team relevant to the location where their school/organisation is based. It is the responsibility of all therapists/supervisors/trainees/volunteers to identify the Designated Safeguarding person in the setting where they are working and be aware of their duty of care and the procedures required to report any safeguarding issues.

12. **Guidelines for all MINDHEART Therapists Supervisors, Trainees, and Volunteers**

Attitudes

Therapists, supervisors, trainees and volunteers should be committed to

- o Valuing each child and young person
- o Always listening to what a child or young person is saying
- o Treating children and young people with respect and dignity
- o Recognising the unique contribution each individual can make

Therapists, supervisors, trainees and volunteers should endeavour to

- o Provide an example that we wish others to follow
- o Use appropriate language with children and young people
- o Respect a young person's right to privacy

Physical Contact

Therapists, supervisors, trainees and volunteers should never

- o Engage in sexually provocative or rough physical games which could be misinterpreted
- o Do things of a personal nature that a child or young person can do themselves
- o Allow, or engage in, inappropriate touching of any kind

General

Therapists, supervisors, trainees and volunteers should

- o Never exaggerate or trivialise child abuse issues
- o Never draw any conclusions about others without checking the facts
- o Be aware that someone might misinterpret our actions no matter how well-intentioned

13. Good Practice - Advice on Disclosure

- Never guarantee absolute confidentiality; Child Protection always takes precedence
- Listen to the child rather than question them directly. Reassure them without making promises and take what the child says seriously.
- Allow the child to speak without interruption. Accept what is said – it is not your role to question or investigate. Do not overreact.
- Alleviate feelings of guilt and isolation, while passing no judgement.
- Advise you will try to offer support, but that you must pass the information on. Explain what we will have to do and whom you will have to tell.
- Record the discussion accurately, as soon as possible after the event. Use the child's words or explanations – do not translate into your own words in case you misconstrued what the child was trying to say.
- If the child has made a serious disclosure, or you believe they are about to, ask the child if they would like to go with you to tell the Designated Safeguarding Officer within the school/organisation you are based/worked in so that the child can deliver the disclosure directly to this person. This removes the therapist from needing to escalate further and can remove any barriers associated with multiple professionals being involved at the disclosure stage.
- Contact Nicola or Yolanda for advice.
- Record any discussions/actions taken within 24 hours.
- Discuss any disclosures in clinical supervision.

14. Sharing Information about Child Protection and Good Practice with Children, Staff and Volunteers

Good communication is essential in any organisation. MINDHEART will make every effort to assure that should individuals have concerns they will be listened to and taken seriously.

It is the responsibility of the management to ensure that information is available to and exchanged between all those involved in this organisation and its activities.

Some information is confidential and should only be shared on a strictly need to know basis.

When information is requested from an outside agency on the work of MINDHEART, directors/employees/contractors/trainees/volunteers will question why the information is being requested, who by, and for what purposes before releasing any information. This is to safeguard confidentiality and data protection.

Children and Young People

Children and young people have the right to information, especially any information that could make life safer and better for them. MINDHEART will act to ensure they have information on how and with whom they can share their concerns, complaints, and anxieties. When sharing information, MINDHEART will be sensitive to the level of understanding and maturity, as well as the level of responsibility of the people with whom they are sharing.

Parents

Parents/persons with parental responsibility are ultimately responsible for their children's welfare and they should be assured that their children are involved with a credible organisation.

We achieve this by:

- Publicising information about our work
- Publishing the names of Designated Child Protection Person(s) and how to make a complaint on our website
- Publishing a full copy of our Child Protection Policy on our website

Employees Contractors, Trainees and Volunteers

As an organisation which offers support and guidance to children and young people, it is imperative that all MINDHEART employees, contractors, trainees, and volunteers are aware of their responsibilities under the Child Protection legislation and have a working knowledge of MINDHEART'S procedures.

15. Safeguarding and Creative Arts Therapies

Creative Arts Therapists are particularly well placed due to their therapeutic training and how they deliver sessions in small groups or 1:1 to observe signs indicating potential safeguarding issues. In a Creative Arts Therapy session, a therapist may become aware of concerns expressed verbally and non-verbally (through imagery, symbols and themes in art and play) within the context of the therapeutic relationship.

16. Explaining Confidentiality to Children in Creative Arts Therapy

MINDHEART'S Therapists, Supervisors and Trainees regard children's safety and wellbeing as the most important aspect of the Creative Arts Therapy intervention. As Therapy sessions are confidential, we must be able to explain the boundaries and limits of confidentiality in a way that children understand. This helps create an atmosphere of trust and safety within the therapeutic relationship. Creative Arts Therapists/Trainees will explain confidentiality to children in a simple statement which will be visible and part of their working agreement in every session.

17. Record Keeping

MINDHEART uses an encrypted email system to send emails securely.

All electronic records, information and confidential notes will be kept only in electronic serves that are committed to complying with the EU General Data Protection (GDPR), such as Google, Protonmail Drive or Dropbox. In addition, all hard copies of records, information and confidential notes will be kept in separate files in a locked drawer or filing cabinet. Only authorised personnel will have access to these files. Alternatively, files will be password protected and saved in an encrypted format. Careful records must be kept for all relevant sessions and stored per GDPR requirements. Notes regarding any disclosure should be factual, as verbatim as possible and non-interpretative.

18. **GDPR**

MINDHEART acknowledges that a safeguarding amendment (85) to the Data Protection Bill adopted by the House of Commons Public Bill Committee on 13 March 2018 allows for the processing of special category personal data – without consent if the circumstances justify it – where it is in the substantial public interest, and necessary for the purpose of protecting an individual from neglect or physical, mental or emotional harm or protecting the physical, mental or emotional well-being of an individual where that individual is a child or an adult at risk.

19. **Safeguarding Allegation against an employee, contractor, trainee or volunteer of MINDHEART**

If there is a safeguarding complaint against a MINDHEART employee, contractor, trainee or volunteer, this should be reported immediately to MINDHEART's Designated Person. It will be investigated by all parties concerned.

Actions to be put in place to address the concern may include:

- Further investigation
- Immediate cessation of the therapeutic intervention
- Escalation involving MINDHEART's disciplinary procedure
- Escalation involving the authorities, including police, local education authority and/or social services MASH team (Multi-Agency Safeguarding Hub)
- Reporting of the incident to the Independent Safeguarding Authority and HCPC/equivalent professional body.

20. **Whistleblowing**

Whistleblowing is when a team member reports certain types of wrongdoing or misconduct within an organisation. The wrongdoing disclosed must affect others, e.g., children. The concern could be past, present or something that could happen in the future.

All abuse allegations against children by persons working with children must be taken seriously.

The whistleblowing procedure should be followed if a person working with a child has behaved in a way that has or could have harmed a child or put a child at risk.

Disclosures may concern any member of the MINDHEART team.

It may also concern an un-paid volunteer or adults within school/organisation settings MINDHEART work within. Allegations may be historical or recent; both should be responded to with equal urgency.

All members of the team working within MINDHEART Creative Therapies C.I.C. have an obligation to report suspicions of abuse, even when the case regards a colleague.

If concerns are about a member of the team from MINDHEART:

- Individuals should report their concerns to Nicola Thorp and Yolanda Calzado Gil, who will contact the LADO (Local Authority Designated Officer) to report the concern and receive advice on the following actions
- You will be informed on whether the case is being investigated within 10 days
- You might not be told what the outcome is to protect confidentiality.

If concerns are about MINDHEART's Co-founders:

- Report your concerns to the Chair of management committee and Safeguarding support, who might ask further questions about the disclosure.
- The management committee will contact the LADO to report the concern and receive guidance on what to do next.
- You will receive an update within 10 days as to whether the disclosure is being investigated.

If concerns are about a member at a school/organisation MINDHEART is working in:

- Employees, contractors, trainees and volunteers should report their concerns verbally or in writing to the school's headteacher/deputy headteacher/DSL in line with the school's whistleblowing policy and/or to their main link person/DSL at the organisation they are based.
- Employees, contractors, trainees and volunteers should also update Nicola, Yolanda and their supervisor.
- The case will then be dealt with following the school/organisation's whistleblowing/allegations procedure.

Following disclosure:

- A whistleblower can request confidentiality.
- The person with whom you have raised your concern will decide what action needs to be taken.
- You will be written to within 10 days to update you on how your concern has been dealt with.
- An investigation may be carried out dependent on the nature and evidence of the disclosure. Details of the investigation may not be shared with you, to protect others confidentiality.

If an employee, contractor, trainee or volunteer does not feel their concerns have been dealt with appropriately, concerns can be raised to outside agencies such as:

- The police
- The LADO
- The Citizens Advice Bureau

Employees, contractors, trainees and volunteers have a duty to MINDHEART not to disclose the confidential information they share. This does not prevent them from seeking support from an outside agency or their clinical supervisor.

Date Updated: April 2024

Next Review: April 2025