



# **The Moray Community Planning Partnership**

## **CHILD PROTECTION and WELLBEING POLICY**

This policy is available in different formats and languages on request.

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## **1.0 Aims and Scope of the Policy**

The Moray Community Planning Partnership aims to provide an environment in which the wellbeing of all children and young people in Moray is paramount. This policy will provide all staff, elected members and volunteers with information on the subject of child protection and wellbeing and what they are expected to do in order to assist in the protection and wellbeing of children and young people in Moray.

The purpose of this policy and its associated procedures is to help protect children and young people in Moray, to protect the Moray Council, its staff, elected members and volunteers, to build the confidence of everyone to work safely with children and young people and take responsibility for ensuring their wellbeing.

This Child Protection and Wellbeing Policy aims to ensure The Moray Community Planning Partnership:

- adheres to the National Guidance for Child Protection 2014
- embeds the GIRFEC (Getting it Right for Every Child) model into its culture
- identifies and responds to Child Protection and Wellbeing concerns
- informs staff on how to deal with a Child Protection and Wellbeing Concerns

## **2.0 Who and Where this Policy applies**

This policy is for all staff, elected members and volunteers within the Moray community Planning Partnership in all settings.

## **3.0 General Principles**

The Moray Community Planning Partnership supports and utilises the Getting It Right For Every Child (GIRFEC) approach. The Moray Community Planning Partnership also recognises the United Nations Convention on the Rights of The Child which states 'that children and young people should be protected from abuse, neglect and harm by others at home, at school and in the community'.

The core principles of this policy are embedded in the GIRFEC approach:

- Promoting the wellbeing of individual children and young people. This is based on understanding how children and young people develop in their families and communities, and addressing their needs at the earliest possible time
- Keeping children and young people safe. Emotional and physical wellbeing is fundamental and goes wider than child protection
- Putting the child at the centre. Children and young people should have their views listened to and they should be involved in decisions that affect them

- Taking a whole child approach. Recognising that what is going on in one part of a child or young person's life can affect many other areas of their life and wellbeing
- Building on strengths and promoting resilience. Using a child or young person's existing networks and support where possible
- Providing opportunities to celebrate diversity. Children and young people should feel valued in all circumstances and practitioners should create opportunities to celebrate diversity
- Providing additional help that is appropriate, proportionate and timely. Providing help as early as possible and considering short and long-term wellbeing needs
- Supporting informed choice. Supporting children, young people and families in understanding what help is possible and what their choices may be
- Working in partnership with families. Supporting, wherever possible, those who know the child or young person well, know what they need, what works well for them and what might be less helpful
- Respecting confidentiality and sharing information. In accordance with the legal framework, sharing information that is relevant and proportionate to safeguarding children and young people's right to confidentiality
- Promoting the same values across all working relationships. Recognising respect, patience, honesty, reliability, resilience and integrity are qualities valued by children, young people, their families and colleagues
- Making the most of bringing together each worker's expertise. Respecting the contribution of others and co-operating with them, recognising that sharing responsibility does not mean acting beyond a worker's competence or responsibilities
- Co-ordinating help. Recognising that children, young people and their families need practitioners to work together, when appropriate, to provide the best possible help
- Building a competent workforce to promote children and young people's wellbeing. Committed to continuing individual learning and development and improvement of inter-professional practice.

#### **4.0 The Moray Community Planning Partnership Child Protection and Wellbeing Policy**

- I. All staff, elected members and volunteers within the partner agencies of the Community Planning Partnership will adhere to the National Guidance for Child Protection 2014 as a minimum with additional procedures being implemented as required to ensure the safety and wellbeing of children.

- II. All staff, elected members and volunteers within the partner agencies of the Community Planning Partnership will undertake child protection training at a level appropriate to their role/employment.
- III. All services provided by partners within the Moray Community Planning Partnership will have a procedure in place which provides all staff, elected members and volunteers with a clear understanding as to the actions they should take, dependant on their role/employment, should they have any child protection or wellbeing concerns.
- IV. All services provided by the partners with the Moray Community Planning Partnership will utilise the National Risk Assessments Framework when supporting children and young people when child protection is a concern.

#### 4.1 Definitions

**Child protection:** protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a likelihood or risk of significant harm from abuse or neglect . (National Guidance for Child Protection 2014)

**Wellbeing:** eight indicators are used to assess a child's wellbeing and identify any concerns. GIRFEC highlight the need for all children to feel Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, Included.

**Child:** a child is defined differently depending on the legislative context, but generally speaking a child is someone who has not attained the age of 16 years.

**Parent:** a parent is defined differently depending on the legislative context, but generally as any person who has the parental responsibilities for a child. Aside from a mother or father these can include foster and adoptive parents and carers, including those who may have substantial care of a child.

**Named Person:** a Named Person is the point of contact for children, young people, families and for practitioners or members of the public, when they have a concern about a child or young person. The Named Person has a responsibility to promote, support, and safeguard children's wellbeing. Until a child starts Primary School the Named Person will be the Health Visitor, from then until they are aged 18 the Named Person Service will be provided by the Education Authority (generally a Head Teacher for Primary and Guidance Staff for Secondary).

## 5.0 Responsibilities

- I. **Chief Officers** are responsible for ensuring that policies are in place to support the protections of children and young people along with training for all staff, elected members and volunteers.
- II. **Elected Members** have a responsibility to attend basic Child Protection training and be aware of how to respond to child protection and wellbeing concerns.
- III. **Heads of Service/ Service Managers** are responsible for ensuring that staff, elected members and volunteers within their nominated Service Area are made aware of this policy and have access to training and procedures which reflect how staff, elected members and volunteers within their service area will address any Child Protection or wellbeing concerns.
- IV. **All staff, elected members and volunteers** will ensure that they have undertaken Child Protection Training and are aware of the action they should take should regarding Child Protection or wellbeing concerns appropriate to their roles and responsibilities relating to their employment/ capacity.

## 6.0 Related Strategies/ Policies/ Legislation

- Children and Young People (Scotland) Act 2014
- Children's Services Plan 2013-16
- Data Protection Act 1998;
- Freedom of Information (Scotland) Act 2002;
- Integrated Children's Services Plan 2015-16
- Moray 2023
- National Guidance for Child Protection 2014
- National Information Sharing Guidance 2014
- The Community Planning Partnership Child Protection and Wellbeing – Reporting Concerns Procedure
- The Equality Act 2010
- The Human Rights Act 1998

## 7.0 Equalities Statement

The Equality Act 2010 imposes a duty on public authorities to have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity and to foster good relations between groups who share a protected characteristic and those who don't. The protected

characteristics under the Act are: sex, race, disability, pregnancy and maternity, religion or belief, sexual orientation, marriage and civil partnership and gender reassignment.

The Moray Community Planning Partnership (CPP) will not and does not discriminate on any grounds. The Moray CPP advocates and is committed to equalities and recognises its responsibilities in this connection. The Moray CPP will ensure the fair treatment of all individuals and where any individual feels that they have been unfairly discriminated against, that individual shall have recourse against the individual partner to whom the concern relates to in line with the individual partners grievance and harassment procedures.

In relation to equality of information provision, the Moray CPP will ensure that all communications with individuals are in plain English, and shall publish all information and documentation in a variety of formats and languages. Where required, the Moray CPP will use the services of its translation team to enable effective communication between the Moray CPP and the individual. Where an individual has sight, hearing or other difficulties, the Moray CPP will arrange for information to be provided in the most appropriate format to meet that individual's needs. The Moray CPP will also ensure that there are no physical barriers that could prohibit face to face communications.

## **8.0 Data Protection**

The Data Protection Act 1998 governs the way information is obtained, recorded, stored, used and destroyed. The Moray CPP complies with all the requirements of the Act and ensures that personal data is processed fairly and lawfully, that it is used for the purpose it was intended and that only relevant information is used. The Moray CPP will ensure that information held is accurate, and where necessary kept up to date and that appropriate measures are taken that would prevent the unauthorised or unlawful use of any "personal information".

## **9.0 Freedom of Information**

The purpose of the Freedom of Information (Scotland) Act 2002 is to "provide a right of access by the public to information held by public authorities". In terms of section 1 of the Act, the general entitlement is that a "person who requests information from a Scottish public authority which holds it is entitled to be given it by the authority". Information which a person is entitled to is the information held by the public authority at the time that the request is made. This is a complex area of the law that can overlap with the Data Protection Act and other legislation.

All Freedom of Information requests are to be sent to the relevant partner.



## 10.0 Human Rights

In October 2007 the three equalities commissions: Racial Equality, Disability Rights and Equal Opportunities were merged to form one Commission: The Equality & Human Rights Commission (Scotland).

The main aspects covered in the Human Rights Act 1998 are:

Right to life; protection from torture; protection from slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, belief and religion; freedom of expression; freedom of assembly and association; right to marry; protection from discrimination; protection of property; right to education and right to free elections.

Public authorities must ensure that they don't act in a manner inconsistent with an individual's human rights.

All parts of this policy and associated procedures will comply with the Human Rights Act.

## 11.0 Performance Monitoring

In order to comply with its service commitments, the Moray CPP sets performance standards in relation to its policies' and will monitor its achievement of these standards.

## 12.0 Review and Feedback

This policy will be reviewed on 1 September 2017 and every 2 years after that. Feedback can be sent to Stuart Lamberton, Partnership Officer for Child Protection, and will be included in the next review.