

Protection of Children and Adults – TF05**Owner: ILF Scotland****Subject: Protection of Children and Adults at Risk of Harm****Version: 1.0****Date Created: 14th December 2017****Next Review: March 2021**

This policy must be read in conjunction with ILF Scotland Policy no. 34 - Protection Policy and Procedure Guidance dated August 2017.

1. Background

Promoting the protection of children and adults is a key duty for all ILF Scotland staff and is explicit in our policies, procedures and values. The health, safety and welfare of all persons who use ILF Scotland services are of paramount importance. All activity associated with ILF Scotland process must be carried out in accordance with this principle, with a view to ensuring that services meet the identified needs of individual recipients in a manner which promotes and respects their independence and affords them choice in the way the service is provided, while maintaining their safety.

2. Policy Statement

Local Authorities in Scotland have a statutory responsibility in respect of children (Children (Scotland) Act 1995) and adults (Adult Support and Protection (Scotland) Act 2007). However, all services that work with children and adults are responsible for promoting, supporting and safeguarding the wellbeing of all children and adults at risk of harm and ensuring that members of the public know who to contact if they are concerned about a child or adult at risk of harm.

ILF Scotland considers that all staff have a duty to report concerns of harm. Our policy is that if any ILF Scotland staff member becomes aware of potential or actual harm, they will act with or without the consent of the ILF Scotland applicant/recipient or of the person affected by providing information in the form of a referral to the relevant Local Authority and in line with the policy of that Local Authority. This will normally involve using an agreed referral form or by telephone.

- a. Where possible, any concerns of harm should be discussed with the staff member's line manager or a member of the ILF Scotland Senior Management team. However, this does not stop any staff member reporting concerns immediately to the relevant Local Authority.
- b. Any harm reported to ILF Scotland will be recorded and followed up as appropriate to ensure ILF Scotland recipients' safety and that funds are protected.

3. Children

In Scotland, a child is generally considered anyone under the age of 18. Child protection in Scotland has to be seen in the context of the wider, 'Getting It Right For Every Child' (GIRFEC) approach, the Early Years Framework and the UN Convention on the Rights of the Child. GIRFEC promotes action to improve the wellbeing of all children and young people in eight areas. These wellbeing indicators state that children and young people must be: healthy, achieving, nurtured, active, respected, responsible, included and, above all in this context, safe. The primary indicator for child protection is to keep a child safe and, in doing so, attention is given to other areas of wellbeing as appropriate.

4. ILF Scotland Staff

For all ILF Scotland staff, protecting children means recognising when to be concerned about their safety and understanding when and how to share these concerns. All relevant staff will be provided with Child Protection Awareness training and should be familiar with this Protection Policy and the Procedure Guidance of August 2017.

5. What is child abuse and child neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. 'Child protection' means protecting a child from child abuse or neglect.

6. Adults

a. The Adult and Support Protection (Scotland) Act 2007 defines 'Adults at risk' of harm or self-harm as adults who:

- are unable to safeguard their own well-being, property, rights or other interests,
- are at risk of harm, and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

7. Harm or Abuse of a Child or Adult

a. Abuse may be of a physical, psychological, sexual, financial, neglectful or discriminatory nature or other type. This could be a single act or repetitive acts.

Examples include:

- Where a third party is using a child or adult's money for purposes other than that for which it is intended. E.g. a non ILF Transition Fund grant purpose.
- Where pressure is put on a child or vulnerable adult for care tasks to be performed by somebody who they do not wish to do so. (Children lack legal capacity in this regard under age 16.)

- Where a child or vulnerable adult is being forced to take part in sexual activities they have neither the capacity nor the ability to consent to. (See the Protection Policy Guidance for more details.)

8. Values Statement

Notwithstanding the duty to report concerns of harm, ILF Scotland supports recipients to exercise choice and control, and to use their funding in an outcome focused way to lead independent lives. ILF Scotland promotes positive risk taking to enable recipients to lead independent lives.

9. Equality and Diversity

ILF Transition Fund grant recipients should be listened to, respected and responded to. There should be no discrimination on the grounds of race, disability, gender, age, sexual orientation, religion or belief, gender reassignment or on the basis of pregnancy and maternity.