

# Have you got what it takes?

Safeguarding children and vulnerable adults



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### Important facts

The police have a critical role in protecting children and vulnerable adults from abuse and are under a statutory duty to discharge their functions having regard to the need to safeguard and promote the welfare of children.

Section 11 of the Children Act 2004 requires Police and Crime Commissioners, the Mayor's Office for Policing and Crime, the City of London's Common Council and the chief officer of each police force in England to ensure that they have regard to the need to safeguard and promote the welfare of children when discharging their functions. This means that, whilst dedicated child abuse investigation officers have a critical role to play in child protection, safeguarding children is not solely the role of specialist officers – it is a fundamental part of the duties of all police officers.

In addition to their duty to investigate criminal offences, the police have emergency powers to enter premises and ensure the immediate protection of children believed to be suffering, or likely to suffer, significant harm.

### More information

#### Safeguarding Children

The police have a key role in safeguarding children as part of their role in preventing and investigating crime. Dedicated child protection officers will receive specialist training in investigating child abuse cases, but all frontline officers have a crucial role to play in identifying, protecting and safeguarding children.

The police often hold important information about children who may be suffering, or likely to suffer significant harm, as well as those who cause such harm. The police should share this information with other organisations when it is necessary to protect children.

The police also have a duty to ensure full compliance with the requirements of the Police and Criminal Evidence (PACE) Act 1984 and the codes issued under that Act in respect of those under the age of 18 suspected of or charged with criminal offences. Section 11 of the Children Act 2004 (see above) also applies when the police are discharging their duties in relation to the care/custody of children.

#### Working with partners

At a local level in England, the police are a statutory partner in Local Safeguarding Children's Boards (**LSCBs**). The core membership of LSCBs is set out in the Children Act 2004, and includes local authorities, health bodies, the police and others. The objective of LSCBs is to coordinate and to ensure the effectiveness of their member agencies in safeguarding and promoting the welfare of children. Similar arrangements are in place in Wales where safeguarding is devolved.

There is currently a review of the role and functions of LSCBs in England. The aim of this review is to explore key questions about the role and functions of LSCBs within the context of local multi-agency working, including the child death review process, and to consider how the planned centralisation of Serious Case Reviews (SCRs) will work effectively at local level.

Where it is suspected that a child is suffering, or is likely to suffer, significant harm, the local authority is required under section 47 of the Children Act 1989 to make enquiries to enable it to decide whether to take any action to safeguard and promote the welfare of the child. There should be in place a protocol, agreed between the local authority and the police, to guide both organisations in deciding how section 47 inquiries should be conducted and, in particular, the circumstances in which joint inquiries are appropriate.

Officers work with a number of partners in safeguarding children and co-located teams and models are all designed to facilitate and enable partnership working and information sharing necessary to protect children and the public.

Each police force operates a **Child Sex Offender Disclosure Scheme** which allows anyone to ask the police for checks to be made on a named individual who has contact with children. If an individual is found to have convictions for sexual offences against children, a risk based disclosure can be made to the person who is best placed to protect the child, normally parent, carer, or guardian, rather than automatically to the person who made the enquiry.

## Child Sexual Abuse

The Government has prioritised child sexual abuse as a national threat in the Strategic Policing Requirement, setting a clear expectation on police forces to collaborate across force boundaries to safeguard children, share intelligence and share best practice.

One form of child sexual exploitation is child sexual abuse involving children and young people under the age of 18 where the young person is encouraged to perform sexual activities in exchange for “something” (e.g. food, accommodation, money). It is often facilitated by the use of technology such as mobile phones or the internet and can take the form of organised crime. Every police force has committed to implement the National Policing Action Plan for child sexual exploitation.

The Government’s **Tackling Child Sexual Exploitation** report, published last year, outlines a range of comprehensive measures to tackle this form of abuse. It makes clear that this form of abuse can only be successfully identified when authorities and police actively look for it. To correctly identify this issue, the police need to work closely with statutory and voluntary sector partners.

The report includes a requirement on all police forces to train all new and existing police officers and staff to respond to child sexual abuse.

In January 2016, the Government announced the continuation of a £7m fund for survivors and victims of sexual violence, including child sexual abuse. £4.7m of the fund will be distributed to PCCs, who will allocate the funding to local third sector organisations which provide support to victims and survivors. The Government will issue supporting information to all PCCs on distributing the funding.

## Child trafficking

The UK ratified the Council of Europe Convention on Action Against Trafficking in Human Beings on 17 December 2008, and the Convention came into force in the United Kingdom on 1 April 2009. The Government introduced the Modern Slavery Act in 2015.

Holding children in modern slavery, including child trafficking, is a form of child abuse and the Government views these as very serious offences. Where children are found to be held in modern slavery, police should ensure their safety and welfare needs are urgently addressed.

## Safeguarding vulnerable adults

All local authorities now run **Safeguarding Adults Boards** at which local partners, including the police, meet for strategic discussion of how vulnerable adults can be safeguarded from significant harm, including financial harm. In England, the Care Act 2014 requires local authorities to set up a Safeguarding Adults Board (SAB) in their area, giving these boards a clear basis in law for the first time.

The 2014 Act says that the SAB must:

- **include the local authority, the NHS and the police (and any other prescribed persons). The local authority can decide, following consultation, to include additional members that it considers appropriate, which could include individuals able to represent the locality. The SAB can regulate its own procedure but must have regard to the statutory Guidance – see in particular pp 212-217 of the ‘Care and Support Statutory Guidance’, and**
- **publish a strategic plan and report to the public annually on its progress, so that different organisations can make sure they are working together in the best way.**

Similar arrangements are in place in Wales where safeguarding is devolved.

## What is the PCCs role in safeguarding?

PCCs have a statutory responsibility to hold their chief officer to account for their child safeguarding duties. Specifically, section 1(8)(h) of the Police Reform and Social Responsibility Act 2011 provides that: “The police and crime commissioner must, in particular, hold the chief constable to account for the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.”

Offences committed against children can be particularly sensitive, and often require the police to work with other organisations, such as children’s social care, in the conduct of any investigation. The responsibilities laid out by section 11 of the Children Act 2004 apply equally in respect of children who may be victims of criminal offences as they do children who are alleged to have committed a criminal offence.

