



Ministry
of Defence

Army Secretariat
Army Headquarters
IDL 24 Blenheim Building
Marlborough Lines
Andover
Hampshire, SP11 8HJ
United Kingdom

Ref: ArmySec/W/W/FOI2020/10418

E-mail: ArmySec-Group@mod.gov.uk

Website: www.army.mod.uk

22 September 2020

Dear [REDACTED],

Thank you for your email of 8 September requesting the following information:

the Military Procedures for Safeguarding

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA). A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is held. A copy of Joint Service Publication 834 Safeguarding Service Children and Young People can be found attached below.

If you have any queries regarding the content of this letter, please contact this office in the first instance. If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

[REDACTED]
Army Secretariat



**Ministry
of Defence**

**JSP 834
Safeguarding Service Children and Young People**

Part 1: Directive

Foreword

People lie at the heart of operational capability; attracting and retaining the right numbers of capable, motivated individuals to deliver Defence outputs is critical. This is dependent upon maintaining a credible and realistic offer that earns and retains the trust of people in Defence. In order to achieve this, all personnel must be confident that, not only will they be treated fairly, but also that their families will be treated properly and that Service veterans and their dependants will be respected and appropriately supported.

The Safeguarding of our Service children and young people, which includes those Service personnel under the age of 18, is a priority for all MOD Services and agencies that work with or have contact with children and young people. These procedures are underpinned by Working Together to Safeguard Children (March 2013), which sets out what should happen in any local area when a child or young person is believed to be in need of support. Effective safeguarding arrangements should aim to meet two key principles; they should be child centred and they should recognise that safeguarding is everyone's responsibility. These procedures have been written so as to be part of the wider good of improving the wellbeing of children, and of achieving the above key principles.

JSP 834 promulgates the policy requirements and comprehensive practical guidance for the safeguarding of Service children and young people.

Lieutenant General Andrew Gregory
Chief of Defence People

Defence Authority for People

Preface

How to use this JSP

1. JSP 834 is intended as a comprehensive framework for the safeguarding of Service children and young people. It is the intention that this JSP will be reviewed annually.
2. The JSP is structured in two parts:
 - a. Part 1 - Directive, which provides the direction that must be followed in accordance with statute or policy mandated by Defence or on Defence by Central Government.
 - b. Part 2 - Guidance, which provides advice, information and examples of best practice to assist the user to comply with the Directive(s) detailed in Part 1.
3. When reading this JSP it is important to note that the word 'must' is used to denote requirements mandated by law in England and Wales, the word 'should' is used to reflect requirements mandated by policy and the word 'may' provides discretion for the interpretation of policy.
4. Where the word 'professional' appears, it applies to all staff employed to implement safeguarding procedures and practices whether they are MOD Service and civilian personnel, single Service welfare staff, Unit Welfare Officers (UWO), organisations and agencies such as SSAFA, and the British Forces Social Work Services (BFSWS), Service Children's Education (SCE) staff, Children's Education Advisory Service (CEAS) staff, Service police and health workers.
5. This document cannot be totally comprehensive and, if there is any doubt, advice should always be sought from the Director CYP, Single Service Specialist Welfare Services, and/or the MOD approved social care provider's named lead for Social Care Services, Director Social Work SSAFA or departmental legal advisers.
6. Further guidance in all areas of safeguarding can be found in the DfE's Working Together to Safeguard Children 2013 (WTSC130 published by DCSF in 2013: <https://www.gov.uk/government/publications/working-together-to-safeguard-children>)

Coherence with other Defence Authority Policy and Guidance

7. Where applicable, this document contains links to other relevant JSPs, some of which may be published by different Defence Authorities. Where particular Defence dependencies exist, these other Defence Authorities have been consulted in the formulation of the policy and guidance detailed in this publication. This JSP also references wider Government policy.

| Related JSPs | Title |
|--------------|---|
| JSP 342 | Education of Service Children |
| JSP 464 | Tri-Service Accommodation Regulations |
| JSP 535 | Cadet Training Safety Precautions |
| JSP 770 | Tri-Service Operational and Non Operational Welfare |

| | |
|----------------|---|
| JSP 800 | Defence Movements and Transport Regulations |
| JSP 814 | Policy & Regulations for MOD-Sponsored Cadet Forces |
| JSP 820 | Disability and Additional Needs Policy |
| JSP 822 | Governance and Management of Defence Individual Training and Protection |
| JSP 830 | Manual of Service Law (Vol 1, Chap 26) |
| JSP 832 | Guide to Service Inquiries |
| JSP 893 | Policy on Safeguarding Vulnerable Groups |
| JSP 898 | Defence Direction and Guidance on Training, Education and Skills |
| JSP 913 | Tri Service Policy on Domestic Abuse and Sexual Violence |

Further Advice and Feedback – Contacts

8. The owner of this JSP is the Director Children and Young People (DCYP). For further information on any aspect of this guide, or questions not answered within the subsequent sections, or to provide feedback on the content, contact:

| Job Title/E-mail | Project focus | Phone |
|-------------------------|----------------------------------|-----------------------------|
| DCYP-AD Safeguarding | Safeguarding Policy and Guidance | 01980 61 8711 94344 8711 |

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1 Safeguarding – General

Aim

1. The aim of this JSP is to deliver the MOD Safeguarding Children and Young People policy. It will direct and provide guidance to Commands, Formations, Garrisons/Ships/Stations, Commander and Commanding Officers (COs) at all levels, the MOD sponsored Cadet Forces, MOD training establishments, Education, Social Service, Welfare and Medical staffs and the Children’s Workforce for safeguarding children in the Service community both in the UK, where LAs provide most of the services, and overseas where MOD usually takes responsibility in the absence of a LA.
2. This JSP adopts a tri-Service approach, incorporates the principles of extant and emerging legislation, delivers best practice and uses common definitions throughout. The principles and policies are applicable across the Services and this is reflected in this publication.
3. The MOD has, or has assumed, a duty to ensure that safeguarding and child protection procedures are in place, wherever there are children of Service personnel, UK based Crown Servants or contractors who are subject to Service law while working overseas or any child who is staying, for however short a time, with such families.
4. All staff must have a commitment to safeguard and promote the welfare of children. Single Service welfare staff, unit welfare staff, and any other relevant organisations/agencies must have a clear statement of responsibility towards children. It must be available for and understood by all staff with a clear line of accountability for safeguarding, promoting the welfare of children and child protection.
5. In overseas areas, so far as is permitted by international and local law, the MOD has determined, as a matter of policy, to assume responsibility for the safeguarding of children of members of the British Forces community. In doing this, the MOD, through its overseas Commands, takes on a role similar to that of a LA in the UK and, wherever possible, operates in accordance with the provisions of UK statutes and UK government policy, even though the statutes generally do not apply as a matter of law.
6. The Services must have a clear commitment to ensure that there is training and information on safeguarding for all staff involved with children, including volunteers. Chapter 4 and Part 2 of this JSP provide more information on training.
7. All COs are to ensure that all organisations/agencies accept responsibility for having safe recruitment procedures in place that follow the principles in the Safeguarding Vulnerable Groups Act 2006, The Protection of Freedoms Act 2012 and Keeping Children Safe in Education¹.
8. It is the duty of all organisations/agencies to ensure there is effective inter-agency working to safeguard and promote the welfare of children, through applying the ‘duty to co-operate’, and that they have effective systems in place for sharing information.
9. All Commands, regardless of size/number of personnel, need to be prepared, and have appropriate procedures and protocols in place, to deal with all aspects of

¹ <http://www.education.gov.uk/consultations/downloadableDocs/Safeguarding%20Children%20Guidance.pdf>

safeguarding and promoting the welfare of children, accessing assistance and expertise from the Single Service Specialist Welfare providers, currently Core Assets and the MOD contracted Social Work and Health Provider, currently Soldiers, Sailors, Airmen and Families Association (SSAFA).

10. International agreements must be complied with and reflect command procedures where appropriate. No special administrative arrangements relating to safeguarding should be made with host nation authorities without the prior approval of the MOD Safeguarding Children Board. Such arrangements should reflect the safeguarding procedures set out by the LSCB, and must also be monitored regularly by the LSCB (through the social work service provider where appropriate).

11. All Social Care and Welfare Workers, all SCE staff and all MOD health, education and police staff must also abide by their own Codes of Practice when implementing this policy.

British Forces Community

12. It is difficult to more clearly define what constitutes the British Forces community overseas without the risk of excluding some children from that definition. This JSP has deliberately taken a wide approach to which children fall within the scope of these procedures in order to ensure that the risk of children falling through the net is reduced. There needs to be a degree of local interpretation and flexibility in order to ensure that local circumstances and structures are taken into account. Where possible these structural differences should be included in local policies and procedures, as set out in Chapter 6.

13. On the very few occasions where there is doubt about jurisdiction steps should always be taken in the first instance to protect children. Attempts should then be made at a local level to clarify jurisdiction, using whatever local safeguarding systems, Local Safeguarding Children's Board (LSCBs etc) are in place. If a solution is not forthcoming then advice should be sought from DCYP who will, where necessary seek legal advice, and will attempt to resolve the issue as quickly as possible.

Introduction to Safeguarding

14. The introduction of the Children Act 2004 (CA04) in England led to significant change in the way in which the safeguarding of children and young adults is delivered. The Act defines a child as 'a person under the age of 18'. Section 11 of the Act places a duty on key people and bodies to make arrangements to ensure that, in discharging their functions, they have regard to the need to safeguard and promote the welfare of children and young people. Within the MOD this duty is therefore taken to include all people under the age of 18. If Commands, Units and COs are unsure about their duty then they should clarify this with their single service welfare provider. If further clarification is needed then DCYP should be contacted.

15. The Ministry of Defence (MOD) and its partner organisations, are committed to working together to ensure 'Early Support – Helping Every Child Succeed' to deliver the 5 outcomes described in the CA04 for children of Service families in England and Service families, Crown Servants and contracted staff overseas. Equivalent standards will apply in Scotland, Wales and Northern Ireland. This commitment is reinforced through the Armed Forces Covenant.

16. In England and Wales² statutory responsibility for safeguarding and promoting the welfare and wellbeing of children rests with Local Authorities (LAs). In Scotland this falls to the Social Work Department and in Northern Ireland to the Health and Social Care Trusts.

17. In discharging this policy, the MOD is able to rely on the provisions of the Armed Forces Act 1991 (as amended by the AFA 06) which provides powers to Judge Advocates to make Assessment and Protection Orders for children, and which also grants to the service police general powers of protection similar to those available to the civilian police under the Children Act 1989.

18. Much of the policy in this JSP is taken from WTSC¹³ 'Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children' (DCSF, 2013). This is in order to ensure that MOD policy aligns as closely as possible to practice in England and Wales.

19. A useful web based guide to WTSC can be found at <http://www.workingtogetheronline.co.uk/>

20. For Service children³ living in the UK, the designated LA or Devolved Administrations (DA) equivalent will take the lead and apply the safeguarding practice/policy as set out in regulations but will where appropriate involve appropriately trained/qualified MOD/Service personnel in the LSCB arrangements.

21. For Service children overseas the published guidance/regulations will still provide the starting point for best practice but conditions/circumstances/resources within the local context will be taken into account when determining the most appropriate mechanisms for applying safeguarding arrangements.

22. The MOD has created the Directorate Children and Young People (DCYP) under the 2-star Director Children and Young People. Director CYP is responsible for providing the professional leadership and direction across the MOD for the development and implementation of children and young people's services.

23. Director CYP is supported in this role by an Assistant Director, Safeguarding, who is a qualified social worker, the single Service leads for social work and the Director SSAFA social care who provide the statutory social care function overseas (Cyprus, Gibraltar, BFAI and Brunei). Director CYP receives independent advice from the Chair of the MOD Safeguarding Children Board.

24. This JSP principally sets out the arrangements for the safeguarding of children and young people of the Service community in overseas locations for whom MOD has assumed responsibility⁴. The guidelines are also applicable to the four main MOD sponsored Cadet Forces (SCC, CCF, ACF and ATC) and to the Volunteer Cadet Corps.

25. These guidelines are also applicable to Service Personnel undergoing phase 1 and phase 2 training (and RAF / Navy equivalents) in training establishments; for example, but not exclusively, ARTD Initial Training Group and Infantry Training Centre Catterick.

² Devolved Administrations have similar procedures in place.

³ A child is anyone who has not reached their 18th birthday. That fact that a child is living independently, is in further education, is a member of the Armed Forces, is in hospital, in prison or in a Young Offenders Institution, does not change his or her status, or entitlement to services, or protection under the CA89 and CA04.

⁴ JSP 893 Safeguarding Vulnerable Groups provides information on other groups.

26. MOD policy in relation to employment checks to aid safeguarding of children, for people employed in regulated activity, who are part of or associated with the MOD community (including Regular and Reserve Service personnel, MOD civilian personnel and personnel involved with MOD sponsored Cadet Forces) is set out in JSP 893.

Duties, Responsibilities and Outcomes

27. The term 'safeguarding and promoting the welfare of children' describe the duties and responsibilities that those providing health, social, and leisure or education services have to carry out or perform to protect children from harm. Safeguarding and promoting the welfare of children is defined as⁵:

- a. Protecting children from maltreatment.
- b. Preventing impairment of children's health or development.
- c. Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
- d. Undertaking the role so as to enable those children to have optimum life chances and enter adulthood successfully.

28. The needs of the child are paramount and should underpin all child protection work and guidance relating to the safeguarding and wellbeing of children.

29. CA04 must be implemented across England and Wales by LAs and the principles of the CA04 should be implemented across the overseas Commands for all children's services so far as is possible having regard to international agreements and local law. Devolved Assemblies in Scotland and Northern Ireland have their own legislation that provides similar protection.

⁵ Department for Education 'What is the difference between safeguarding and child protection' 10th February 2011

2 Safeguarding Roles and Responsibilities

General Roles and Responsibilities

1. In accordance with UK best practice and legislation every children's service that is provided by the MOD must ensure that it has its own procedures in place that detail the roles and responsibilities of all statutory and non-statutory organisations, agencies and the voluntary sector in safeguarding and promoting the wellbeing of children.
2. The Key agencies and professionals involved in safeguarding are Social Care Services, Health, Education and the Police. The lead role in safeguarding and child protection falls to the specialist Social Workers employed in the relevant LA or Devolved Administration in the UK who, together with the Civil and Service police, have access to legal powers to enable them to protect children if necessary.
3. Overseas this lead role is vested in the MOD contracted social work services who work closely with the police in matters of child protection.
4. The Adjutant General (AG), in his capacity as Lead Member of the MOD Children and Young People's Trust Board (CYPTB) is responsible for the safeguarding agenda, including where necessary child protection, for children within the MOD scope of responsibility. The Director CYP is responsible for providing the professional leadership and direction across the MOD for the development and implementation of children and young people's services.
5. The MOD CYPTB is responsible for providing strategic guidance and governance to the Commands and is supported by the MOD Safeguarding Children Board. The Terms of Reference (TOR) for the MOD CYPTB is in Part 2. TOR for the MOD Safeguarding Children Board is in Part 2.
6. For the MOD sponsored Cadet Forces the lead authority for tri-service policy is the Reserve Forces and Cadets Division within DCDS (Pers & Trg) (See JSP 814). Delivery of the safeguarding agenda is achieved through the relevant single-Service chain of command and the respective Cadet Headquarters (FOSNNI, MSSC, HQ Army and the ACO).
7. For MOD Phase 1 and 2 Training Establishments the lead authority for tri-service policy is the Training, Education, Skills, Recruitment & Resettlement Division (TESRR) within DCDS (Pers & Trg). Delivery of the safeguarding agenda is achieved through the relevant Service Command and respective training Formation Headquarters.
8. COs in each Command⁶, are responsible for implementing the principles of 'WTSC13' in the Command area working with the key agencies and organisations. How safeguarding is implemented in each area will depend on the number of children for whom the MOD has responsibility and whether children's services in that area are provided directly by the relevant UK LA or Devolved Administration in which the Command is based

⁶ In this context Command refers to the Headquarters responsible for delivering infrastructure support and is not likely to be below 1* level.

or, in relation to the overseas location, by MOD or through third party provider or contractor.

9. Each single Service has a responsibility to act on and implement the safeguarding procedures established for all MOD personnel. Where an assignment of a Service person would take a child subject to a child protection plan or to ongoing child protection procedures⁷ outside the UK, the single Service welfare services and the relevant social work service provider should always be consulted by the Service person's Chain of Command/assigning authority before the assignment order is issued.

10. The Armed Forces Act 1991 (as amended by the AFA 06) bestows upon Judge Advocates and the Service Police certain limited child protection powers on an extra-territorial (worldwide) basis. These are similar to the powers in s 43, 44 and 46 of the Children Act 1989 to allow for the emergency removal of a child to a place of safety. Judge Advocates are also able to make an order for the assessment of the child if this is required.

Management of Registered Sex Offenders (Posted Overseas)

11. In the UK this responsibility is held by the police who operate the Violent and Sex Offenders' Register. Where this is a serving person that responsibility falls to the CO where that person is assigned overseas. The CO should inform the Social Work Service of a man/woman subject to being on the Sex Offenders' Register upon assignment to an overseas post.

Serious Case Reviews (Overseas and UK)

12. Any serious child safeguarding incident overseas should always be reported to the LSCB within the Command and through the Chain of Command to the Director CYP, relevant social work service provider and the Independent Chair of the MOD SCB. Usually, such incidents will involve the death of a child (including death by suicide), serious injury to a child or permanent harm where abuse and/or neglect are known or suspected to be a factor in the child's death or injury and where lessons can be learnt about how agencies worked together to safeguard the child. Following the reporting of the incident a decision will be made about whether to conduct a Serious Case Review (SCR) or a Significant Case Evaluation (SCE).

13. In the UK SCRs are the responsibility of the LSCBs (or devolved equivalents). If any MOD Command, Ship, Unit or agency is asked to take part in a SCR in the UK (e.g. sit on a committee or provide a report) they should pass this request on to DCYP. DCYP will negotiate with the relevant agencies and specialist providers in order to ensure the most appropriate representation on the SCR Panel.

Safeguarding Responsibilities for the Single Services

14. In the UK all child protection concerns and referrals must be made to the relevant LA Children's Social Care Team, or the relevant DA equivalent, which have the legal duties and responsibility for child protection. Military services may be involved but do not have the statutory duties of the LAs or DAs. Overseas the contracted relevant Social Work Service provider holds this duty and responsibility for child protection on behalf of the

⁷ This may be registered with the CoC already, through sharing of information between agencies, or identified during the supportability checking process (JSP 770)

command and the MOD. All child protection matters must be referred to the contracted social work service in command where one is in place or to the BFSWS in Germany via the Central Referral Team (CRT)⁸.

15. Each of the below must liaise with the appropriate LA and DA social services departments and the overseas contracted social work service provider in matters of safeguarding and child protection.

a. **Royal Navy.** All child protection matters within the Royal Navy should be referred to the Royal Navy Royal Marines Welfare (RNRMW). In England this is done through the local RNRMW Area Officer⁹. RNRMW will provide a confidential and professional social work service to all Naval personnel and their families. On all issues relating to safeguarding RNRMW staff will liaise with the appropriate LA social services departments.

b. **Royal Marines.** Where the Service person is from the Royal Marines all safeguarding matters in England and Wales should be referred to the Royal Navy Royal Marines Welfare (RNRMW). In Scotland, safeguarding matters should be referred to the RNRMW Northern Area Officer in accordance with the National Guidance for Child Protection in Scotland 2010. RNRMW is staffed by trained qualified and unqualified Royal Marine SNCOs and social workers who are accountable to a qualified social work manager at Naval Command HQ. On all issues relating to safeguarding, RNRMW staff will liaise with the appropriate LA social services departments.

c. **Army.** The Army Welfare Service (AWS) provides professional welfare support to Army personnel and their families. AWS is staffed by qualified civilian social workers and trained and supervised Army Welfare Workers. In the UK AWS also liaises with LAs where appropriate, particularly when a child is subject to child protection concerns.

d. **Royal Air Force.** Welfare Support for families in the RAF is co-ordinated by the Station Personnel Officer, the Officer Commanding Personnel Management Squadron (OCPMS) or the Officer Commanding Base Support Wing (OC BSW), depending on the size of the Station/unit. SSAFA are contracted to provide a personal support and social work service for the RAF and must be informed of any RAF safeguarding and child protection concerns.

e. **Cadets.** Safeguarding matters for the MOD sponsored Cadet Forces should be referred through the relevant Cadet Force chain of command and respective Cadet Headquarters (HQ Army Andover, ACO at Cranwell, FOSNNI Youth team at Portsmouth and for the Sea Cadet Corps the MSSC Headquarters in Lambeth) in accordance with JSP814 and individual Cadet Forces' policies.

f. **Training Establishments.** Safeguarding matters for all MoD training establishments (Army, RAF and Navy) should be referred through the relevant training chain of command. Serious incidents, for example those which involve a police inquiry, should be discussed with the relevant single service specialist welfare provider, who will be able to advise about the involvement of local statutory agencies, such as Social Care or the LSCB.

⁸ The Central Referral Team (CRT) is located in UKSC and depending where the incident took place may not be able to respond physically immediately but are available for telephone consultation 24/7.

⁹ Contact details for the single Service social welfare services can be found in Part 2.

g. Social Work Service Overseas Contractor.

(1) Core Assets is contracted to provide the BFSWS in Western Europe including the social workers within the CRT. Core Assets also provides personal support and social work services and welfare services under contract in Kenya and Canada. SSAFA is the social work service provider in Cyprus, Gibraltar, Brunei and the Falkland Islands. Contracted social work service providers will supply qualified Social Workers to undertake visits to other Commands on request as required and will provide qualified, registered, social workers and managers who are able to assist the chain of command in providing a professional social work service able to undertake Children in Need Assessments including Child Protection enquiries and interventions in line with the UK legislation and guidance, specifically CA1989 and CA04.

(2) All child protection matters must be referred to the contracted social work service providers in command, where this is in place, or to the BFSWS in Germany (via the CRT) where no social work service is in place.

(3) The contracted social work service providers undertake other mandatory functions including the provision of foster placements, adoption support services¹⁰ and the regulation of early years provision including childminders and nurseries. They maintain professional records in accordance with the Data Protection legislation and liaise with statutory bodies in the UK and host nations as required. They also provide general welfare and personal support and advice to military personnel, their spouse/partner, dependants, children and families and other civilian personnel.

¹⁰ Adoption services are not provided by SSAFA in Brunei and Nepal.

3 Key Safeguarding Functions

Child Protection Procedures

1. All agencies who work directly with children and young people, including single Service welfare, health, education, police and social work staff, should have in place safeguarding/child protection procedures that provide advice and guidance on what should happen if someone has concerns about the welfare of a child or young person (including children living away from home) and in particular where there are concerns that a child may be suffering or may be at risk of suffering significant harm.
2. These staff should also be aware of JSP 913 Tri-Service Policy on Domestic Abuse and Sexual Violence which has relevance here.
3. All MOD personnel who work with or have contact with children¹¹ and young people should be able to recognise and know how to act on evidence that a child's health or development is, or may be, being impaired. This is particularly necessary when a child is suffering, or is at risk of suffering, significant harm and they must be alert to possible indicators of abuse or neglect.
4. All agencies should be alert to the possibility that an individual may pose a risk of significant harm to a particular child, or to children in a local community. Employers of staff or volunteers who have substantial unsupervised access to children should guard against the potential for abuse, through rigorous selection processes following the safer recruitment JSP and Standing Orders, providing appropriate supervision and by taking steps to maintain a safe environment for children.

Actions for a Person Becoming Concerned about a Child¹²

5. All staff members who have, or become aware of, concerns about the welfare or safety of a child or children should always seek advice from the appropriate staff and Service providers and should know:
 - a. Who to contact in what circumstances, and how.
 - b. What services are available locally.
 - c. How to gain access to local services.
 - d. What sources of further advice and expertise are available.
 - e. When and how to make a referral to LA children's social care or the equivalent social work service overseas.
6. Concerns should be discussed with a manager, or a named or designated health professional, single Service specialist welfare provider or a designated member of staff, depending on the organisational setting. If the child is considered to be, or may be, a child

¹¹ All professionals working with children, and especially those in health and social care, should be familiar with the core standards set out in the National Service Framework for Children, Young People and Maternity Services Core Standards and in particular Standard 5, 'Safeguarding and Promoting the Welfare of Children' (www.dh.gov.uk) and familiar with the Education Act 2002, Section 175 (www.education.gov.uk).

¹² Each LSCB may have local procedures in place for responding to concerns about the safety of children.

in need under the Children Act 1989, the child should be referred to LA children's social care or the relevant DA equivalent or contracted social work service for overseas. This includes a child who is believed to be, or may be at risk of, suffering significant harm.

7. There should always be the opportunity to discuss child welfare concerns with, and seek advice from, colleagues, managers, a designated or named professional, or other agencies. However, the concerned person should:

- a. Never delay emergency action to protect a child from harm.
- b. Always record in writing concerns about a child's welfare, including whether or not further action is taken.
- c. Always record in writing discussions about a child's welfare. At the close of a discussion, always reach a clear and explicit recorded agreement about who will take what action, or that no further action will be taken.

8. Where concerns are raised about a child and those concerns are referred to a statutory social work service that can take action to safeguard and promote the welfare of children, an initial assessment of the child's situation will be undertaken by that service. The outcome of the assessment will address the situation and indicate whether urgent action is required. The statutory organisation should hold a strategy discussion, and may then convene a child protection conference to enable a multi agency response to the child's needs.

Confidentiality and Sharing Information¹³

9. The disclosure of personal or confidential information is governed by data protection legislation and by common law. In essence, this body of law attempts to ensure that such information is stored and disclosed in an appropriate manner having regard to the interests of the individual who is the subject of the information and the general public interest.

10. Whilst disclosure of personal or confidential information without the consent of the subject should be the exception rather than the rule, disclosure without consent is lawful in a number of circumstances, including where such disclosure is necessary in order to protect the vital interests of the subject. Each case, though, must be considered on its merits, and advice should be taken from departmental legal advisers as required.

11. The Data Protection Act 1998, and the Data Protection (Subject Access Modification) (Social Work) Order 2000 also regulate the extent to which an individual has the right to access personal information held by social work services. In essence, an individual will not have the right to access such information in circumstances where access would be likely to prejudice the carrying out of social work as it would be likely to cause serious harm to the physical or mental health or condition of the data subject or any other person.

12. There have also been a number of cases brought under the Human Rights Act 1998 in which the question of whether the restrictions on subject access to information held by social services amount to a breach of Article 8 of the European Convention on Human Rights – the right to respect for one's family life, one's home and correspondence. Under the Convention, any interference in this right by a public authority will only be justified if it is

¹³ https://www.education.gov.uk/publications/eOrderingDownload/Info-Sharing_legal-issues.pdf
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00807-2008#downloadableparts> Provides government advice on Information Sharing

in accordance with the law and is necessary in a democratic country in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or the protection of the rights and freedoms of others. The indications from the British courts, though, have been that the regime set down under the DPA 1998, including the appeal process available, fulfil the obligations under Article 8. (The provisions of Article 8 may also be relevant to disclosure of personal information to third parties (see paragraphs 0192 and 0193), but, again, compliance with the UK statutory scheme should go a long way to protecting the department.)

Safer Recruitment when Working with Children and Young People

13. MOD policy relating to the Disclosure and Barring Service (DBS) and safeguarding arrangements for regulated activity relating both to children and adults is contained in JSP 893 (Policy on Safeguarding Vulnerable Groups). The Protection of Freedoms Act 2012 introduces a range of new measures that will effectively scale back the criminal records and barring systems to more proportionate levels of protection in those employment and volunteer areas that continue to need it. The changes are being introduced incrementally and 2012DIN01-197 provides notification of the first of these. This DIN should be read in conjunction with JSP 893 which will be amended to take account of the changes in due course.

14. It is imperative that Commands, Agencies and Units apply a rigorous professional approach to Safer Working Practice in order to mitigate risks to children and young people. Safer Working Practice guidance is available on the DfE website and further advice can be provided by DCYP.

Allegations of Abuse made against a Person who Works with Children

15. In overseas locations Local Safeguarding Children Boards and Safeguarding Committees should ensure that all organisations that provide services for children, mandatory or voluntary, have in place procedures for managing and handling allegations against staff or volunteers. A sample policy is included in Part 2 of this guidance. Further guidance can be found in WTSC13 (Appendix 5) and Safeguarding Children and Safer Recruitment in Education 2007.

16. Children can be subjected to abuse by those who work with them in any setting. All allegations of abuse or maltreatment of children by a professional, staff member, foster carer, or volunteer must therefore be taken seriously and treated accordingly.

17. The framework for managing cases (set out in Part 2) applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer, significant harm. It should be used in all cases in which it is alleged that a person who works with children has:

- a. behaved in a way that has harmed a child or may have harmed a child
- b. possibly committed a criminal offence against or related to a child
- c. behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

18. LSCB/Safeguarding Committee member organisations should have a Named Senior Officer (NSO) who has overall responsibility for:

- a. ensuring that the organisation operates procedures for dealing with allegations in accordance with the guidance at Annex H
- b. ensure that procedures are compliant with any local procedures
- c. resolving any inter-agency issues
- d. liaison with the LSCB

19. For organisations/areas which are too small to have individual policies (for example singleton workers who are not attached to any broader organisational structures or who work in remote locations) the LSCB / Safeguarding Committee should adopt an overarching Allegations Policy in accordance with the guidance at Annex E. The LSCB/ Safeguarding Committee should in these circumstances have a Named Senior Officer (NSO) who is named in their bespoke procedures.

20. The Independent Conferencing and Reviewing Service (ICRS) based in BFG has an Allegations Management Officer (AMO) who is able to give advice and guidance on allegations management across the overseas service community. All Named Senior Officers are able to liaise with the AMO and this is likely to lead to a Strategy Discussion. Contact details for the AMO – 0049 (0)2161 472 8570 or Assistant AMO – 0049 (0) 2161 472 4440 or 6423.

21. In the UK the Local Authority has statutory responsibility to ensure that allegations against staff who work with children are dealt with according to local policies and in line with national guidance. A Local Authority Designated Officer (LADO) is responsible for giving advice and support to organisations or agencies that are concerned about a member of staff or volunteer. If any Command, Ship, Unit or agency has any concerns about a member of staff or volunteer, or has received an allegation about a member of staff or volunteer; they should liaise with their local LADO, as well as their Single Service Welfare Provider.

Tackling Child Sexual Exploitation

22. Child sexual exploitation is a form of child abuse which involves children and young people (male and female, of a range of ethnic origins and ages, in some cases as young as 10) receiving something in exchange for sexual activity. Perpetrators of child sexual exploitation are found in all parts of the country and are not restricted to particular ethnic groups or gender.

23. Local Safeguarding Children Boards (LSCBs) are responsible for ensuring that appropriate local procedures are in place to tackle child sexual exploitation. All frontline practitioners need to be aware of those procedures (including ones for early help) and how they relate to their own areas of responsibility. LSCBs and frontline practitioners should ensure that actions to safeguard and promote the welfare of children and young people who are sexually exploited focus on the needs of the child.

24. The Government believes that LSCBs will want to assure themselves that local services are based on a robust assessment of need in the locality, taking account of the statement in the statutory guidance that every LSCB 'should assume that sexual

exploitation occurs within its area unless there is clear evidence to the contrary'. They will also want to assure themselves that local services are designed and delivered effectively to tackle the issue where it arises.

25. In overseas locations the LSCB/Safeguarding Committee should ensure that staff are trained appropriately and are aware of the signs of Child Sexual Exploitation. Children and young people overseas may be at risk of being isolated in their local community and sexual exploitation may therefore be more difficult to assess. LSCBs and Safeguarding Committees should ensure that all front-line staff are supported in dealing with this risk, and where necessary this should be reflected in their Action Planning and Risk Registers.

26. Frontline practitioners from voluntary and statutory sector organisations (including, for example, health and education) should be aware of the key indicators of children being sexually exploited which can include:

- a. Going missing for periods of time or regularly coming home late.
- b. Regularly missing school or education or not taking part in education.
- c. Appearing with unexplained gifts or new possessions.
- d. Associating with other young people involved in exploitation.
- e. Having older boyfriends or girlfriends.
- f. Suffering from sexually transmitted infections.
- g. Mood swings or changes in emotional wellbeing.
- h. Drug and alcohol misuse.
- i. Displaying inappropriate sexualised behaviour.

Practitioners should also be aware that many children and young people who are victims of sexual exploitation do not recognise themselves as such.

27. LSCBs and children's services staff should seek further information and guidance on this subject from:

- a. Safeguarding children and young people from sexual exploitation Statutory guidance outlining how organisations and individuals should work together to protect young people from sexual exploitation:

<https://www.gov.uk/government/publications/safeguarding-children-and-young-people-from-sexual-exploitation-supplementary-guidance>

- b. Tackling child sexual exploitation: action plan:

<http://media.education.gov.uk/assets/files/pdf/c/tackling%20child%20sexual%20exploitation%20action%20plan.pdf>

- c. Tackling child sexual exploitation: step by step guide:

<https://www.gov.uk/government/publications/what-to-do-if-you-suspect-a-child-is-being-sexually-exploited>

<http://media.education.gov.uk/assets/files/pdf/s/step%20by%20step%20guide.pdf>

d. WTTSG 2013

Care Leaver (CL) Joining the Services

28. Service Recruiting Organisations, where they are aware, are to notify Phase 1 Training Establishments of recruits joining the Services who are subject to the provisions of The Children (Leaving Care) Act 2000 (Care Leavers) when they enter Phase 1 Training. COs are to ensure that recruits notified as being Care Leavers (CL) at the start of Phase 1 training formally confirm whether they are or have been subject to a Care Order in order to enable the Training Unit to take account of their needs. This Act seeks to ensure that young people aged 16 years or over, who have had a significant period of being looked after by a LA, continue to receive advice, support and befriending for a period of time after they cease to be formally looked after full time by that LA. These CL may not have the family support that others enjoy and this may make them more vulnerable¹⁴.

29. Whatever processes are put in place to meet the needs of CL, sensitivity is required to ensure they do not feel embarrassed or singled out from their peers. COs are to take the following action, seeking advice from their Service welfare provider and their Chain of Command if required:

a. Ensure that all recruits at the start of Phase 1 training formally confirm whether they are or have been subject to a Care Order. With the specific agreement of the individual, that information is to be passed on to the Phase 2 establishment and in turn to their first Field Army unit.

b. Notify the single Service specialist welfare provider of any CL. The single Service specialist welfare provider will assess the situation and, if requested by the recruit, the need for any welfare support and any appropriate involvement with the responsible LA. If the CL declines consent, the unit should seek generic advice about the needs of CL from the specialist welfare provider, without disclosing the identity of the individual. This will ensure that the unit obtains relevant knowledge in order to provide effective support to the CL. The unit and, if appropriate, the single Service specialist welfare provider should nominate a point of contact for a LA that wants to discuss issues relating to a specific CL.

c. Allow access, if a CL asks for it, to the responsible LA's services to which the CL is entitled. The CL's military unit must facilitate this contact and access. As far as possible, the CL should not be disadvantaged by the inevitable moves that they will experience as a recruit.

30. In recognising a LA's statutory responsibility to 'take reasonable steps' to keep in touch, or to re-establish contact if lost, with their CL (up to the age of 25), units are to effect a mail forwarding system for correspondence from LA to the individuals concerned. They are also to encourage CL to maintain contact with their responsible LA.

¹⁴ SSAFA has two leaflets: 'Care Leavers and the Armed Forces'. One is for Local Authorities and other is for Care Leavers in/or about to join the Armed Forces.

31. Where the LAs have a statutory requirement to carry out visits to CL on MOD property, units should offer every assistance to, and enable access for, the LA whilst making it clear that the unit is not able to compel a CL to attend any such meetings or visits. Where an LA wishes to meet a CL on an MOD establishment and the CL indicates that they do not want to participate (potentially to avoid CL confidentiality being compromised with their peer group) the unit may also offer to facilitate a meeting between the CL/LA at an appropriate location and time that ensures that CL confidentiality is not compromised. This may for instance be in LA premises during leave. The LA care worker should be accorded the same access to the training establishment as would be given to the parents of other trainees.

Child Death Review

32. Each unexpected death of a child is a tragedy for his or her family, and will normally be the subject of a comprehensive investigation by civil police, or overseas by Service police and/or local police. These enquiries will be conducted by specially trained investigators capable of balancing the needs of the investigation with the needs of the family.

33. Children with a known disability or a medical condition should be responded to in the same manner as other children. A minority of unexpected deaths are the consequence of abuse or neglect, or are found to have abuse or neglect as an associated factor. In all cases of child death, enquiries should seek to understand the reasons for the child's death, address the possible needs of other children in the household, the needs of all family members, and consider any lessons to be learnt about how best to safeguard and promote children's welfare in the future.

34. An overview of all child deaths (up to the age of 18 years (excluding babies that are still born) must be analysed by LSCBs / Safeguarding Committees. Every unexpected death of a child in England and the DAs must be analysed by the LSCB (or DA equivalent) in conjunction with any health professionals involved with the child. In overseas locations, the relevant LSCB / Safeguarding Committee will appoint a nominated professional who is responsible for confirming the death and the circumstances surrounding the death. LSCB analysis must not jeopardise or impede any criminal investigation.

Child Death Overview Panels (CDOP)

35. An overview of all child deaths in the LSCB area will be undertaken by the Child Death Overview Panel (CDOP). This is a paper exercise based on information available from those who were involved in the care of the child both before and immediately after the death.

36. The CDOP has a fixed core membership drawn from the organisation represented on the LSCB, but has the flexibility to co-opt other members as appropriate. Such additional members may include Service representatives when a Service person or the child of a Service person is involved.

37. The CDOP holds meetings at regular intervals to enable each child's death to be discussed in a timely manner. It reviews the appropriateness of the professionals' responses to each unexpected death of a child, their involvement before the death and relevant environmental, social, health and cultural aspects of each death to ensure a thorough consideration of how such deaths might be prevented in the future.

38. Child Death Overview Panels, together with SCRs and the Rapid Response procedure form the principal tools for analysing and learning from children's deaths. The panels will consist of suitable qualified staff that will analyse information gathered about the child before and immediately after their death.

39. A chair will be appointed for the CDOP who will be accountable to the chair of the LSCB, on which the requirement is placed to review all child deaths in their area. The lead agencies in the review process for most deaths will be health, the police in some cases, social care.

40. The function of the CDOP is to consider the findings of each child death review and challenge the findings where necessary. If, when the panel reviews cases, issues arise that have not been satisfactorily addressed, these issues should be referred to the chair of the LSCB, the coroner or the police for further investigation.

41. SCRs look at specific actions by professionals and parents. The CDOP should not duplicate this work but should consider whether the reviews suggest wider trends for further analysis.

MOD Roles and Responsibilities for CDOP

42. The CDOP functions under the direction of the chair of the LSCB and will be managed by an appointed panel. In the UK it is likely that the MOD representative will only be involved if requested by the board.

43. Those members representing Service children on LSCB should make themselves familiar with their local procedures and be able to advise the Chain of Command or other agencies/organisations of the correct procedures to follow in notifying the necessary persons of a death of a child and to provide advice when an information request is received.

44. Those representing Service children on LSCBs should act as the conduit between the LSCB and the Command and ensure that the Command is assisted to meet the requirements of the LSCB. Where there is no Service representative on the LSCB the Single Service Specialist Welfare Provider should provide this conduit.

Overseas Commands CDOP Procedures

45. Overseas Commands should have procedures in place to generate a Rapid Response and CDOP when the need arises. In all overseas Commands the nominated professional on the LSCB / Safeguarding Committee will inform DCYP whenever a child death occurs in their area. DCYP, the relevant nominated professional and the chair of the LSCB / Safeguarding Committee will together agree how to proceed with the CDOP. This process must include a discussion on nominating an independent chair for the CDOP and a Designated Doctor for Child Deaths

46. The CDOP will be convened in the LSCB/Safeguarding committee area where the death occurred to ensure that local learning is maximised. The chair of the BFG standing CDOP will collate and maintain information on all overseas child deaths and will ensure that learning is shared on an annual basis to overseas LSCBs / Safeguarding Committees and the Executive Safeguarding Board

47. Copies of all CDOP reports should be sent to Dir DCYP and the Chair of BFG LSCB. Commands are to notify AG, via DCYP, of any child death occurring within their areas of responsibility as soon as possible¹⁵.

Sudden Infant Death Syndrome (SIDS)

48. A Sudden Infant Death is defined as a sudden unexpected death of an apparently well baby under the age of one year, which cannot be explained on clinical grounds or by post mortem examination.

49. The death of the infant could occur at anytime either in the company of the parent/carer/foster carer, child minder, day care provider or any other carer. In most cases this is the result of natural causes and represents an unavoidable tragedy for the family.

50. The following procedures should apply when there is a Sudden Infant Death:

a. For Service families in the UK, investigation will be a civil matter and there is no statutory requirement for the MOD to intervene unless requested or believed necessary to do so by the Service family or civil police if there is an investigation pending or a Child Protection Order in place for another child.

b. In overseas Commands, investigation will fall to the receiving Doctor, the Service Police and the social work service. Single Service welfare staffs are also likely to be involved and should be informed of the Child's death.

c. LSCBs must be informed of all infant deaths, regardless of cause and Child Death Overview procedures followed.

51. All Commands must have Child Protection procedures which include a protocol for SIDS, which should include details regarding primacy and how to reconcile differing autopsy reports.

MOD Roles and Responsibilities for Serious Case Reviews (SCRs)

52. A Serious Case Review (SCR) is conducted when a child dies or is seriously injured, and abuse or neglect is known or suspected to be a factor in the death/injury. Local organisations have to consider immediately whether there are other children at risk of harm who need to be safeguarded (e.g. siblings, or other children in an institution where abuse is alleged). Further information can be found in Part 2.

53. COs should follow the procedures and guidance mandated by the civil authorities, including the police, health and children's social care services. Although a death of a Service child in the UK will fall under the remit of the LA (or DA equivalent), the LA may involve the local Commander/CO and Service welfare staff as part of the investigation process.

54. Within England and Wales the LSCBs are required to undertake reviews of serious cases. Each LA will have procedures in place for this and should be in accordance with procedures set out in Chapter 8 of WTSC13. If during the CDOP investigation process it is clear that this case will be subject to an SCR, the CDOP investigation should not continue until the SCR has been completed and the findings reviewed by the LSCB.

¹⁵ This includes all expected deaths, and early neonatal deaths including those deaths that occur shortly after birth that are considered 'pre-viable'.

55. Within the UK, Single Services authorities may be asked to take part in an SCR investigation as part of their membership of the LSCB if the SCR involves a Service child/children. Advice should be sought from the single Service specialist welfare provider before agreeing to take an active role on the SCR panel and the single Service specialist welfare provider must be engaged to complete the Individual Management Review required, as the report requires profession-specific analysis and recommendations.
56. Single Service leads should inform the DCYP if a Service child or ex-Service child is involved in a SCR.
57. Overseas Commands may also decide to conduct an internal management review outside the local authority LSCB for a SCR investigation. However, advice must always be sought from the statutory social work service provider before any internal investigation begins. In Germany, HQ BFG has an LSCB that provides this service.
58. The DCYP¹⁶ should be consulted whenever an SCR or Serious Case Evaluation (SCE) is to be undertaken in an overseas command. A copy of the case review reports must be sent to the DCYP as the secretariat for the MOD CYPTB. They will be responsible for monitoring and evaluating both the LSCB overview report and the Individual Management Reviews.
59. In some cases, a SCE may be held where the criteria for a SCR have not been met, but where there may be lessons to be learned about multi-agency working. Each LSCB, in consultation with DCYP and the Independent Chair MOD SCB, must decide in each instance whether the case requires evaluating in more depth.

Investigating Complex (Organised or Multiple) Abuse

60. Complex (organised or multiple) abuse may be defined as abuse involving one or more abusers and a number of children. The abusers concerned may be acting in concert to abuse children, sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children for abuse.
61. Complex abuse occurs both as part of a network of abuse across a family or community, and within institutions such as residential homes or schools. Such abuse is profoundly traumatic for the children who become involved. Its investigation is time consuming and demanding work, requiring specialist skills from both police and social work staff. Some investigations become extremely complex, because of the number of places and people involved and the timescale over which abuse is alleged to have occurred.
62. The complexity is heightened where, as in historical cases, the alleged victims are no longer living in the setting where the incidents occurred, or where the alleged perpetrators are no longer linked to the setting or employment role.
63. Each investigation of organised or multiple abuse is different, according to the characteristics of each situation and the scale and complexity of the investigation. Although there has been much reporting in recent years about complex abuse in

¹⁶ This responsibility in the fullness of time is likely to fall to Ofsted, in line with England and Wales, once it has been agreed in statute. However, Directorate Children and Young People should still be informed on behalf of the lead member (AG) who has responsibility for ensuring that, where necessary, the LSCB is conducting serious case reviews with all the key agencies in a thorough and timely fashion and that the recommendations are used to review practice.

residential settings, complex abuse can occur in day care, in families, and in other provisions such as youth services, sports' clubs and voluntary groups. Children who are being abused via the use of the internet is a form of abuse that each agency working for the MOD/single Service must address in their local policies and procedures.

64. Each complex abuse case requires thorough planning, good inter-agency working and attention to the welfare needs of the child victims or adult survivors involved. When information about a possible case of organised abuse comes to light, all persons must report it immediately to their local children's social care service who will instigate the relevant procedures including informing the police and planning the investigation through a strategy discussion. Where a Service child is the subject of such an enquiry, the local commander should ensure that a Service representative is made available to assist the enquiry board.

4 Local Safeguarding Children Boards

Introduction

1. A Local Safeguarding Children Board (LSCB) provides the necessary direction and operating framework, to ensure that all relevant organisations focus on their responsibilities with regard to the safeguarding of children and young people. The role of the LSCB is defined in Chapter 3 of 'WTSC13'. Core objective and functions are in Part 2, however LSCB functions include:
 - a. Developing policies and procedures for safeguarding and promoting the welfare of children.
 - b. Communicating and raising awareness.
 - c. Participating in planning and commissioning children's services.
 - d. Collecting and analysing information about child deaths.
 - e. Undertaking serious case reviews and monitoring and evaluating the effectiveness of what is done.
2. In Scotland and Northern Ireland, legislation shares the same principles as CA04. The key local bodies in Scotland for developing and implementing the child protection strategy across agencies and between agencies are known as Child Protection Committees (CPCs). In Northern Ireland the key local body is known as the Safeguarding Board for Northern Ireland (SBNI) which is supported by a number of Safeguarding Panels.
3. Staff are instructed that the principles outlined henceforth will apply to both the LSCB and the DA equivalents as outlined above.

MOD Representation on LSCBs

4. The LSCB is made up of senior managers from different services and agencies in the local area, including the independent and voluntary sectors. LSCBs in England and Wales and the DA equivalents are expected to include MOD representatives wherever there is a significant Service population in that geographical area¹⁷.
5. Each local commander should provide a representative for their local authority LSCB and DA equivalent. The representative should be at the appropriate level, and have sufficient knowledge and understanding of child protection and safeguarding, together with the authority to make any decisions or recommendations to the LSCB and ensure that any actions or recommendations agreed by the LSCB that relate to the military community are carried out.
6. Where the representative does not have a background in or expertise in safeguarding, they should seek specialist advice from their single Service specialist welfare provider. The representative may be either a Service or civilian member of staff. In

¹⁷ This commitment is endorsed by 'The Nation's Commitment: Cross Government Support to our Armed Forces, their families and Veterans', July 2008, which requires government departments to take account of the particular needs of Service Families.

some cases it may be appropriate to have both a Service and a civilian member of the LSCB representing the Services. The Chair of the LSCB will make this decision.

Cooperating with LSCBs (UK)

7. WTSC13 states that where children are subject to safeguarding interventions it is within the remit of the LSCB to check the extent to which these interventions have been achieved. LSCBs may therefore seek information and assurance from MOD Commands and Units, including Cadets and Training Centres that are situated within the LSCB boundaries. All Commands and units are to cooperate fully with LSCBs in order to give them the information and assurance that they seek. Advice and support should be sought from the Service representative on the LSCB and the single Service welfare provider. Further advice and support can also be sought from DCYP where issues cannot be resolved at a local level.

Establishment of LSCBs Overseas

8. Where practicable to do so, overseas Commands supporting children should establish a LSCB for their command/unit. Each core agency should be represented on the LSCB, including the statutory welfare service, Service police, the health service, education etc and all should undergo LSCB induction training provided through the SCE safeguarding children DVD series (copies can be obtained from DCYP). Where size/numbers render this unachievable a Safeguarding Committee should be formed or links to the nearest LSCB/Safeguarding Committee established.

9. All overseas LSCBs should provide a report to DCYP, where the implementation process will be reviewed annually through the chain of command and the MOD CYPTB. The overseas LSCBs should also provide a report annually, by 31st July, to DCYP and the MOD Safeguarding Children Board, where areas of risk will be taken forward to the MOD CYPTB.

10. In locations where the Service and civilian population is relatively few and where there is limited Service infrastructure, a Safeguarding Committee should be established. This should be done in consultation with DCYP. The principle which should always be applied is that safeguarding issues must be addressed at a local level to nationally recognised standards. Safeguarding Committees should seek advice and support from DCYP.

5 Training and Development

General

1. All MOD personnel, organisations, and agencies who work with children regardless of the level of contact with children, are required to undertake appropriate safeguarding training. The document 'WTSC13', Chapter 4, gives statutory guidance on this and advice on the appropriate level of training can be provided by the LSCB or the relevant Service agency providing the service.
2. The aim of the training is to:
 - a. Improve inter-agency working in order to achieve better outcomes for children and young people.
 - b. Develop a shared understanding of the tasks, processes, principles, and roles and responsibilities outlined in National Guidance¹⁸ and local arrangements for safeguarding children and promoting their welfare.
 - c. Deliver more effective and integrated services at both the strategic and individual case level.
 - d. Improved communication between professionals, including a common understanding of key terms, definitions and thresholds for action.
 - e. Lead to effective working relationships, including an ability to work in multi-disciplinary groups or teams.
 - f. Lead to sound decision-making, based on information sharing, through assessment, critical analysis and professional judgement.
3. Commands should ensure that all staff¹⁹ that come into contact with children are familiar with the expected standards within these areas of expertise.

Access to Training in the UK and Overseas

4. Overseas Commands have the responsibility to ensure that resources are allocated to safeguarding and child protection training for the children's workforce. This includes all voluntary staff with access to children regardless of level of access or frequency.
5. In overseas Commands, single organisations and agencies delivering children's services are responsible for basic awareness training (Induction/Group 1 – Safeguarding Training), however their delivery has to be agreed/authorised/commissioned by their LSCB / Safeguarding Committee. All other training is to be delivered by single or a multi-agency training to a multi-agency audience (Group 2 and 3 – Safeguarding training). Specialist training is available through the LSCB based in Germany and may also be undertaken through approved self-directed distance learning courses

¹⁸ Working Together to Safeguard Children 2010.

¹⁹ All staff are required to undertake some form of safeguarding training including clerical and domestic staff, i.e. safeguarding induction (known as Level 1).

6. A training guide is included in this document in Part 2. This guidance is based on the guidance in WTSC13 and the Intercollegiate Document 2010. This guidance is aimed at clarifying safeguarding training for all children's services staff overseas and is consistent with the guidance contained in JSP 950 Leaflet 4_6_6 Safeguarding Children Standards for Personnel Working within the DMS.

7. In the UK, LSCBs (and their equivalent in the Devolved Administrations) provide safeguarding training programmes. Commands and Units should make use of this local training, in line with the guidance set out in Part 2.

6 MOD Responsibilities Overseas

Introduction

1. In overseas locations the MOD follows the principles of English law and has assumed the responsibility of replicating the services provided to children and young people in the UK as far as is reasonably practicable, having regard to the provisions of international agreements and local law. Commanders at all levels are to ensure that policies and procedures are specifically written to reflect the requirements of both English law and any host nation regulations that may apply.
2. The application of policies based on UK statutes applies to the whole service infrastructure of Social Work, Health, Police, Education and regulated organisations such as Core Assets, SSAFA, BFEYS, BFSWS, BFHS, RNRMW, AWS and the Youth Work Services.
3. Overseas commands, such as those in Germany, Cyprus, Gibraltar, Falkland Islands and Brunei, have support structures in place for Service families, UKBCs and Contractors subject to Service law, which include the overseas contracted social work service.
4. Where there are small commands with few children, there may or may not be formal protocols with host nations for immediate child intervention/protection services and in some countries, for example Canada, the host nation will have legal jurisdiction for the protection of children. These commands should regardless receive periodic visits from suitably experienced and qualified social workers from an MOD approved social work provider (e.g. Core Assets who are contracted to provide an equivalent to a LA social work service in Germany) and are able to call on the Central Referral Team (CRT) based in Germany if required for child protection matters or training.
5. If the local commander believes, with advice from one or more of the supporting services listed above, that it is in the best interest of the child/family to do so, they may take the decision that Service personnel, their spouse/partner and dependants should be repatriated to the UK, or their domicile country. They must in these circumstances ensure that the contracted social work service is involved in order to ensure that the appropriate LA, or equivalent, is aware and able to meet the needs of the child/family.

Legislative Framework

6. Overseas commands are not able to rely upon comprehensive UK legislation to ensure that children are protected. However, there are legislative powers available to overseas commands through the Armed Forces Act 1991 (AFA 1991) (as amended by the Armed Forces Act 2006 (AFA 06)) and the Armed Forces (Protection of Children of Service Families) Regulations 2009 (AF (PCSFR) 2009).
7. These legislative powers allow Judge Advocates to make child assessment and protection orders. The AFA 06 also makes provision for the service police to take children into Police Protection to be accommodated in a place of safety. Details of the relevant legislation can be found in the Manual of Service Law, Volume 1, Chapter 26

Direction to Overseas Commands

8. Any person who has reason to believe that a child may be suffering, or at risk of suffering, significant harm should immediately refer their concerns to the social work service in the Command or to the CRT located in BFG who will undertake an assessment and where necessary, inform the chain of command and single Service specialist welfare providers.
9. Where there is evidence or suspicion that an offence may have been committed against a child, the Service police should be notified immediately.
10. In small commands/units/locations, where there is no local social work service the Command concerned should seek qualified advice and sanction for their proposed actions from the local designated social work service. For the majority of Commands in this situation this would be the CRT but there are some exceptions to this general rule for example in Canada where the designated service will be the Southeast Alberta Family Services Authority.
11. RNRMW (for Naval/RM families and Serving Personnel), HQ AWS (for Army families) and HQ SSAFA (for RAF families) and the SSAFA health visitor in some commands, can provide valuable guidance and support. For entitled families of civilian contractors and non-military employees this service should be provided by the welfare service provided for the military personnel in the location where the civilian contractor or non-military employee is based. Where necessary the CRT or a suitably qualified social worker and SIB officer from another overseas Command can be asked to attend.
12. Where there is reasonable cause to suspect a child is suffering or is likely to suffer significant harm the social worker should call a strategy meeting within 24 hours.

LSCBs and Safeguarding Committees Overseas

13. The following guidance is concerned with LSCB/Safeguarding Committee provision overseas – across main overseas locations where there are high concentrations of Service children, and ISODETs²⁰.
14. **LSCB / Safeguarding Committee Area of Responsibility.** A single LSCB / Safeguarding Committee can cover more than one location within the Command area.
15. **LSCB / Safeguarding Committee Core Objectives.** The core objectives of the overseas LSCB/Safeguarding Committee are:
 - a. Co-ordinating what is done by each person or body represented on the LSCB / Safeguarding Committee for the purposes of safeguarding and promoting the welfare of children in the area of the authority, and ensuring the effectiveness of what is done.
 - b. Safeguarding and promoting the welfare of children, which is defined as:
 - (1) Protecting children from maltreatment.
 - (2) Preventing impairment of children's health or development.

²⁰ Isolated Detachment.

(3) Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and undertaking that role so as to enable those children to have optimum life chances and enter adulthood successfully.

16. **LSCB Membership.** An LSCB is made up of senior managers from different services and agencies in the local area, including the independent and voluntary sectors. Membership is defined in the MOD Safeguarding Board Governance arrangements. Where appropriate and possible, the LSCB should seek to include a similar range of agency/partner representation, including qualified or experienced representatives from:

- a. Social Work.
- b. Health Service.
- c. Dentistry.
- d. Education.
- e. Service Police.
- f. Relevant '3rd sector bodies' – for example HOMESTART.
- g. Service Specialist Welfare Services – AWS, NPFS etc.

Normally, an LSCB would also require:

- a. Access to²¹, and occasional attendance by, a Legal Advisor.
- b. Contact with the relevant regulatory body (BFEYS/Core Assets/SSAFA/OFSTED).
- c. A suitably experienced professional to act as part-time business manager – whilst not essential, a registered social worker would be beneficial.

17. **Safeguarding Committee Membership.** Safeguarding Committees will only be constituted in Commands/locations where there are service children, but where there is limited Service infrastructure. A Safeguarding Committee is made up of senior representatives of the local Service community employed within the area. This should be as wide a range of staff as possible, including medical staff, welfare staff and support staff. The Safeguarding Committee should also co-opt dependents on to the committee so that the views of dependents and children are heard. All members of Safeguarding Committees should be DBS checked.

18. **Minimum Membership.** If there is insufficient representation to constitute an LSCB or Safeguarding Committee, it is the CO's responsibility to ensure effective safeguarding, as outlined in Part 2.

19. **Chair/Vice-Chair.** Ideally the Chair should be independent of the Command however it is recognised that in many geographical locations this may not be achievable. The Chair plays a key role in ensuring that the LSCB operates effectively and has an independent voice. He or she must act objectively and distinguish the role of LSCB Chair from the day to day responsibilities of his or her position in the Command.

²¹ Legal issues may be referred to the MOD Safeguarding Board if legal support is not available locally.

20. **LSCB Chair Responsibilities.** Key roles of the LSCB Chair are as follows:

- a. Managing all aspects of LSCB meetings, including agenda setting, chairing of meetings, agreeing records of decisions and monitoring/following-up actions to be taken.
- b. In consultation, ensuring that key local issues are brought to the attention of the LSCB.
- c. Overseeing and providing support in the production of the LSCB Business Plan and Annual Report.
- d. Maintaining good liaison throughout the LSCB structure and visibly supporting the work of sub-committees of the LSCB.
- e. Determining the need for Serious Case Reviews (SCR)/Significant Case Evaluations (SCEs) with appropriate advice.
- f. Providing an overview and holding to account the work of the SCR sub-committee.

21. **Safeguarding Committee Chair Responsibilities.** Key roles of the Safeguarding Committee Chair are as follows:

- a. Managing all aspects of Safeguarding Committee meetings, including agenda setting, chairing of meetings, agreeing records of decisions and monitoring/following-up actions to be taken.
- b. In consultation, ensuring that key local issues are brought to the attention of the Safeguarding Committee.
- c. Provide safeguarding information, through Command structures, to the MOD Safeguarding Board as and when requested.

22. **Safeguarding Committee Core Functions.** Safeguarding Committee Core Functions are as follows:

- a. Ensure, through Command structures, that all MOD staff who work directly with children (e.g. Health staff) have been appropriately vetted via safe recruitment processes.
- b. Liaise with local providers (e.g. education, health, transport etc) to ensure that service children are safeguarded and protected.
- c. Produce a local safeguarding policy. A sample policy is provided at Annex H to Part 2.
- d. Ensure that Safeguarding Committee members undertake induction training utilising the LSCB DVD from the SCE Safeguarding series.
- e. Ensure that all staff who come into contact with or work with children receive regular safeguarding training as set out in Annex H
- f. Provide reports, through the Command structure, to the MOD Safeguarding Board as and when requested.

- g. Produce a risk register which focuses on local issues and which includes mitigating actions.
- h. Liaise with key support partners (SSAFA, DCYP, CRT) to ensure that service children are safeguarded and protected.
- i. Serious Case Reviews/Significant Case Evaluations. Safeguarding Committees will not have the infra-structure to undertake SCRs/ SCEs. Where a SCR / SCE may be required the chair of the Safeguarding Committee should discuss with DCYP how this can best be achieved.

23. **LSCB Chair/Safeguarding Committee Chair Additional Guidance.** It is recognised that personnel may be operating in areas out of their expertise; additional guidance is provided in Part 2 of JSP 834, and further advice can be sought from DCYP.

24. **LSCB Functions.** The functions of the LSCB are set out in primary legislation²² and regulations²³. LSCB functions can be seen as preventative, proactive or reactive in respect of children and young people up to the age of 18 years.

25. **Preventative Core Functions.** When the LSCB has achieved its primary goal of ensuring that work to protect children is properly co-ordinated and effective, the Board should look to its wider remit, which includes preventative work to avoid harm being suffered. Preventative core functions affect all children and young people and are aimed at identifying and preventing maltreatment or impairment of health or development, and ensuring children and young people are growing up in circumstances consistent with safe and effective care. The LSCB should seek to undertake the following preventive core functions:

- a. Developing safe recruitment guidance/standards to assist those who recruit individuals who work with children and young people to safeguard children and young people. See also JSP 893 Safeguarding Vulnerable Groups.
- b. Commissioning multi-agency training to enable those who work with children/young people to identify abuse and neglect.
- c. Working to involve and inform the professional and wider community of what they can do to safeguard and promote the welfare of children/young people.
- d. Developing a set of standards, and review of audit against those standards, for organisations who work with children to safeguard and promote the welfare of children and young people.
- e. Evaluating the effectiveness of what is done by each local agency individually and collectively to safeguard and promote the welfare of children and young people in the area through audit and evaluation including those key people and organisations that have a duty under section 11 of the Children Act 2004 or section 175 or 157 of the Education Act 2002.

26. **Proactive Core Functions.** Proactive core functions aim to target particular groups of children and young people, namely those who are considered to have additional vulnerabilities. The LSCB should seek to undertake the following proactive core functions:

²² Sections 14 and 14A of the Children Act 2004.

²³ Local Safeguarding Children Regulations 2006, Statutory Instrument (SI) 2006/90.

- a. Promoting a level of agreement and understanding across agencies about operational definitions and thresholds for intervention.
- b. Participating in evaluating thresholds and procedures for responding to children and young peoples needs.
- c. Raising awareness of the vulnerabilities of specific groups of children/young people in the professional and wider community including Privately Fostered children.
- d. Ensuring local planning and commissioning of children's services takes safeguarding and promoting the welfare of children and young people into account.
- e. Undertaking Serious Case Reviews to ensure lessons are learnt from every child death where abuse or neglect may have been a factor with support and advice from DCYP.
- f. As required, working with other LSCBs (in the case of overseas commands, including host nation bodies) to address issues that span the boundaries of local areas, for example, establishing procedures to safeguard and promote the welfare of children and young people who move between local authority areas.

27. **Responsive Core Functions.** Responsive core functions target children and young people who are suffering or at risk of suffering harm and includes work to protect these children and young people. LSCBs are to undertake the following responsive core functions:

- a. Developing and disseminating inter-agency policy and procedures to safeguard and promote the welfare of children and young people who are suffering or are at risk of suffering maltreatment.
- b. Developing and disseminating effective local procedures for investigating allegations made against individuals who work with children/young people.
- c. Developing and disseminating effective local procedures for responding to unexpected child deaths.
- d. Commissioning multi-agency training to enable those who work with children/young people to respond effectively to children and young people who are suffering or are at risk of suffering maltreatment.

28. **Plan.** The LSCB should produce an annual plan that sets out a work programme, including measurable objectives. The LSCB plan may form part of the overall Command-level Children & Young People's Plan and should follow the guidance/format of the MOD Safeguarding Children Board Strategic Plan. It should be endorsed by all the agency representatives who constitute the LSCB.

29. **Safer Recruiting.** All organisations which employ staff or volunteers to work with children have a duty to safeguard and promote their welfare. This includes ensuring that safer recruitment and selection procedures are adopted which prevent unsuitable persons from gaining access to children. The LSCB should assure itself that the appropriate safer recruitment and selection procedures, as contained within JSP 893 Safeguarding Vulnerable Groups, are being followed.

30. **Serious Case Reviews (SCRs).** The main purpose of a Serious Case Review (SCR) is for agencies and individuals to learn lessons to improve the way in which they work both individually and collectively to safeguard and promote the welfare of children. The lessons learned should be disseminated effectively, preserving the confidentiality of children and families, and the recommendations should be implemented in a timely manner so that the changes prevent, wherever possible, children suffering or being likely to suffer harm in the future. It is essential, to maximise the quality of learning, that the child's daily life experiences and an understanding of his or her welfare, wishes and feelings are at the centre of the SCR, irrespective of whether the child died or was seriously harmed. This perspective should inform the scope and terms of reference of the SCR as well as the ways in which the information is presented and addressed at all stages of the process, including the conclusions and recommendations. Reviews vary in their breadth and complexity but, in all cases, where possible, lessons should be acted upon quickly without necessarily waiting for the SCR to be completed. More detailed guidance on the conduct of SCRs is included in Part 2.

31. **Significant Case Evaluation (SCE).** In some cases there may be a significant case involving a child/children and young people which does not meet the criteria for a SCR but it is considered that there are lessons to be learned that might improve or strengthen practice. In these situations it is recommended that a SCE is carried out in order that this learning can be captured and disseminated accordingly via the local and MOD safeguarding boards.

32. **Monitoring and Inspection.** The LSCB should ensure the effectiveness of safeguarding and promoting the welfare of children by member organisations across its area of responsibility by means of an annual review process or, where possible, a peer review process based on:

- a. Self evaluation.
- b. Performance indicators.
- c. Joint audit.

Where it is found an agency is not performing effectively in safeguarding and promoting children's welfare, and the LSCB is not convinced any planned improvements will be adequate, the Chair should pass on these concerns to those who need to be aware of the failing and will be able to take action, e.g. the most senior individual/s in the organisation, the relevant inspectorate, and the relevant department. The Ofsted local inspection framework <http://www.ofsted.gov.uk/> will play an important role in informing the ongoing monitoring work of the LSCB.

33. **Reporting.** In addition to routine reports, submitted through the Command HQ to the MOD Safeguarding Board (3xpa), each LSCB is required to provide an annual report through its chain of command, for onward staffing to the MOD Safeguarding Children Board. The report will support the development of effective accountability locally and an effective relationship between the LSCB, the Command HQ and MOD Safeguarding Children Board. Further guidance on the structure and content of annual reports is in Part 2.

34. **LSCB Structure; Sub-groups.** It is appropriate for the LSCB to set up working groups or sub-groups, on a short-term or a standing basis to address issues such as:

- a. Carrying out specific tasks, e.g. maintaining and updating procedures and protocols, reviewing serious cases, identifying inter-agency training needs and arranging appropriate training.
- b. Providing specialist advice, e.g. in respect of working with specific ethnic/cultural groups, or with disabled children and/or parents.
- c. Co-ordinating involvement of a sector where it is difficult for one person to act as an overall representative, e.g. schools, voluntary and community sector.
- d. Representing a defined area within the LSCB boundary.

All groups working under the LSCB will be established by the LSCB, and will work to agreed terms of reference within the framework of the annual plan, with explicit lines of reporting, communication and accountability to the LSCB. Each of the sub groups should be chaired by a core member of the LSCB.

35. **Ways of working.** LSCBs will develop ways of working which are suited to local circumstances; however, all LSCBs should aim to meet formally 3 x per annum. A suggested format for Board meetings is in Part 2.

Overseas Social Work Provision

36. The MOD has assumed responsibility for the protection, safeguarding and promoting the welfare of the children of Service families or civilians working with the Services overseas. Larger Commands have discharged this duty by having in place various arrangements with Core Assets and SSAFA, who provide an independent professional social work service under contract or via service agreements to ensure the safety and well being of children within their area of responsibility.

37. The social work services provided vary according to the needs in each location but will include assessing, and delivering services to, Children in Need (including taking action to protect children if necessary) and providing safeguarding training.

38. All services are carried out in line with UK legislation, standards and practice and are supported by a professionally qualified and experienced social work service overseas with professional line management structure led by the Director of Social Work based in London.

39. An Additional Needs and Disability Adviser is also based in the London office offering specialist advice and support to personnel and their families, other agencies and the MOD. There is also an Additional Needs and Disability Senior Social Work Practitioner based in BFSWS, BFG.

40. There are qualified and registered social workers based in Western Europe, Cyprus, Gibraltar, Brunei and the Falkland Islands who have demonstrable statutory experience of work with children and families and are suitably skilled and trained in child protection and the range of statutory social work provision. They are provided with professional supervision and managerial support in accordance with UK standards.

41. Out of hours support is provided in these commands in response to local needs and where required to all overseas locations by the Central Referral Team (CRT) based in BFG as they operate a 24/7 telephone access to a qualified social worker.

42. Where there are no UK social work services available, there may be an arrangement with the host nation for these services to be provided. Where this is the case the overseas social work provider should ensure that appropriate information sharing is achieved.

43. For Commands that do not have this arrangement in place, the CO, in conjunction with his or her single Service specialist welfare provider or local welfare staff (provided they are trained to UK standards in safeguarding children) should prepare instructions on what is to be done if there is concern about the safety or welfare of a child.

44. These instructions should be reviewed annually by a suitably experienced and qualified social worker representing the social work service for overseas commands who is familiar with the military environment.

Reporting Line

45. Copies of all safeguarding reports that cover the following areas should be sent to the Directorate Children and Young People, within two weeks of the date of issue. These include reports for:

- a. SCRs / SCEs.
- b. Child Death Overview Panels (CDOPs).
- c. LSCBs.

46. If a commander orders a review into the death of a child that is not convened as above, a copy of the order should also be sent to the DCYP within two weeks of the date of issue.

Movement of Children between United Kingdom and Overseas, and between Overseas Assignments²⁴

47. In accordance with statutory guidance contained in 'WTSC13', LAs should ensure that the Director of Social Work at SSAFA and/or Core Assets together with the AWS for Army or RNRMW for RN/RM families are made aware of any Service child who is the subject of a child protection plan and whose family is about to move overseas. In the interests of the child, the Director of Social Work at SSAFA should confirm that appropriate resources exist in the proposed location to meet identified needs.

48. Full documentation should be provided and forwarded to the relevant overseas command. Comprehensive reciprocal arrangements exist for the referral of child protection cases to appropriate UK authorities, relating to the temporary or permanent relocation of such children to the UK from overseas and from the UK to overseas.

49. It is the responsibility of the allocated social worker to inform the receiving authority where children and young people who are subject to a child protection plan are due to move into a different Local Authority Area or Country. The transferring authority must provide the receiving authority with the child protection plan, all the reports from previous conferences and relevant information as soon as the move has been agreed.

²⁴ 2011DIN04-109 explains Changes to Policy for In-Flight Escorting of Unaccompanied Minors (UNMINs) on RAF AT and MOD funded charter.

50. The receiving authority should be provided with details of each agency's named staff in order that reports can be requested for a transfer in conference along with details of the agency contacts in the receiving in authority. A transfer in conference date within 15 working days of the date of the move should be given in writing by the receiving authority to the transferring authority. Acceptance of the transfer should be in writing and this is the responsibility of the relevant team manager.

51. As soon as possible after the arrival to or from UK of a child subject to a CPP and when the relevant documents are available, the overseas social work services or UK responsible social work authority will arrange for a Child Protection Conference (CPC) to be held in order to review the family and to arrange for appropriate supervision and support services. Good practice and statutory guidance in England and Wales requires that a receiving conference is held within 15 days of formal notification of the move.

52. In the case of an unplanned move, information must be shared on the same working day once the move is known, an address is known or a specific area can be identified.

Children in Need of Protection Assigned Overseas

53. Although assigning authorities will act as a filter for the assignment of recorded high risk children about to be assigned overseas, there will nonetheless be instances of children who are in need of protection arriving in overseas commands with their families. These cases must be immediately referred to the overseas social work service in that command where there is one or alternatively to the CRT in BFG.

54. All LAs in England and Wales have agreements to inform the Director of Social Work SSAFA and/or Core Assets when a child subject to a CPP²⁵ is about to move overseas as an HM Forces move. Land Forces Standing Order 3351 (Children in Need of Protection) gives the procedures to be followed in the UK by Army units so that overseas units are made aware of the situation prior to the family's arrival in theatre. Naval and RAF units should implement similar procedures.

55. To ensure that cases are not overlooked, units/Commands are to inform the overseas social work service or CRT when they are made aware of children in need of protection arriving or due to arrive in their AOR.

Supervision of Families with Children who are Subject to a Child Protection Plan

56. The continued supervision of families with children who are the subject of a CPP is the responsibility of the allocated social worker (SW) or Senior Social Work Practitioner (SSWP) who will work with the family and with the single Service specialist welfare provider, the UWO, health, education and other care providers to ensure that the plan is implemented. Units must understand that some families being supervised may have children who are subject to United Kingdom Court Orders.

57. The CPP will be overseen by a core group to include the allocated social worker, the child (where appropriate dependant on age and understanding), the parents and relevant agencies involved with the family e.g. education, health, unit welfare officer.

²⁵ Formerly a child on the Child Protection Register.

58. The plan will be reviewed in accordance with WTSC guidance by holding a review conference within three months of the initial child protection conference and thereafter within six months.

59. SSWPs based in Commands must liaise closely with UK statutory bodies and it is essential that there is close co-operation between them and unit commanders. Family welfare is the responsibility of the CO.

60. Where there is a child at risk the CO must inform and take the advice of the overseas social work providers and may also take advice from the single Service specialist welfare provider when making any decisions affecting the family. Where there is no statutory social work presence advice can be sought from the Director of Social Work SSAFA or the CRT based in Germany.

Assignment Flag

61. On receipt of notification that a child is subject to a CPP, the relevant assignment authority should annotate the Service parent's documents and JPA records accordingly.

62. A child protection indicator will indicate a need to ensure that the family is assigned only to those areas where adequate supervision of the child's welfare is assured. Similarly, discontinuation of a CPP will cause the removal of the 'Child Protection' annotation.

63. **Movement of children from overseas locations to the UK.** The SSAFA Social Work Service and Core Assets are responsible for ensuring that the relevant UK CSC is notified of any child subject to a CPP overseas returning to the UK. This includes temporary visits to the UK. SSAFA Social Work Service and Core Assets are responsible for liaising with the receiving CSC. SSAFA Social Work Service and Core Assets are also to inform HQ AWS, who is responsible for ensuring that Annex A to LFSO 3351, 'Children in need of Protection', is raised and circulated.

Management of Sex Offenders Overseas

64. A separate JSP on the management of Sexual and Violent Offenders will be produced in due course by CDP. In the meantime any questions or concerns about this should be directed to SPCB-RSM@mod.uk; telephone number 02392 285193 or 24-hour Operations Room 02392 285170/5180.

7 Children in Specific Circumstances

This section deals with children in specific circumstances and is intended to give additional guidance for practitioners, or direct practitioners to relevant guidance. This is in recognition of the additional vulnerability of some children (such as SEN) or of developing concerns within UK society (such as child sexual exploitation).

Foster Care (including Private Fostering)

1. For information see 2008DIN01-189. All staff must be alerted to the requirements of section 66 of the Children Act 1989 and The Children (Private Arrangements for Fostering) Regulations 2005 (SI 2005/1533). Under these provisions, in the UK, notification must be given to the Local Authority of any intended arrangements relating to the private fostering of a child – i.e. arrangements under which a child is to be cared for other than by a parent or close relative for a period of 28 days or more. Only cases where the principal carer is a close relative as defined by the Children Act 1989 will not be regarded as private fostering.

Children with Additional Needs and Disability

2. See JSP 820 Disability and Additional Needs Policy. The aim of this policy is to give guidance on the range and types of assistance available and to emphasise the role of the single Services.

Children in Service Children's Education Schools

3. See JSP 342 Education of Service Children. This guidance gives information on educational structures within SCE and how this relates to UK, including in the Devolved Administrations. Important contact details are included.

Irregular and Interrupted School Attendance

4. Educational achievement contributes significantly to children's wellbeing and development; all children have a right to education and children who move should be supported to transfer from one school to another as seamlessly as possible.

5. Parents have a legal duty to ensure that their child receives a suitable education by attending school or other provision. Parents have a right to home educate and to provide education other than in school. However, where parents appear not to have taken steps to ensure that their child is registered with a school or is otherwise being educated, LA education welfare should make urgent enquiries about the child's welfare, and interview the child. If the parent fails to comply with LA education welfare's efforts to place the child in school, this must be viewed as a child protection matter and a referral made to LA children's social care.

6. Children's services in LA areas with high numbers of new arrivals from abroad should ensure that parents are aware that they are required to enrol their children in school. The LA must assist parents to do so. All LA must maintain effective systems for checking that children from abroad living in their area are attending school.

7. Schools must have systems for monitoring attendance and where children are attending irregularly LA education welfare should be notified to ensure that the children are

safe. LA education welfare has a range of legal powers to enforce school attendance, including the prosecution of parents who fail to ensure that their children attend school regularly²⁶.

Children Living Away From Home

8. The welfare and safety of children living away from home should be promoted and provided for at least in line with National Minimum Standards²⁷ in all settings, including foster care, residential care, private fostering, armed forces bases, healthcare and boarding schools (including residential specialist schools).

Child Exploitation and Online Protection²⁸

9. All staff should be alerted to the risk of children being abused when using the Internet either at home or when they have access to the internet located on MOD establishments.

10. The UK Council for Child Internet Safety produced the first UK Child Internet Safety Strategy in December 2009 entitled 'Click Clever. Click Safe'. This is available from http://ceop.police.uk/Documents/UKCCIS_Strategy_Report.pdf

11. Commands should have a Child Protection Protocol for keeping children safe online and provide guidance for staff when supervising children in this environment.

Allegations of Harm Arising from Underage Sexual Activity

12. Cases of underage sexual activity that present cause for concern are likely to raise difficult issues and should be handled particularly sensitively. Any sexual activity involving a child under 13 is likely to amount to a criminal offence (under the Sexual Offences Act 2003) and will be taken very seriously by the courts.

13. Cases involving under-13s should always be discussed with a nominated child protection lead in the organisation. Under the Sexual Offences Act, penetrative sex with a child under 13 carries a sentence of life imprisonment.

14. Where an allegation in relation to a child under 13 concerns penetrative sex, or other intimate sexual activity occurs, there would always be reasonable cause to suspect that a child, whether girl or boy, is suffering, or is likely to suffer, significant harm. There should be a presumption that the case will be reported to children's social care and that a strategy discussion will be held.

15. All cases involving under-13s should be fully documented, including giving detailed reasons where a decision is taken not to share information.

16. Sexual activity with a child who is 13 or over but under 16 will also usually amount to an offence under the SOA. Although the maximum sentence for such an offence is less than that relating to under 13s, such an offence can nevertheless be very serious, and can also have serious consequences for the victim.

²⁶ Schools made need to be made aware of absences for children with serving parents during R & R, deployment leave etc.

²⁷ Further information can be found at www.cgc.org.uk.

²⁸ Advice on staying safe online can be sought from the Child Exploitation and Online protection Centre (CEOP). This is a UK police agency that delivers free education programmes into schools to help children of all ages stay safe online. <http://ceop.police.uk>.

17. Consideration should be given in every case of sexual activity involving a child aged 13-15 as to whether there should be a discussion with other agencies and whether a referral should be made to children's social care.

18. The following considerations should be taken into account when assessing the extent to which a child (or other children) may be suffering or at risk of harm, and therefore the need to hold a strategy discussion in order to share information:

- a. The age of the child – sexual activity at a young age is a very strong indicator that there are risks to the welfare of the child (whether boy or girl) and, possibly, others.
- b. The level of maturity and understanding of the child.
- c. What is known about the child's living circumstances or background?
- d. Age imbalance – in particular where there is a significant age difference.
- e. Overt aggression or power imbalance.
- f. Coercion or bribery.
- g. Family child sex offences.
- h. Behaviour of the child – i.e. withdrawn, anxious.
- i. The misuse of substances as a disinhibitor.
- j. Whether the child's own behaviour, because of the misuse of substances, places him or her at risk of harm so that he or she is unable to make an informed choice about any activity.
- k. Whether any attempts to secure secrecy have been made by the sexual partner, beyond what would be considered usual in a teenage relationship.
- l. Whether the child denies, minimises or accepts concerns.
- m. Whether the methods used are consistent with grooming.
- n. Whether the sexual partner/s is known by one of the agencies.

19. In cases of concern, when sufficient information is known about the sexual partner/s, the agency concerned should check with other agencies, including the police, to establish what information is known about that person/s. The police should normally share the required information without beginning a full investigation if the agency making the check requests this.

20. In England each LA and overseas each Command should have in place a local protocol for guidance of this issue. For BFG this is covered in SOBF(G) 3351.

Fabricated or Induced Illness (FII)

21. Concerns may be raised when it is considered that the health or development of a child is likely to be significantly or further impaired by a parent or caregiver who has fabricated or induced illness. These concerns may arise when:

- a. Reported symptoms and signs found on examination are not explained by any medical condition from which the child may be suffering.
- b. Physical examination and results of medical investigations do not explain reported symptoms and signs.
- c. There is an inexplicably poor response to prescribed medication and other treatment.
- d. New symptoms are reported on resolution of previous ones.
- e. Reported symptoms and found signs are not seen to begin in the absence of the caregiver.
- f. Over time, the child is repeatedly presented by the parent or caregiver with a range of symptoms.
- g. The child's normal activities are being curtailed beyond what might be expected for any medical disorder from which the child is known to suffer.
- h. There may be a number of explanations for these circumstances, and each requires careful consideration and review. Concerns about a child's health or suspicion of FII should be discussed with the GP or paediatrician responsible for the child's health.

22. There are three main ways of fabricating or inducing illness in a child:

- a. Fabrication of signs and symptoms – this may include fabrication of past medical history.
- b. Fabrication of signs and symptoms and falsification of hospital charts and records.
- c. Falsification of specimens of bodily fluids – this may also include falsification of letters and documents.

23. In 2008 the Government published Safeguarding Children in Whom Illness is Fabricated or Induced; how this is being implemented in NHS settings can be found at: www.dh.gov.uk/en/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance

24. In England each LA and overseas each Command should have in place a local protocol for guidance of this issue.

Children whose Behaviour Indicates a Lack of Parental Control

25. When a child comes to the attention of their teachers, the police or the wider community because of their behaviour, this may be an indication of vulnerability, poor supervision or neglect in its wider sense.

26. Professionals should consider initiating a Common Assessment Framework (CAF) where a child's behaviour appears to indicate a lack of parental control. This may result in a referral to LA Children's Social Care for a multi-agency assessment of the child's needs.
27. For some children where a section 47²⁹ enquiry is not considered necessary, LA children's social care may complete a core assessment and convene a series of multi-agency meetings to plan, implement and review support for the child and his/her family.
28. A child who is misusing substances and becoming involved, for example, in dangerous crime or sexual exploitation is at risk of significant harm. Professionals, often teachers, the police or youth offending teams, should refer the child to LA children's social care.
29. Where parental engagement cannot be secured on a voluntary basis a range of powers should be used to engage families to improve a child's behaviour. The Child Safety Order (CSO) is a compulsory intervention available below the threshold of the child being at risk of significant harm. An LA can apply for a CSO where a child has committed an act which would have been an offence if he were aged 10 or above, where it is necessary to prevent such an act, or where the child has caused harassment, distress or harm to others (i.e. behaved anti-socially). It is designed to help the child improve his or her behaviour and is likely to be used alongside work with the family and others to address any underlying problems.
30. A Parenting Order can be made alongside a CSO or when a CSO is breached. This provides an effective means of engaging with and supporting parents whilst helping them develop their ability to undertake their parental responsibilities.
31. Local Safeguarding Children Boards have a responsibility to ensure that activities are co-ordinated to minimise the risks and the welfare of children is promoted through targeted diversionary activities, which often involve youth offending teams.

²⁹ A Section 47 Enquiry (Children Act 1989): enquiries into the circumstances of children considered to be at risk of 'significant harm' and, where these enquiries indicate the need, to undertake a full Investigation into the child's circumstances.



**Ministry
of Defence**

**JSP 834
Safeguarding Service Children and Young People
Part 2: Guidance**

Foreword

This Part 2 provides guidance in accordance with the policy set out in Part 1 of this JSP; the guidance is sponsored by the Defence Authority for People. It provides policy-compliant business practices which should be considered best practice in the absence of any contradicting instruction. However, nothing in this document should discourage the application of sheer common sense.

Preface

How to use this JSP

1. JSP 834 is intended as a comprehensive framework for the safeguarding of Service children and young people. It is the intention that this JSP will be reviewed annually.
2. The JSP is structured in two parts:
 - a. Part 1 - Directive, which provides the direction that must be followed in accordance with statute or policy mandated by Defence or on Defence by Central Government.
 - b. Part 2 - Guidance, which provides advice, information and examples of best practice to assist the user to comply with the Directive(s) detailed in Part 1.
3. When reading this JSP it is important to note that the word 'must' is used to denote requirements mandated by law in England and Wales, the word 'should' is used to reflect requirements mandated by policy and the word 'may' provides discretion for the interpretation of policy.
4. Where the word 'professional' appears, it applies to all staff employed to implement safeguarding procedures and practices whether they are MOD Service and civilian personnel, single Service welfare staff, Unit Welfare Officers (UWO), organisations and agencies such as SSAFA, and the British Forces Social Work Services (BFSWS), Service Children's Education (SCE) staff, Children's Education Advisory Service (CEAS) staff, British Forces Early Years Service (BFEYS), Service police and health workers.
5. This document cannot be totally comprehensive and, if there is any doubt, advice should always be sought from the Director CYP, Single Service Specialist Welfare Services, and/or the MOD approved social care provider's named lead for Social Care Services, Director Social Work SSAFA or departmental legal advisers.
6. Further guidance in all areas of safeguarding can be found in the DfE's Working Together to Safeguard Children 2013 (WTSC130 published by DCSF in 2013: <https://www.gov.uk/government/publications/working-together-to-safeguard-children>)

Coherence with other Defence Authority Policy and Guidance

7. Where applicable, this document contains links to other relevant JSPs, some of which may be published by different Defence Authorities. Where particular Defence dependencies exist, these other Defence Authorities have been consulted in the formulation of the policy and guidance detailed in this publication. This JSP also references wider Government policy.

| Related JSPs | Title |
|--------------|---|
| JSP 342 | Education of Service Children |
| JSP 464 | Tri-Service Accommodation Regulations |
| JSP 535 | Cadet Training Safety Precautions |
| JSP 770 | Tri-Service Operational and Non Operational Welfare |
| JSP 800 | Defence Movements and Transport Regulations |

| | |
|----------------|---|
| JSP 814 | Policy & Regulations for MOD-Sponsored Cadet Forces |
| JSP 820 | Disability and Additional Needs Policy |
| JSP 822 | Governance and Management of Defence Individual Training and Protection |
| JSP 830 | Manual of Service Law (Vol 1, Chap 26) |
| JSP 832 | Guide to Service Inquiries |
| JSP 893 | Policy on Safeguarding Vulnerable Groups |
| JSP 898 | Defence Direction and Guidance on Training, Education and Skills |
| JSP 913 | Tri Service Policy on Domestic Abuse and Sexual Violence |

Further Advice and Feedback – Contacts

8. The owner of this JSP is the Director Children and Young People (DCYP). For further information on any aspect of this guide, or questions not answered within the subsequent sections, or to provide feedback on the content, contact:

| Job Title/E-mail | Project focus | Phone |
|-------------------------|----------------------------------|-----------------------------|
| DCYP-AD Safeguarding | Safeguarding Policy and Guidance | 01980 61 8711 94344 8711 |

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1 MOD Safeguarding Children Board (MOD SCB) Terms of Reference

1. These ToRs should be read in conjunction with the MOD Safeguarding Children Board (SCB) Constitution, contained within the Governance Framework¹.

Membership

2. SCB membership is based on the policy guidance set out in WTSC13 Chapter 3, and interpreted to reflect the Service context as follows:

Chair²
D CYP³
AD CYP
AD CYP (Safeguarding)
HQ Surgeon General; AH Med Pol
MoD Designated Doctor
DCA Paediatrics
Defence Dental Service
HQ Service Children's Education (SCE)
Army Welfare Service (AWS) – Safeguarding Lead
NPFS/RMW Safeguarding Lead
Probation Service
DfE⁴
Service Police PM Sp Comd
AD Youth and Cadets, RF&C
Command-level representatives (FLEET, LAND (ARTD, CTG, HQ Support Command, OSG tbc), AIR, BFG, JFC)
Army Legal Services (ALS) – to be determined/consulted further
Military Courts Services (MCS)
Single Service Child Protection lead officers
Third Sector Organisation

Service Schools

3. The following organisations will be invited to attend the meetings in the capacity of professional advisor:

- a. British Forces Social Work Service (BFSWS) through the Director of Social Work (contracted service)
- b. British Forces Health Service (BFHS) – through the Director of Operations (contracted service)
- c. Independent Conference and Review Service (ICRS) UKSC

¹ <http://www.mod.uk/ChildrenAndYoungPeople>.

² The Chair of the Board will be appointed by AG and will be independent of the partners/agencies represented as agreed by the MOD CYPTB.

³ DCYP will hold a seat on the Board and AG will be invited to attend as relevant/required.

⁴ DfE representation will be co-opted to provide legislative and policy guidance and best practice advice.

4. The SCB may co-opt additional members from Board Partners as necessary to ensure an appropriate balance of knowledge, expertise and skills.

Purpose

5. The overarching purpose of the SCB is to put in place consistent worldwide governance arrangements for safeguarding on behalf of the Service community overseas and to ensure that minimum legislative requirements as set out in UK Guidance including Working Together to Safeguard Children (and Young People) are in place. The Board will achieve this through providing the strategic leadership, co-ordination and advice on policy direction and will ensure the effectiveness of Command-level safeguarding arrangements and services through assessing their compliance with the legislation.

6. The Board will also undertake a 'champion and advocate role' in respect of the following groups:

- a. Children and young people (0-18) who belong to the Service community but reside within the UK where the LA has the statutory responsibility.
- b. Children and young people (0-18) who engage in youth activities provided by the MOD within the UK and who are not members of the Service community.
- c. Children and young people who are members of the MOD sponsored Cadet Forces.

Roles and Functions

7. The SCB is the lead strategic multi-agency body that is responsible for ensuring consistent and rigorous approaches to safeguarding and promoting the welfare of children and young people living in overseas Commands. Delivery at local level is the responsibility of the relevant Commands and is set within the framework of Command level safeguarding arrangements but at all times account should be taken of the overarching MOD safeguarding governance arrangements.

8. The SCB works within the principles under Section 13 of the Children Act 2004.

9. SB members represent the views of the statutory member organisations and have a senior strategic role in relation to safeguarding and promoting the welfare of Service children.

10. Board members will:

- a. Speak on behalf of their organisation/service with authority.
- b. Commit resources on behalf of their organisation/service.
- c. Commit their organisation/service on policy and practice matters.
- d. Hold their organisation/service to account.

11. The SCB is to:

- a. Ensure that the MOD SB and its supporting sub-groups fulfil the statutory functions laid out in WTSC13.

- b. Understand and act upon the Section 11 duty to co-operate to promote the welfare of children (Children Act 2004).
- c. Provide strategic direction, co-ordination and planning in respect of the safeguarding functions of the wider Board.
- d. Be an effective motivator for setting and maintaining standards of work.
- e. Contribute to the Board's monitoring and challenge role in respect of any partner organisation that is not performing effectively.
- f. Execute the core functions of the MOD SCB by:
 - (1) Developing policies and procedures.
 - (2) Communicating the need to safeguard and to promote the welfare of children & young people.
 - (3) Ensuring the issue and review of the co-ordinated responses at local level to unexplained child deaths and analysing information about child deaths across the Commands so that the learning is addressed through the CYPTB.
 - (4) Monitoring activities undertaken at local level to safeguard and to promote the welfare of children & young people including safer employer recruitment.
 - (5) Reviewing the outcomes of SCRs/SCEs undertaken at local level and ensuring that the learning points are communicated widely to those involved in practice at local level.
 - (6) Agreeing the Annual Report and Strategic Plan.
 - (7) Ensuring sufficient and appropriate training is available to equip the children's workforce to safeguard vulnerable children.
 - (8) Resolving any high level inter-agency difficulties and tensions with the support of DCYP and/or the CYPTB.
 - (9) Ensuring that the priorities of the Board influence the priorities of the MOD Children & Young People's Improvement Strategy & Plan.
 - (10) Ensuring that lessons learned from SCRs/SCEs and inter-agency working is used to improve practice.
 - (11) Agreeing and/or supporting any other activity that contributes to and/or facilitates the work of the SCB and helps to achieve its objectives.
 - (12) Making recommendations to the CYPTB in respect of the planning and commissioning of services which will further safeguard children & young people and promote their welfare.

12. The designated Safeguarding Manager who will hold the role of AD CYP (Safeguarding) in DCYP and working Defence-wide, will co-ordinate the development of the Business Plan and liaison with Board Partners and external agencies as relevant. The designated SCB secretary will arrange meetings including drawing up agendas, producing and distributing minutes.

Frequency of Meetings

13. The SCB will meet 3 times per year in accordance with the programme of meetings for the MOD CYPTB. At Command level, the LSCBs will determine their own meeting schedules which should not be less than every 3 months and their respective Chairs will be invited to attend and report local progress and issues to the MOD SB.

Accountability

14. The SCB reports to the CYPTB which in turn is accountable to the Secretary of State. However, it retains independent accountability as a Safeguarding Board for its work.

15. There will be some members of the MOD SB who are also members of Command-level Safeguarding Boards and/or the CYPTB. This will assist with the important process of communication between partners and Boards.

Review of ToRs and Constitution

16. ToRs and Constitution will be reviewed annually although amendments may be made on a more frequent basis subject to legislative or policy changes.

2 MOD SCB – Designated & Named Health Professionals

General

1. The terms 'designated professionals' and 'named professionals' denote health professionals with specific roles and responsibilities for safeguarding children.
2. The MOD Safeguarding Children Board (SCB) and its operational sub-groups should include designated/named health professionals in the following areas:
 - a. Doctor
 - b. Nurse
3. In commands where the appointment of a designated or named professional is not possible, Commanding Officers must be satisfied that effective links with safeguarding expertise are established.

Designated Professional – Roles & Functions

4. Designated health professionals are a vital source of professional advice on safeguarding children and provide the MOD Commissioning Board and MOD SCB with the strategic lead within their respective professional areas.
5. Key roles and functions of the designated professional are to:
 - a. Provide advice to ensure the range of services commissioned by the MOD Commissioning Board take account of the need to safeguard and promote the welfare of children. It is recommended that a designated professional sits on the MOD Commissioning Board.
 - b. Provide advice on the monitoring of the safeguarding aspects of the MOD contract.
 - c. Provide advice, support and supervision to the named professionals in the provider organisation.
 - d. Provide skilled professional advice to the SCB on health issues within their area of expertise.
 - e. Play an important role in promoting, influencing and developing relevant training, on both a single and inter-agency basis, to ensure that the training needs of health staff are addressed.
 - f. Provide skilled professional involvement in child safeguarding processes in line with SCB procedures.
 - g. Review and evaluate the practice and learning from all involved health professionals as part of Serious Case Reviews/Significant Case Evaluations.

Named Professional

6. Health services providers in each Command should identify named professionals as follows:
 - a. Named doctor.
 - b. Named nurse.
 - c. Named midwife – where there are maternity services provided, i.e. a full range of acute and community care services.
7. The focus for the named professional's role is safeguarding children within their own organisation and they should work closely with the SCB lead to ensure all services are aware of their responsibilities.
8. Named professionals have a key role in promoting good professional practice within their organisation, and provide advice and expertise for fellow professionals. They should have specific expertise in children's health and development, child maltreatment and local arrangements for safeguarding and promoting the welfare of children.
9. Named professionals should support the organisation in its clinical governance role, by ensuring that audits on safeguarding are undertaken and that safeguarding issues are part of the organisation's clinical governance system. They also have a key role in ensuring a safeguarding training strategy is in place and is delivered within their organisation.
10. Named professionals are usually responsible for conducting the organisation's internal management reviews, except when they have had personal involvement in the case when it will be more appropriate for the designated professional to conduct the review. Named professionals should be of sufficient standing and seniority in the organisation to ensure that the resulting action plan is followed up.

3 Local Safeguarding Children Boards and Committees Overseas

Chair Roles and Responsibilities

1. The purpose of the LSCB Chair is to:
 - a. Ensure the LSCB operates effectively and exercises its functions as set out in The Children Act and relevant guidance.
 - b. Ensure the LSCB has the capacity to challenge and has an independent voice.
 - c. Ensure appropriate links are made to local arrangements for the protection of vulnerable adults.
2. The LSCB Chair's responsibilities in relation to the LSCB are to:
 - a. Manage all aspects of LSCB meetings, including agenda setting, chairing of meetings, agreeing minutes and monitoring actions to be taken.
 - b. In consultation, ensure that key national, regional and local issues are brought to the attention of the LSCB.
 - c. Oversee and provide support in the production of the LSCB Business Plan and Annual Report.
 - d. Maintain good liaison throughout the LSCB structure and visibly support the work of sub committees of the LSCB.
 - e. Liaise on a regular basis with the Chair of the area's child death overview panel.
 - f. Determine the need for Serious Case Reviews with appropriate advice.
 - g. Provide an overview and hold to account the work of the serious case review sub committee.
 - h. Maintain liaison with the Commanding Officer and/or his designated Deputy.
3. The LSCB Chair also has additional corporate responsibilities to:
 - a. Report to the Command Level CYP Board, providing advice and challenge in regard to safeguarding.
 - b. Ensure the LSCB contribution to the Command Children and Young People's Plan.
 - c. Present the LSCB's annual report to the CYPB.
 - d. Oversee the LSCB complaints process and be involved when the need arises.
 - e. Contribute to regulation, inspection and corporate assessment processes as required by all agencies within the partnership.

- f. Respond to the requirements of Overview and Scrutiny in relation to all aspects of safeguarding, and support other partners as required.
4. The LSCB Chair should also support local partnership arrangements by:
- a. Contributing to, and providing leadership on, inter-agency co-operation in safeguarding, meeting individually with statutory partner leaders and management teams (frequency to be determined on local basis).
 - b. Ensuring the LSCB provides a robust performance framework which extends throughout the partnership, including evaluation of the LSCB's own activity.
 - c. Actively promoting engagement with young people and their families throughout the partnership.
 - d. Assisting and facilitating discussion on the LSCB annual budget.
 - e. Reviewing the membership of the LSCB and ensuring that it remains both representative and effective.
 - f. Participating in consultation and decision making on cases where this is requested and appropriate.
 - g. Agreeing responses to media enquiries in consultation with constituent agencies.

Chair Personal Characteristics

5. It is important that the LSCB Chair is able to demonstrate the depth and knowledge of safeguarding practice and management and have both the experience and capacity to influence at the most senior level across the entire safeguarding network. Chairs will need to exercise strong powers of judgement when initiating challenge to safeguarding concerns and maintain a sensible focus and sense of perspective. In particular, all LSCB Chairs will be required to demonstrate:
- a. Broad understanding of and commitment to, the Government's and MOD's agenda for improving outcomes for children, young people and their families.
 - b. Practical understanding of legislation and related guidance driving safeguarding for children and young people.
 - c. Vision for child protection and safeguarding across all agencies and the capacity to make appropriate connections with arrangements to protect vulnerable adults.
 - d. Understanding of safeguarding practice, policy and procedure.
 - e. Knowledge and understanding of the governance arrangements for all statutory partners.
 - f. Ability to work, influence and negotiate at senior MOD level.
 - g. Strong communication and presentation skills.

- h. Commitment to engaging with members of the public/Service community as relevant.
- i. Capacity to support key officials with media enquiries.

Demonstrating Effective Operations

6. The following sets out an outline framework through which the Chair will be expected to demonstrate the effective operation of the LSCB:

| Outcome | Evidence |
|--|---|
| Effective functioning of the LSCB | <ul style="list-style-type: none"> • Governance arrangements in place and support LSCB activity • LSCB has a focused vision with clear aims and objectives • Annual Business Plan in place • Forward plan identifies key strategic issues for children and young people • All action plans approved and up to date. |
| LSCB has in place effective monitoring and reporting systems for sub groups and partner agencies | <ul style="list-style-type: none"> • All sub groups have appropriate membership and appointed lead person • Each sub group has met as planned • Each sub group is assessed in detail by the LSCB at least once a year • Dataset in place to monitor the safety of children is secure in each group • LSCB Chair has dialogue with Commanding Officer / Director of key partner agencies re. their work at least once each year • All partner agencies have safe recruitment arrangements in place • Corporate performance framework with focus on safeguards is in place and regularly monitored by the LSCB |

| | |
|--|--|
| <p>All SCRs carried out to a high standard</p> | <ul style="list-style-type: none"> • Operational flow chart in place and followed for each SCR • Clear distinction and separation between SCR policy and development work and specific case reviews • Agreed arrangements in place to appoint SCR Chair • Preferred list of overview writers set up • Internal arrangements in place to ensure high quality of Independent Management Reviews • Action plan in place and monitored for each SCR • All SCR reports meet Ofsted grading criteria (minimum adequate) as adequate or good |
| <p>All partner organisations involved to appropriate level in work of LSCB and its sub groups.</p> | <ul style="list-style-type: none"> • Clear targets set for attendance at LSCB and sub group meetings with details of achievement published in the annual report • LSCB Chair carries out an annual review of membership and presents recommendations for change in discussion with DCS (and other agency chief officers as appropriate) • LSCB Chair addresses concerns about agency representatives, attendance etc. with each agency chief officer (or appointed person) as required |
| <p>LSCB Chair participates fully in local governance arrangements</p> | <ul style="list-style-type: none"> • LSCB Chair is a member of the Command Level CYP Partnership with the brief to both champion and challenge on matters related to safeguarding • LSCB Chair meets regularly with the Commanding Officer or the designated Deputy. • LSCB Chair provides annual report on work of the LSCB to all partners through the local strategic partnership |

| | |
|--|---|
| Chair is up-to-date on, and takes steps to ensure the LSCB is informed on all guidance, regulation and requirements for a LSCB to fulfil | <ul style="list-style-type: none"> • All relevant, new and revised guidance presented to LSCB for discussion (National and MOD) • Child death review process operating effectively and reporting to LSCB |
| LSCB Chair initiates work to hear the views of children and young people | <ul style="list-style-type: none"> • Mapping of existing methods of capturing these views and agreement from LSCB about how best to use this • Commission new work if necessary • LSCB minutes demonstrate that the views of children and young people inform at least some of the LSCB's decision making. |

Meeting Format

| Ser | Item | Lead | Remarks | Timings |
|-----|--|------------|--|---------|
| 1 | Opening remarks | LSCB Chair | a. Welcome b. New members c. Highlight key outcomes from board meeting | |
| 2 | Record of Decisions from previous meeting | | a. Review RoDs b. Confirm accuracy & endorsement by LSCB c. Review/monitor/identify follow-on action & who responsible | |
| 3 | Overview of key work at MOD Safeguarding Board level | | <i>(LSCB should seek input from respective Command rep on MOD Safeguarding Board)</i> | |
| 4 | Reports from LSCB reps including sub-groups | | a. Overview of activity across agencies represented on LSCB b. Identify LSCB actions as necessary | |
| 5 | Business Plan | | Review actions arising from Business Plan & who responsible | |

| | | | | |
|---|-----------------|-------|--|--|
| 6 | Risk Register | | a. LSCB to review key risks identified by Board b. Review Risk Register and mitigating action | |
| 7 | AOB | | | |
| 8 | Closing Remarks | Chair | Key actions Date of next meeting | |

Reporting

7. **Purpose.** The purpose of this section is to provide LSCBs and Safeguarding Committees with advice on producing annual reports which support the development of effective accountability locally and an effective relationship between the LSCB / Safeguarding Committee and Command-Level Children & Young People's Board (CYPB). As well as being submitted to the CYPB, the report should be provided to the MOD Safeguarding Board through the Command representative on the Board. Whilst focusing on achievements, the report should also identify where more progress needs to be made and what improvement actions are in place.

8. **Reporting Guidance.** The following is provided as guidance for LSCBs and Safeguarding Committees in formulating annual reports. In providing this guidance it is recognised that larger Boards with sub-groups will provide more comprehensive reports and that smaller Safeguarding Committees will provide reports commensurate with their size and activity

| Section | Suggested content |
|---|--|
| Summary | <p>What were the key priorities which had been identified for the LSCB this year and why had these been identified as priorities?</p> <p>Key areas of progress/achievements in relation to these priorities (and others which may have emerged during the year) with evidence of improved outcomes.</p> <p>Remaining challenges and issues for the LSCB and issues to be raised with the CTB.</p> <p>Any significant local issues on safeguarding or for the LSCB e.g. SCRs, serious incidents notified in the area, messages from inspection, new LSCB chair.</p> |
| Governance and accountability arrangements | <p>How has the LSCB ensured it has operated effectively during the year? e.g. Role, function and structure of the Board and sub-committees</p> <p>Relationship to CTB (in line with statutory guidance)</p> |

| | |
|--|--|
| | <p>Membership and attendance (including sub groups and plans for lay members)</p> <p>Role of Independent Chair, DCS, Lead Member, Chief Executive</p> <p>Relationship to agencies' Boards</p> <p>Financial arrangements.</p> |
| <p>Monitoring and evaluation/quality assurance activity</p> | <p>What has the LSCB done during the year to monitor and evaluate local safeguarding arrangements?</p> <p>What issues arose from challenge to the CTB?</p> <p>What did this activity tell the LSCB about the effectiveness of local Trust arrangements to safeguard children and what has been done as a result of the findings? e.g.</p> <p>Overseeing the identification of and quality of work with children in need of protection.</p> <p>Audit priorities which were agreed for the year and why they were identified as priorities.</p> <p>Summary of quality assurance activity undertaken during the year, what did it tell the LSCB about local safeguarding arrangements, including from a wide range of sources, e.g.</p> <p style="padding-left: 40px;">Single and multi-agency audit/quality assurance activity (including how independence was secured);</p> <p style="padding-left: 40px;">Use of multi-agency safeguarding data;</p> <p style="padding-left: 40px;">Learning from serious case reviews: in the case of an SCR, has the partnership implemented the corresponding action plan and what lessons were learned?;</p> <p style="padding-left: 40px;">Views of service users and staff;</p> <p style="padding-left: 40px;">Complaints.</p> <p>LSCB comments on the joint strategic needs assessment and the issues it raises about safeguarding priorities and priority groups of children and young people locally.</p> <p>Areas of strength and areas requiring improvement, including how this will be addressed.</p> |

| | |
|---|--|
| | <p>Evidence of activity impacting on outcomes.</p> <p>Issues which the CTB will be asked to address in the CYPP</p> <p>Equalities.</p> |
| <p>Progress on priority policy areas</p> | <p>What has been progressed locally during the year in response to national expectations and local need, what impact has this activity made to local arrangements and outcomes for children and young people, how will this be progressed further next year? e.g.</p> <p>Safeguarding policy and priorities in the CYPP</p> <p>Safeguarding in schools</p> <p>Work of Asylum Screening Unit</p> <p>Safer workforce</p> <p>CDOP</p> <p>Missing children</p> <p>Sexual exploitation</p> <p>E-safety</p> <p>Bullying</p> <p>Accident prevention</p> <p>DV/Adult Mental Health/ Learning Difficulties & Disabilities/Drugs & Alcohol</p> <p>Private fostering</p> <p>Forced marriage</p> <p>Engagement of the wider community in safeguarding, e.g. VCS, faith groups.</p> |
| <p>Priorities for the following year</p> | <p>What are the identified safeguarding priorities for both the LSCB and the CTB during the next year and indicative ways forward?</p> |

4 LSCB Objectives and Functions (General)

LSCB Objectives

1. The core objectives⁵ of the LSCB are to:
 - a. Co-ordinate what is done by each person or body represented on the Board,
 - b. Ensure the effectiveness of what is done by each such person or body,
 - c. Safeguard and promote the welfare of children in the area of the authority.

LSCB Functions

2. In all their activities, LSCBs should take account of the need to promote equality of opportunity and to meet the diverse needs of children. The core functions set out in Local Safeguarding Children Board Regulations 2006⁶ are to:

- a. Develop policies and procedures for safeguarding and promoting of the welfare of children, including policies and procedures in relation to the following:
 - (1) The action to be taken where there are concerns about a child's safety or welfare, including thresholds for intervention.
 - (2) Training of people who work with children or in services affecting the safety and welfare of children.
 - (3) Recruitment and supervision of people who work with children.
 - (4) Investigation of allegations concerning people who work with children.
 - (5) Safety and welfare of children who are privately fostered.
 - (6) Co-operation with neighbouring children's services authorities and their board partners.
- b. Communicate the need to safeguard and promote the welfare of children, raising awareness of how this can best be done, and encouraging people to do so.
- c. Monitor and evaluate the effectiveness of what is done to safeguard and promote the welfare of children and provide advice on ways to improve.
- d. Participate in the local planning and commissioning of children's service to ensure that they take safeguarding and promoting the welfare of children into account.
- e. Collect and analyse information about child deaths.

⁵ CA04 section 14(1).

⁶ The Local Safeguarding Children Boards Regulations 2006, Statutory Instrument no 2006/90.

- f. Put in place procedures to ensure that there is a co-ordinated response to any unexpected child death.
3. Undertake reviews of cases where abuse or neglect of a child is known or suspected or a child has died or been seriously harmed or there is cause for concern about the way in which people have worked together to safeguard the child.

5 Information on, and Learning from, Serious Case Reviews

Conduct of Serious Case Reviews (SCRs)

1. **Introduction.** Regulation 5(1) (e) of the LSCB Regulation 2006 (SI 2006 No. 90) requires LSCBs to instigate a SCR in specified circumstances, therefore MOD through its Commands is working in the spirit of these regulations. *WTSC13* defines in Chapter 8 of that guidance, the circumstances in which a LSCB should initiate a SCR, and describes how it is to be conducted. *WTSC 2013* is issued under Section 7 Local Authority Social Services Act 1970 and does not have the full force of law, but should be complied with unless local circumstances indicate exceptional reasons which justify a variation. The following procedures summarise, with respect to a SCR:

- a. Its purpose and the criteria for conducting it.
- b. The process for its initiation and subsequent conduct.
- c. Actions consequently required of each member agency.

2. **Purpose.** The purpose of an SCR is to:

- a. Establish whether there are lessons to be learned from a case about the way in which local professionals and agencies work together to safeguard children.
- b. Identify clearly what those lessons are, how they will be acted upon and what is expected to change as a result.
- c. Improve inter-agency working and better safeguard and promote the welfare of children.
- d. SCRs are not inquiries into how a child died or who is culpable; those matters are for Coroners and Criminal Courts respectively.

3. **Criteria for Convening an SCR.** When a child dies (including suicide) and abuse or neglect are known or suspected to be a factor in the death, local organisations should consider immediately whether there are other children at risk of harm who require safeguarding, e.g. siblings, others in an institution or setting where abuse is alleged. Thereafter, in such circumstances the LSCB should always conduct a SCR (regardless of whether BFSWS was involved with the family). The LSCB should also consider the justification for a SCR when:

- a. A child sustains a potentially life-threatening injury or serious and permanent impairment of health or development.
- b. Has been subjected to particularly serious sexual abuse.
- c. Her/his parent has been murdered and a homicide review is being initiated.
- d. The child has been killed by a parent with a mental illness.
- e. The case gives rise to concerns about inter-agency working to protect children.

4. In cases where the above criteria is not satisfied, it will be appropriate to hold a SCR if one or several of the following criteria are met:
- a. There was clear evidence of a risk of significant harm to a child which was unrecognised by organisations or individuals in contact with child or perpetrator, or not shared with others or not acted upon properly.
 - b. The child was abused in an institutional setting, e.g. school, nursery, or Armed Forces training establishment.
 - c. The child took its own life or died having run away from home.
 - d. The child was being looked after by a social work service provided by SSAFA, Core Assets or a UK Local authority placed within the LSCB's area of responsibility at the time of abuse.
 - e. One or more agency or professionals consider that its concerns were not taken sufficiently seriously or acted upon appropriately by another.
 - f. The case indicates that there may be failings in one or more aspect of the local operation of formal safeguarding procedures which extend beyond the handling of the case.
 - g. The child was or had been subject of a CPP (on the CPP database).
 - h. The case appears to have implications for a range of agencies or professionals.
 - i. The case suggests that there may be a need for the LSCB to change its protocols or procedures or that they need to be more effectively promoted, understood or acted upon.
 - j. In the case of a 'looked after child', the 'responsible authority' should exercise lead responsibility for conducting any review, again involving other LSCBs with an interest or involvement.

5. **Instigating a SCR.** Any professional or agency working within the local Child Protection network who concludes that a case review may be required must immediately notify the Chair of the LSCB, D CYP, Dir Operations Health & Social Care Core Assets, SSAFA, AD CYP(Safeguarding), Chair of MOD SB and confirm in writing.

- a. The Chair is responsible for deciding whether a SCR is to be undertaken. The LSCB Chair should make the decision within a month of the original notification. The Chair is assisted in the process for deciding if a SCR will be conducted by the E&RP sub group.
- b. On receipt of a request for a SCR, the LSCB Chair will ensure that a File Reference is allocated in order to ensure confidentiality and allow a visible audit trail.

6. **Determining the Scope of a SCR.** The SCR panel⁷ should meet to consider, in the light of each case, the scope of the review and draw up clear terms of reference. Relevant issues include:

⁷ As identified within these procedures the SCR panel will be formed from the E&RP sub group, excluding those individuals who have previous direct contact with the case.

- a. Timeframe.
- b. Informing family members.
- c. Identify involvement of reps from other LSCB areas if appropriate.
- d. Need for communications/media plan.
- e. Need for legal/other professional advice.
- f. What appear to be the most important issues to address in trying to learn from this specific case - how can the relevant information best be obtained and analysed.
- g. Make a recommendation to the LSCB regarding the appointment of an independent chair from outside LSCB organisations and agencies.
- h. Are there features of the case which indicate that any part of the review process should involve, or be conducted by, a party independent of the professionals/organisations who will be required to participate in the review? Might it help the review panel to bring in an outside expert at any stage, to shed light on crucial aspects of the case?
- i. Over what time period should events be reviewed, i.e. how far back should enquiries cover and what is the cut-off point? What family history/background information will help better to understand the recent past and present?
- j. Identifying which organisations and professionals should contribute to the review, including, where appropriate, boarding school staff, and playgroup leader. Should they be asked to submit reports or otherwise contribute?
- k. How should family members be informed and included in the process.
- l. Will the case give rise to other parallel investigations of practice, e.g. independent health investigations or multi-disciplinary suicide review, a homicide review where a parent has been murdered, Board of Enquiry – and if so, how can a co-ordinated review process best address all the relevant questions which need to be asked, in the most economical way?
- m. Is there a need to involve organisations/professionals in other LSCB areas, and what should be the respective roles and responsibilities of the different LSCBs with an interest?
- n. How should the review process take account of a Coroner's inquiry, and (if relevant) any criminal investigations or proceedings related to the case? Is there a need to liaise with the Coroner?
- o. How should the SCR process fit in with the processes for other types of reviews, e.g. for homicide, mental health or prisons?
- p. Who will make the link with relevant interests outside the main statutory organisations, e.g. independent professionals, independent schools, and voluntary organisations?
- q. When should the review process start and by what date should it be completed?

- r. How should any public, family and media interest be handled, before, during, and after the review?
- s. Does the LSCB need to obtain independent legal advice about any aspect of the proposed review?

Some of these issues may need to be re-visited as the review progresses and new information emerges.

7. Immediate Action if an SCR is to be undertaken. As soon as the LSCB Chair has decided that an SCR is required, the Chair must, within one working day, inform the Senior Social Worker in Command, British Forces Social Work Service, or equivalent, and, within one working day, complete the following tasks:

- a. Confirm that arrangements have been made (where necessary via a Strategy Discussion) to ensure the safety of the children of the family and any other vulnerable family members.
- b. Check Social Work Service files to establish if the adult/s or child/ren are known.
- c. Check with the Service Police and Named Doctor and Nurse for any relevant information.
- d. Secure Social Work Service files.
- e. Identify the agencies which have been involved with the child and alert them, via a letter on behalf of LSCB Chair to Operational Leads informing them of their obligation to secure files with a view to undertaking an individual management review (IMR) as a contribution to the overall SCR.
- f. In addition to requiring agencies to secure files, the SCR letter should cover the need for nominated/designated Child Protection professionals to:
- g. Secure both paper and electronic records relating to the case against loss or interference.
- h. Liaise with the accountable children's SSWP before making contact with the family.
- i. Make arrangements for adequate support for the professionals involved.

8. Timing. Reviews will vary widely in their breadth and complexity, but in all cases, lessons should be identified and acted upon as quickly as possible. Within 1 month of a case coming to the attention of the LSCB Chair, the decision should have been made on whether a review should take place.

- a. Individual organisations should secure case records promptly and begin work quickly to draw up a chronology of involvement with the child and family in accordance with the TOR.
- b. Reviews should be completed within a further 4 months, unless an alternative timescale is agreed at the outset.

c. Sometimes the complexity of a case does not become apparent until the review is in progress. As soon as it emerges that a review can not be completed within 4 months of the LSCB Chair's decision to initiate it, there should be a discussion with the AAB.

d. In some cases, criminal proceedings may follow the death or serious injury of a child. Those co-ordinating the review should discuss with the relevant criminal justice agencies how the review process should take account of such proceedings, e.g. how does this affect timing, the way in which the review is conducted (including interviews of relevant personnel), and who should contribute at what stage

e. SCR should not be delayed as a matter of course because of outstanding criminal proceedings or an outstanding decision on whether or not to prosecute.

f. In some cases, it may not be possible to complete or to publish a review until after Coroners or criminal proceedings have been concluded but this should not prevent early lessons learned from being implemented.

9. **Who Should Conduct Reviews.** The initial scoping of the review should identify those who should contribute, although it may emerge, as information becomes available, that the involvement of others would be useful. In particular, information of relevance to the review may become available through criminal proceedings. Each relevant service should undertake a separate management review of its involvement with the child and family. This should begin after the agency/organisation has been formally notified of the SCR TOR. However, it may be started sooner if the case gives rise to specific concerns within the individual organisation.

10. **Safeguarding Committees and Serious Case Reviews.** Areas where there are Safeguarding Committees will not have the capacity to conduct independent reviews on their own. Where the criteria set out above are thought to apply the Chair of the Safeguarding Committee should discuss with DCYP and Dir Operations Health & Social Care SSAFA the setting up of a SCR with external support.

Identifying Learning from Serious Case Reviews*

**It is noted that the term 'Serious Case Review' is only used in England and Wales. Similar processes operate in Northern Ireland and Scotland but in Northern Ireland, Safeguarding Panels (SPs) are required to undertake Case Management Reviews (CMRs) and in Scotland, Child Protection Committees (CPCs) conduct Significant Case Reviews (SiCRs). For the purpose of this report you are asked to read SCR as a generic term for these types of reviews.*

11. The prime purpose of a SCR is for agencies and individuals to learn lessons to improve the way in which they work both individually and collectively to safeguard and promote the welfare of children. Reviews vary in their breadth and complexity but, in all cases, where possible lessons should be acted upon quickly without necessarily waiting for the SCR to be completed. In the UK the responsibility for SCR's, CMR and SiCRs and actions arising from these in respect of military children therefore lies with the respective LSCB, (RCPC and CPC's in NI and Scotland) in the area in which the child resides, or where the abuse occurred if this is different from where the child habitually resides/resided. Overseas it is the responsibility of the local safeguarding board for that Command in which the child resides to identify the need for and to conduct a SCR in accordance with WTSC guidelines.

12. There is a wealth of information in respect of lessons learned from analysis of Serious Case Reviews from England and Wales and similar in Northern Ireland. There is also a recent study in Scotland which covers cases from 2007 to 2012. These reports can be found on the various Government websites, as well as OfSTED and DfE.
13. There are repeated themes suggesting that key learning has not been adequately embedded which has led to repeated calls for a review of the system. The Government now requires SCR overview reports in England and Wales to be published in full and commissioned Professor Eileen Munro to look at the child protection systems. The Government have responded to Professor Munro's reports and have agreed to implement most of her recommendations. The operations Group of the MOD Safeguarding Children Board have agreed to develop capacity to undertake SCRs using the Systems model, in line with Munro's recommendations.
14. Producing effective serious case reviews is complex and requires skill, openness and confidence amongst the key agencies that are undertaking them. Local Safeguarding Children Boards are well placed to ensure these reviews are fit for purpose. The requirement for boards to report back on how agencies are acting on the recommendations of SCRs is seen by those in the child protection field as a critical step forward to ensuring change for children and that lessons are acted on.
15. It is noted that the responsibility for ensuring that the actions arising from individual SCRs are delivered remains clearly that of the relevant LSCB and its equivalent in Northern Ireland, Scotland and in the relevant Overseas Command Area.
16. The MOD Safeguarding Children Board is ideally placed to have an overview of all SCR's involving service children both to identify any specific themes for the military community as a whole and disseminate the learning from SCRs across the MOD. The Board is able to add value by ensuring that learning from SCRs takes into account the context of the service environment and the additional pressures or unique factors this may involve.
17. By the very nature of military life the service children population is dispersed across the UK and the world. At present reporting systems vary in the UK, with Ofsted being responsible in England and Wales with similar arrangements in NI and Scotland. In respect of the UK in relation to England and Wales, the specialist welfare delivery services for the Army, Navy and Royal Marines and the RAF should be notified or made aware of all SCR's involving service children in the UK as Working Together guidance is clear that matters relating to Child Protection involving a Service Child in the UK should be referred to the appropriate welfare provider. Although it is acknowledged that they may not have direct involvement in the review if the family were not known to their service the relevant provider should ensure they register an interest in the outcome. Arrangements with regard to NI and Scotland need to be clarified and agreed on an area basis.
18. The mechanism for collating the lessons from SCRs where they involve a 'service child' and for identifying any specific themes for the MOD or the organisations involved in working with and supporting service families are outlined as follows;
- a. All SCR notifications and IMR requests should be sent to the Director of Children's Services, to be copied to the Director of Social Work (PSW) SSAFA, as a central point of co-ordination, for professional advice and support to the appropriate individual identified to participate in the SCR and/or prepare the IMR as the representative of the MOD.

b. All outcomes of SCR involving service children at the completion of a SCR should be forwarded to Director General Children's Services and copied to PSW SSAFA using the form at Appendix 2 to Annex F 'Outcome of Serious Case Review Notification' to enable the compilation of the learning to be recorded and monitored accordingly for the benefit of service children.

c. All SCR notifications and IMR requests involving service children, together with the outcome of completed SCRs must be logged on the current SSAFA child protection database, to provide performance management information for the MOD Safeguarding Children Board and Children and Young People's Trust Board.

6 Training and Development for Safeguarding

Introduction

1. The following is based on WTSC13 and Safeguarding Children and Young People (Intercollegiate Document) 2010. The Working Together document (Chapter 4) describes eight groups of people who should undertake safeguarding training. It describes the type of training for each group, but does not define levels, such as Level 1 etc. The Intercollegiate document describes six levels of training, beginning with Level 1 training (short induction course). A number of MOD agencies overseas have adopted NSPCC training materials, which have three levels of training. The NSPCC Level 1 training would be roughly equivalent to the Intercollegiate Level 2 training. There is therefore the potential for some confusion when trying to marry these various practices and documents. The following guidance is an attempt to simplify this process to some extent in order to make the MOD training requirements as transferable as possible whilst being fairly simple to understand and apply in a wide range of settings.

2. **Note:**

a. In the UK, the Local Safeguarding Children Board (England and Wales) is set up by each Local Authority under the Children Act 2004. In Scotland the same function is performed by Child Protection Committees, and in Northern Ireland by Safeguarding Panels. Where LSCB is referred to in the Matrix it should also be taken to mean the equivalent formally established body for the country and area concerned.

b. The role of the MOD Safeguarding Children Board in the UK is to provide guidance to, and set benchmarks for, UK-based MOD agencies on Safeguarding training. Ensuring the sufficiency and relevance of training provision, and assuring its quality is exclusively the function of each individual LSCB or its devolved equivalent. Training provision should take place with due awareness of local issues and organisations.

c. Outside the UK, the MOD Safeguarding Children Board and each Command LSCB / Safeguarding Committee are responsible for all aspects of Safeguarding training provision - organisation, delivery, sufficiency, relevance and quality assurance.

d. DMS personnel will train to the appropriate safeguarding competency levels in accordance with direction contained in JSP 950 Leaflet 4-6-6.

Safeguarding Training Matrix

| Target Groups | Type of Training | Suggested Training Content | Training Delivery |
|--|--|--|---|
| <p>Group 1</p> <p>Staff who do not work directly and specifically with children, young people and families but may become aware of abuse and neglect; for example: Hive Staff, Clerical Staff or Gym Staff.</p> | <p><u>Induction Training</u></p> <p>Complete Induction Pack or Induction Course within 3 months of commencing work. Course to include who to report concerns to, signs of abuse, being child focused etc. See for example CWDC materials and NSPCC materials.(minimum one Hr)</p> | <ul style="list-style-type: none"> • What is child abuse and neglect? • Signs and indicators of abuse and neglect. • Normal child development. • Maintaining a child focus. • What to do in response to concerns. • Specific training for role/unit. | <p>Employer and/or Chain of Command is responsible for the organisational delivery.</p> <p>The LSCB is responsible for ensuring that appropriate training and quality assurance is provided and that it is reaching relevant staff within the organisation.</p> |

| Target Groups | Type of Training | Suggested Training Content | Training Delivery |
|---|---|---|---|
| <p>Group 2</p> <p>Staff who work regularly and directly with children, young people and families or have a period of intense or irregular contact with children, young people and their families; for example: Teachers, Childcare settings Staff, Youth Workers and Unit Welfare Officers, Military Recruiting Staff, Phase 1 and Phase 2 Training Staff, Padres, Military Recreation and Training Staff.</p> | <p><u>Single Agency Training</u></p> <p>As above and complete a single agency course within 3 months of commencing work. Course to include roles and responsibilities, information sharing, Framework for Assessment, agency policies etc. (for example NSPCC Level 1 Safeguarding)</p> <p>Complete regular update training (at least every three years) (minimum three Hrs)</p> | <p>The above plus:</p> <ul style="list-style-type: none"> • Documentation and sharing of information regarding concerns. • Using the <i>Framework for the Assessment of Children in Need and their Families</i>: Own safeguarding roles and responsibilities. | <p>Employer and/or Chain of Command is responsible for the organisational delivery.</p> <p>The LSCB is responsible for ensuring that appropriate training and quality assurance is provided and that it is reaching relevant staff within the organisation.</p> |

| Target Groups | Type of Training | Suggested Training Content | Training Delivery |
|---|---|---|---|
| <p>Group 3</p> <p>Staff who work predominantly and directly with children, young people and families. These staff may contribute to the assessing, planning, intervening and reviewing the needs of a child and parenting capacity where there are concerns. For example: Deputy Head Teachers, Health Visitors, Social Workers and Mental Health Staff,</p> | <p><u>Multi-Agency Training</u></p> <p>As above and complete a multi agency course as soon as possible (no longer than 6 months after commencing work). Course to include professional judgment, collaborative working, emergency action, communicating with children etc. (for example NSPCC Level 2 Safeguarding)</p> <p>Complete regular update training (at least every three years) (minimum one + half days)</p> | <p>The above plus:</p> <ul style="list-style-type: none"> • Working together to identify, assess and meet the needs of children where there are safeguarding concerns. • The impact of parenting issues, such as domestic abuse, substance misuse on parenting capacity. • Recognising the importance of family history and functioning. • Working with children and family members, including addressing lack of co-operation and superficial compliance within the context of the role. | <p>Employer and/or Chain of Command is responsible for the organisational delivery.</p> <p>The LSCB is responsible for ensuring that appropriate training and quality assurance is provided and that it is reaching relevant staff within the organisation.</p> |

| Target Groups | Type of Training | Suggested Training Content | Training Delivery |
|--|---|--|---|
| <p>Group 4</p> <p>Professional advisors who are named and designated lead professionals, families and children in need supervisors, trainers and operational managers of all levels. For example: SSWP's, Professional Leads, Specialist Medical Staff and Head Teachers.</p> | <p><u>Additional Specialist Training</u></p> <p>As above and complete specialist courses for further professional development. Courses to include working with complex cases, advising others, promoting effective inter-agency practice etc</p> <p>Continue to attend a range of courses in order to develop appropriate skills and knowledge (minimum one day/ year)</p> | <p>The above plus:</p> <ul style="list-style-type: none"> • Using professional judgements to make decisions as to whether a child is suffering, or is likely to suffer, significant harm. • Taking emergency action. • Working with complexity. • Communicating with children in line with interviewing vulnerable witness guidance. | <p>Employer and/or Chain of Command is responsible for the organisational delivery.</p> <p>The LSCB is responsible for ensuring that appropriate training and quality assurance is provided and that it is reaching relevant staff within the organisation.</p> |
| <p>Group 5</p> <p>LSCB Members, Operational Managers and Managers with a Strategic Overview.</p> | <p>As per groups 1, 2 and 3.</p> <p>LSCB Members to complete the LSCB induction pack.</p> | <p>As per groups 1, 2 and 3.</p> | <p>Employer and/or Chain of Command is responsible for the organisational delivery.</p> <p>The LSCB is responsible for ensuring that appropriate training and quality assurance is provided and that it is reaching relevant staff within the organisation.</p> |

7 Procedures for Managing Allegations Against People Who Work With Children

NOTE: The following guidance is intended as a general guide to allegations against staff procedures. More comprehensive guidance is available on-line on the DfE website:

www.gov.uk/government/organisations/department-for-education.

Introduction

1. Children may be subjected to abuse by those who work with them, in any setting. All allegations of abuse or maltreatment of children by a professional, staff member, foster carer or volunteer must therefore be taken seriously and treated in accordance with these procedures.
2. Information about the present position of the Independent Safeguarding Authority is included in the final section of this procedure.

Organisations to which these Procedures Apply

3. These procedures apply to all organisations that provide services for children or work with children. This includes:
 - a. Organisations that use the services of volunteers or people who are self-employed, as well as service providers, voluntary organisations, employment agencies or businesses, contractors and fostering services.
 - b. Examples of organisations include Service Children's Education, early years provision, youth groups, Cadets etc.

Scope of Allegations to which these Procedures Apply

4. These procedures apply to a wide range of allegations, including those that indicate a person may be unsuitable to work with children in their present position, or in any capacity. They are therefore to be followed in respect of any allegation that a person who works with children has:
 - a. Behaved in a way that has harmed, or may have harmed, a child;
 - b. Possibly committed a criminal offence against, or related to, a child;
 - c. Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Arrangements

5. Within each organisation there is to be a Named Senior Officer who has overall responsibility for:

- a. Ensuring that the organisation operates procedures for dealing with allegations in accordance with 'WTSC'.

- b. Resolving any inter-agency issues.
- c. Liaising with the LSCB or Safeguarding Committee.

6. Each LSCB/Safeguarding Committee organisation is to identify a Senior Manager within the organisation to whom allegations or concerns that a member of staff or volunteer may have abused a child should be reported. Each LSCB / Safeguarding Committee organisation is to show in its internal procedures, the name of the person and the name of an alternative person should the Senior Manager be absent or where that person may be the subject of the allegation or concern. The internal procedures should also include contact details for the Allegations Management Officer (AMO).

Three Strands in Consideration of an Allegation

7. There may be up to three strands in the consideration of an allegation:
- a. Police investigation of a possible criminal offence.
 - b. Enquiries and assessment by Children's Social Care about whether a child is in need of protection or in need of services.
 - c. Consideration by an employer of disciplinary action in respect of the individual.
8. The supportive role of the AMO is integral to all of these strands.

Historical and/or Complex Abuse

9. There have been a number of widely reported cases of historical abuse, which have generally come to light after adults have reported abuse that they experienced as children, while living away from home in settings provided by Local Authorities, the voluntary sector or independent providers. When such allegations are made, they should be responded to in the same way as contemporary concerns. In those cases it is also important to find out whether the person accused is still working with children and, if so, to inform the person's current employer or voluntary organisation.

10. Those undertaking investigations should be alert to any sign or pattern that suggests that the abuse is more widespread or organised than it appears at first sight, or that it involves other perpetrators or institutions. It is important not to assume that initial signs are necessarily related directly to abuse, and to consider occasions where boundaries have been blurred, inappropriate behaviour has taken place, and matters such as fraud, deception or indecent images have been involved.

Confidentiality

11. In deciding what information to disclose, careful consideration should be given to duties under the Data Protection Act 1998, the law of confidence and, where relevant, the Human Rights Act 1998.

12. Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated/considered. In accordance with ACPO guidance, the Police do not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence. (In exceptional cases, where the police might depart from that rule, e.g.

an appeal to trace a suspect, the reasons should be documented and partner agencies consulted beforehand).

Timescale

13. It is in everyone's interest to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort should be made to avoid any unnecessary delay. It is expected that most cases are resolved within one month, although cases which require a criminal prosecution or a complex Police investigation are likely to take longer than three months.

Information and Support for the Child and Family

14. In some circumstances an employer may need to advise parents of an incident involving their child straight away, for example, if the child has been injured while in the organisation's care and requires medical treatment. In other circumstances, where there may need to be involvement from the Police and Children's Social Care, there should be consultation about how best to inform the parents.

15. Parents or carers of a child or children involved should be kept informed about the progress of the case, and told the outcome where there is not a criminal prosecution, including the outcome of any disciplinary process. (The deliberations of a disciplinary hearing, and the information taken into account in reaching a decision, cannot normally be disclosed, but those concerned should be told the outcome).

16. The provision of information and advice must take place in a manner that does not impede the proper exercise of enquiry, disciplinary and investigative processes.

17. The child or children concerned should receive appropriate support. They and their parents or carers should be helped to understand the process, told the result of any enquiry or disciplinary process and, where necessary, helped to understand the outcomes reached.

18. In cases where a child may have suffered significant harm, or there may be a criminal prosecution, Children's Social Care or the Police, as appropriate, should consider what support the child or children involved may need.

Employer Responsibilities

19. Information and Support for the Individual Concerned.

a. Staff, foster carers, volunteers and other individuals about whom there are concerns should be treated fairly and honestly, and should be provided with support throughout the investigation process, as should others who are involved. They should be helped to understand the concerns expressed and the processes being operated, and be clearly informed of the outcome of any investigation and the implications for disciplinary or related processes.

b. The employer should keep the person who is the subject of the allegation informed of the progress of the case, and arrange to provide appropriate support to the individual while the case is ongoing. That support may be provided via occupational health or employee welfare arrangements where those exist.

c. If the person is suspended, the employer should also make arrangements to keep the individual informed about developments in the workplace. If the person is a member of a Union or professional association, they should be advised to contact that body at the outset.

d. If it is decided on conclusion of the case that a person who has been suspended can return to work, the employer should consider how best to facilitate that. Most people will benefit from some help and support to return to work after a very stressful experience.

e. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The employer should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still in the workplace.

20. **Record-keeping.** It is important that employers keep a clear and comprehensive summary of any allegations made, details of how the allegations were followed up and resolved, and of any action taken and decisions reached. These should be kept in a person's confidential personnel file and a copy should be given to the individual. Such information should be retained on file, including for people who leave the organisation, at least until the person reaches normal retirement age, or for 10 years if that is longer. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future CRB disclosure reveals information from the Police that an allegation was made but did not result in a prosecution or a conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

21. **Reporting the Allegation.**

a. Any allegation or concern which arises should be reported to the Senior Manager identified in the employer's internal procedures immediately, unless that person is the subject of the allegation, in which case it should be reported to the designated alternative.

b. Procedures need to be applied with common sense and judgment. Some allegations are so serious as to require immediate referral to Children's Social Care and the Police for investigation. Others are much less serious, and at first sight may not seem to warrant consideration of a Police investigation or enquiries by Children's Social Care. However, it is important to ensure that even apparently less serious allegations are seen to be followed up, and that they are examined objectively by someone independent of the organisation concerned.

c. Consequently, the AMO is to be consulted about allegations that come to the employer's attention and appear to fall within the scope of these Procedures.

22. **Next Steps.**

a. The employer should inform the accused person about the allegation as soon as possible after consulting the AMO. However, where a child protection Strategy Discussion/Meeting is needed, or it is clear that Police or Children's Social Care may need to be involved, that should not be done until those agencies have been consulted and have agreed what information can be disclosed to the person.

b. Where it is, or becomes, clear that enquiries by Children's Social Care and/or Police investigation are not necessary, there should be a discussion between the AMO and the employer about next steps.

c. The nature and circumstances of the allegation and the evidence and information available will determine which of the range of possible options is most appropriate. Options open to the employer range from taking no further action, to summary dismissal or a decision not to use the person's services in future.

d. In such cases, if the nature of the allegation does not require formal disciplinary action, appropriate action should be instituted within three working days.

23. Consideration of Disciplinary Action.

a. Where further investigation is required to inform consideration of disciplinary action, the employer and the AMO should discuss who will undertake that. This should normally be undertaken by the employer. However, in some circumstances appropriate resources may not be available, or the nature and complexity of the allegation might point to the employer commissioning an independent investigation. Similarly, in some settings and circumstances, it may be appropriate for the disciplinary investigation to be conducted by a person who is independent of the employer or the person's line management to ensure objectivity. In any case, the investigating officer should aim to provide a report to the employer within ten working days.

b. On receipt of the report of the disciplinary investigation, the employer should decide whether a disciplinary hearing is needed within two working days. If a hearing is needed it should be held within fifteen working days.

c. In any case in which Children's Social Care has undertaken enquiries to determine whether the child or children are in need of protection, the employer should take account of any relevant information obtained in the course of those enquiries when considering disciplinary action.

24. Consideration of Suspension.

a. The possible risk of harm to children posed by an accused person needs to be evaluated and managed effectively. In some cases this requires the employer to consider suspending the person. Suspension should be considered in any case where there is cause to suspect a child is at risk of significant harm, or the allegation warrants investigation by the Police, or is so serious that it might be grounds for dismissal.

b. People must not be suspended automatically or without careful thought. Employers must consider carefully whether the circumstances of a case warrant a person being suspended from contact with children until the allegation is resolved. Neither the Local Authority or the Police or Children's Social Care can require an employer to suspend a member of staff or a volunteer. The power to suspend is vested in the employer alone. Where however, Children's Social Care are involved or there is an investigation by the Police, their views, canvassed by the AMO, should inform the employer with regard to that decision.

25. Resignations and 'Compromise Agreements'.

a. The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up in accordance with these procedures. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to co-operate with the process. Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it.

b. The process of recording the allegation and any supporting evidence, and reaching a judgment about whether it can be regarded as substantiated on the basis of all the information available, should continue, even if that cannot be done or the person does not co-operate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

c. By the same token, so-called 'compromise agreements' – by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference – must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Disclosure and Barring Service where circumstances require.

26. **Action Re False/Unfounded Allegations.** If an allegation is determined to be unfounded, the employer should refer the matter to Children's Social Care to determine whether the child concerned is in need of services, or may have been abused by someone else. In the rare event that an allegation is shown to have been deliberately invented or malicious, the Police should be asked to consider whether any action might be appropriate against the person responsible.

27. Learning Lessons.

a. At the conclusion of a case in which an allegation is substantiated, the employer should review the circumstances of the case to determine whether there are any improvements to be made to the organisation's procedures or practice to help prevent similar events in the future.

b. From 12 October 2009, a new duty to share information was introduced under the Vetting and Barring Scheme. From that date employers, social care and professional regulators had to notify the Independent Safeguarding Authority (ISA) of relevant information so that individuals who pose a threat to vulnerable groups can be identified and barred from working with these groups. The ISA has now been merged with the Criminal Records Bureau (CRB) to form the new Disclosure and Barring Service (DBS).

c. It is important that the referrals process to the DBS is clear robust and practical to all, therefore the DBS has published guidance on its website. The practice guidance sets out:

- (1) the key elements of the new referral process.
- (2) the circumstances under which a referral should be made.

- (3) the legal responsibilities of employers, including the paid and voluntary sector and also employees.
 - (4) the main points of the law in relation to referrals.
- d. Referrals to the DBS should be made on a DBS referral form (available on-line).

AMO Responsibilities

28. Initial Response.

- a. The AMO, on receiving an allegation, should first establish, in discussion with the employer, whether the allegation falls within the scope of these procedures. Where necessary the AMO should obtain further details of the allegation and the circumstances in which it was made. Discussion should also consider whether there is evidence/information that establishes that the allegation is false or unfounded.
- b. If the parents/carers of the child concerned are not already aware of the allegation, the AMO can discuss how and by whom they are to be informed. In circumstances in which the Police or Children's Social Care may need to be involved, the AMO should consult those colleagues about how best to inform the parents. However, in some circumstances an employer may need to advise parents of an incident involving their child straight away, for example, if the child has been injured while in the organisation's care and requires medical treatment.

29. Referral to Children's Social Care and/or Police.

- a. If the allegation is not patently false and there is cause to suspect that a child is suffering, or is likely to suffer, significant harm, the AMO will immediately refer to Children's Social Care and ask for a child protection Strategy Meeting/Discussion to be convened straightaway. The Strategy Meeting/Discussion will be in two parts, the first to focus on the welfare and safety of the child. The second part of that meeting, termed the Evaluation Discussion, will focus on the person accused.
- b. In cases where a formal Strategy Meeting/Discussion is not considered appropriate – because the threshold of 'significant harm' is not reached – but a Police investigation might be needed, the AMO may hold an Evaluation Discussion with the Police, the employer, and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with. (The Police must be consulted about any case in which a criminal offence may have been committed.)
- c. This Evaluation Discussion should share available information about the allegation, the child and the person against whom the allegation has been made, consider whether a Police investigation is needed and, if so, agree the timing and conduct of that.
- d. Where a Police investigation is necessary, the Evaluation Discussion should also consider whether there are matters that can be taken forward in a disciplinary process in parallel with the criminal process, or whether any disciplinary action needs to wait for completion of the Police investigation and/or prosecution.

30. **Monitoring Progress.**

a. In all cases, whether or not Children's Social Care and/or the Police have become involved, the AMO will continue to liaise with the employer to monitor progress of the case and provide advice/support when required or requested. The AMO should also regularly monitor the progress of the case with the Police and/or Children's Social Care, where they are involved by way of reviews on a fortnightly or monthly basis, depending on the complexity of the case.

b. In circumstances where the Police have informed the AMO that a criminal investigation and/or trial is complete, or the investigation is not going to result in a charge or prosecution, the AMO should discuss with the employer whether any further action is appropriate and, if so, how to proceed. The information provided by the Police and/or Children's Social Care should inform that decision. Action by the employer, including dismissal, is not ruled out in any of those circumstances. The range of options open depends on the circumstances of the case, and the consideration needs to take into account the result of the Police investigation or trial, as well as the different standard of proof required in disciplinary and criminal proceedings.

31. **Action on Conclusion of a Case.**

a. If the allegation is substantiated and the person is dismissed or the employer ceases to use the person's services, or the person resigns or otherwise ceases to provide his/her services, the AMO should discuss with the employer whether a referral to the Disclosure and Barring Service (DBS) is required.

b. Also, if the person is subject to registration or regulation by a professional body or regulator, e.g. General Social Care Council, General Medical Council, Ofsted etc, the AMO can advise whether a referral to that body is appropriate. If a referral is appropriate, the report should be made within one month.

Children's Social Care: Strategy Meeting/Discussion and Evaluation Discussion

32. If there is cause to suspect a child is suffering, or is likely to suffer, significant harm, a child protection Strategy Meeting/Discussion should be convened. In such a case, the Strategy Meeting/Discussion should include a representative of the employer (unless there are good reasons not to do that) and should take account of any information the employer can provide about the circumstances or context of the allegation.

33. In those circumstances, the Strategy Discussion should include the AMO (if necessary via VTC) and a representative of the employer.

34. Any Strategy Meeting held in these circumstances should run as a meeting of two parts.

35. The first part, to be chaired and led by the Team Manager, should focus on the safety and welfare of the child/ren about whom the allegation is concerned. Any confidential information about the child and their family held by agencies should only be shared with the employer of the person against whom an allegation has been made if it is justifiable to do so within this particular situation.

36. Any views from professionals present, which may inform the employer in respect of future decisions about the person concerned, should be made known. This part of the meeting should be recorded in the usual way that a Strategy Meeting/Discussion is recorded.

37. The second part of the meeting, to be termed an Evaluation Discussion, should be led by the LADO, should focus on the individual against whom the allegation has been made and should plan next steps. Only those professionals who are relevant to this process at that point, e.g. the LADO, the employer, Police and Children's Social Care Team Manager should remain for this Evaluation Discussion, plus any professional who has been invited in order to give specialist information and/or advice. The Evaluation Discussion should be recorded separately from the notes of the Strategy Meeting/Discussion and should only be available to those present during the Evaluation Discussion.

8 Armed Forces Welfare Roles and Responsibilities

Royal Navy Royal Marines Welfare (RNRMW)

1. The purpose of RNRMW is to support Royal Navy and Royal Marines personnel and their families by helping to prevent or reduce the effects of personal difficulties especially those which arise as a result of Service life. As a non statutory agency, NPFS/RMW will both liaise directly with and work in partnership with the relevant LA with regard to safeguarding matters. For overseas families and serving personnel, RNRMW will liaise with the BFSWS, the quasi overseas LA.
2. RNRMW provides directly or with other agencies, advice, counselling support (practical and emotional) and advocacy (contacting officials) on behalf of Service families. These services are available to serving individuals, couples or families wherever they are located.
3. RNRMW employs registered social workers, trained field workers and community workers both Service and civilian. They offer a comprehensive and confidential social work and Community Support service, which includes outreach and youth development.
4. Where possible RNRMW should be represented on LSCBs on matters of safeguarding children and vulnerable adults.
5. RNRMW can be contacted at the following area offices:
 - a. **RNRMW portal**, Tel No: 02392728777, Email: navypers-welfare@mod.uk.
 - b. **RNRMW Area Office (Eastern and Overseas)**, Swiftsure Block, HMS NELSON, Queen Street. Portsmouth PO1 3HH. Tel No: 02392 722712
 - c. **RNRMW Area Office (Western) Fenner Block**, HMS DRAKE, Devonport, Plymouth, PL2 2BG. Tel No: 01752 555041
 - d. **RNRMW Area Office**, Northern, Triton House, 1-5 Churchill Square, Helensburgh, Argyll & Bute G84 9HL. Tel No: 01436 672798

Contact details are also available on: www.royalnavy.mod.uk

Army Welfare Service (AWS)

6. The AWS, and contractors overseas provide confidential, comprehensive and professional support to servicemen and women and their families. This includes support to the Army Reserve, Reservists and Veterans. However, the AWS does not provide the statutory social work service, which is provided by LAs in the UK and by BFSWS overseas.
7. The service incorporates a personal support element, which supports individuals and families who approach the service for assistance. They provide support on all subjects including relationships, accommodation, health, debt, education, childcare, mental health, domestic violence, substance abuse, etc.

8. AWS also incorporates a community support element, the aim of which is to secure or directly provide community support and learning opportunities wherever military personnel and their families are living. This is provided through community centres, Early Years settings, and youth/ play work centres, delivering activities for children, young people and families throughout the year. This will, where possible, include holiday schemes at Garrison, or Station level, as appropriate. Early Years provision will generally, be under the remit of local Stations, with the notable exception of Germany.

9. AWS representation on LSCBs is primarily to ensure effective collaborative working between itself and its partners on the boards. A secondary function is to disseminate information across MOD where required.

10. The AWS is the principal provider of second-line specialist welfare support to the Army. It provides confidential, comprehensive and professional support to Army personnel and their families.

11. Where there are concerns about the safety of a child, AWS should be consulted by unit staff to facilitate contact with Children's Services, providing advice to the Chain of Command and giving support to the family.

12. For Personal Support matters contact with AWS can be made either through the Senior Army Welfare Worker in the nearest AWS team or by contacting:

Chief Personal Support Officer, HQ AWS, HQ Sp Comd, Montgomery House, Floor 1 Zone 2, Queens Ave, Aldershot, Hants, GU11 2JN.

Tel No: 01252 787650

e-mail: AWS-HQ-CPSO@mod.uk

13. For Community Support matters, contact should be made with the Community Development Officer, Senior Community Development Worker, or by contacting your local team. Alternatively, contact can be made through:

Chief Community Development Officer HQ AWS, HQ Sp Comd, Montgomery House, Floor 1 Zone 2, Queens Ave, Aldershot, Hants, GU11 2JN.

Tel No: 01252 787581

e-mail: AWS-HQ-CCDO@mod.uk

RAF Community Support Services Delivered via SSAFA (Under Contract) – Personal Support and Social Work Services RAF (PS & SWS RAF)

14. SSAFA is contracted by the MOD to provide a personal support and social work service to the RAF Community in the UK. The service is delivered via a Head of Service at HQ Air Command, a Service Manager, a Learning and Development Manager and, five Social Work Team Managers. Each Team Manager manages a geographically spread team consisting of qualified and registered social workers, and, experienced, alternatively qualified personal and family support workers. Most Main Operating Bases (MOBs) and some minor bases have a dedicated member of the fieldwork staff. Other units are covered by an outreach worker, usually from the nearest office. However, the PS&SWS RAF does not provide the statutory social work service, which is provided by LAs in the UK and by BFSWS overseas.

15. The PS & SWS RAF⁸ provides a casework and advisory service to Service personnel, families, the chain of command and others. The service is provided under agreed rules of confidentiality between the service user and the worker, which, in simple terms, means that, with a few exceptions, anything told in confidence will not normally be passed to a third party without the individual's consent.

16. The PS & SWS RAF represents the RAF on LSCBs and at case conferences, working with and on behalf of other agencies as/when it is felt to be appropriate. Staff, when required, will contribute to work under the Common Assessment Framework (CAF) and, undertake a role as part of a Child Protection Plan.

17. Anyone with concerns about a child and/or vulnerable adult should contact the local authority and inform the nearest PS & SWS RAF Social Work Team Manager or:

Head of Service, SSAFA Personal Support & Social Work Service RAF, HQ Air Command, RAF High Wycombe,
Tel No: 01494 496477/6333.
Contact details are also available on: www.raf.mod.uk

Child Protection Procedures

18. For all Services, any child being taken overseas and subject to child protection procedures or a child protection plan, the Director of Social Work SSAFA must be consulted, using the contact details below:

Army and RAF

Director of Social Work SSAFA
19 Queen Elizabeth Street
London
SE1 2LP

Tel No: 020 7403 8783
Fax No: 020 7403 8815

Royal Navy/RMW

Area Office (RNRMW)
HMS Nelson
Queen Street
Portsmouth
PO13 3HH

Tel No: 02392 723875

⁸ PS & SWS RAF work closely with Personnel Management staffs, Medical Officers, Padres, Flight Commanders and others. The PS & SWS RAF deal with a broad range of issues and take part in local forums, such as domestic abuse, bringing a view from the social work and military perspective to these sometimes emotive and complicated issues.

9 Responsibilities of Small Units⁹ – Role of COs

Powers of the Judge Advocate

1. The powers to protect children of Service families have now been passed from the CO to Judge Advocates. Under the AFA 1991 a Judge Advocate has the power to grant a Child Assessment Order (CAO) and a Protection Order (PO) (in accordance with Sections 17 and 19 of AFA1991, respectively) when an application is put before him.

Child Assessment Order (CAO)

2. The CAO enables a medical examination of the child to be undertaken where the parent or carer of the child is being uncooperative, and significant harm is suspected or is likely to occur. A Judge Advocate may consider an application for a CAO if it is presented by:

- a. A registered social worker qualified to practise in child protection; or
- b. A registered medical practitioner

3. Under section 17(3) AFA 1991 a CAO will only be granted by the Judge Advocate where he/she is satisfied that:

- a. The applicant has reasonable cause to suspect that the child is suffering, or is likely to suffer, significant harm.
- b. An assessment of the state of the child's health or development or of the way in which the child has been treated is required to enable the applicant to determine whether or not the child is suffering or is likely to suffer significant harm and
- c. It is unlikely that such an assessment will be made, or be satisfactory, in the absence of a CAO.

4. Under section 17(5) AFA 1991, the Judge Advocate may also make an Protection Order (PO) instead of a CAO where he feels it necessary and appropriate (i.e. where the relevant grounds for an EPO exist), even though the applicant originally sought a CAO.

5. A child has the right to refuse to submit to a medical, psychiatric or other form of assessment, if that child is of sufficient understanding to make an informed decision. **Great care must be taken** in the assessment of a child's competence. In general if a child is under sixteen years but assessed to have sufficient understanding to make an informed decision then the child's decision will stand and cannot be overridden by anyone with parental consent or even the CAO – see section 18(4) AFA 1991. Advice should be sought from the relevant agencies, in particular, the relevant social care agency and departmental legal advisors.

6. It is an offence for a person subject to Service law (or a civilian subject to Service discipline by virtue of Section 209 of the Army Act (AA) 1955) to intentionally obstruct any person exercising a power conferred on him by a CAO – see section 18(8) AFA 1991.

⁹ Small Unit Status refers to units / locations with less than 20 personnel.

Protection Order (PO)

7. A PO provides for immediate short-term protection of children and a judge advocate must consider a request for the granting of a PO from anyone. An PO will only be granted where the Judge Advocate is satisfied that:

- a. There is reasonable cause to believe that the child is likely to suffer significant harm if that child is not removed to alternative accommodation (which is to be provided by the applicant or someone on the applicant's behalf).
- b. There is reasonable cause to believe that the child is likely to suffer significant harm if that child does not remain in the place in which he is being accommodated.

8. Where the application is brought to the Judge Advocate by a designated person i.e. a registered social worker qualified to practice in child protection or a registered medical practitioner, then the Judge Advocate must be satisfied that:

- a. The applicant has reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm.
- b. The applicant is making enquiries with respect to the child's welfare.
- c. Those enquiries are being frustrated by access to the child being unreasonably refused to the applicant or a person authorised by the applicant to seek access and the applicant has reasonable cause to believe that access to the child is required as a matter of urgency.

9. In accordance with Section 19(4) of AFA 1991, the Judge Advocate must ensure that a PO is not made unless the child (age dependent but see earlier comments), the child's parents, any other person with parental responsibility and any other person the child was residing with immediately prior the application for a PO being made, has had opportunity to make representations, **unless**, in the interests of the child it would be undesirable to do so; or it would be impracticable or would cause unnecessary delay to communicate with such persons before making the order.

Service Police Protection of Children

10. By virtue of para 8, Sch 13 AFA 06, the Service police may, where there is reasonable cause to believe that a child would otherwise be likely to suffer significant harm, remove a child to suitable accommodation or take such steps as are necessary to ensure the prevention of the child's removal from any Service hospital, or other place where the child is being accommodated. The Service police are not able to exercise parental responsibility during such periods of service police protection, and the maximum period that a child may be kept under such protection is 72 hours. In practice, this power is most likely to be used in circumstances where a PO is to be sought, but access to a Judge Advocate is not immediately available.

11. The Service police need to be informed as soon as possible where an offence has been committed or is suspected to have been committed against a child. This may not automatically result in an investigation being initiated by Service Police.

12. The decision as to whether or not criminal investigation should be initiated will ordinarily be a matter for the Service Police to determine, whilst giving due consideration to what is in the best interests of the vulnerable child or children.

CO's Safeguarding Policy Statement

Issued by.....[sample] & Date.....

1. The MOD has a duty of care to create a safe environment for children and young people, in line with current policy, legislation and practice. Safeguarding is everyone's responsibility.
2. MOD policy is regularly updated and is based on and compatible with national guidance for England and Wales, Northern Ireland and Scotland. The full policy for Safeguarding and protecting children and young people within the MOD is available from JSP 834
3. Safeguarding and protecting children has three aspects.
 - a. The creation of a culture in which children are valued and their right to be safe is upheld.
 - b. The management of risk to minimise circumstances where harm may befall children.
 - c. Taking appropriate actions to address concerns, and working to agreed policies and procedures in full partnership with other local agencies.
4. To this end my policy applies to all children and young people who are under 18 years of age and those over 18 years of age who are subject to a Special Educational Needs (SEN) or previously looked after/in care. The guiding principles are:
5. The safeguarding/protection of children and young people is accorded utmost priority and is the shared responsibility of all staff¹⁰ within the Unit *[insert title]*
6. Children and young people should be free to work, learn and develop their potential without fear of violence, abuse or exploitation. Within the MOD environment children and young people, irrespective of their age, gender, disability, racial origin, religion, belief and sexual orientation, will be valued and their rights to protection and safety fully respected.
7. The MOD will take all reasonable steps to establish that those whose work involves contact with children and young people do not present a risk to the wellbeing of the children and young people concerned.
8. All suspicions and allegations of abuse or inappropriate behaviour will be taken seriously by MOD and responded to appropriately.
9. It is the expectation that all staff should operate in accordance with the Department's duty of care.

Signature

Commanding Officer

¹⁰ 'Staff' throughout this policy are defined as both paid and/or unpaid.

10 Information Relating to Specific Countries/Areas

British Forces Germany (BFG) (Army (Sp Comd))

1. The legislative framework within which HQ BFG works is set out in JSP 834 Part 1.
2. Standing Orders British Forces Germany (SOBF(G)3351) are applicable within the BFG Area of Responsibility (AOR) for safeguarding children and young people. These are available at www.eurpeannscb.org.uk. These comply with the UK inter-agency statutory guidance and as such set the local requirements for the BFG AOR. They cover the following:
 - a. All units, agencies and entitled personnel living and /or working within British Forces Germany (BFG).
 - b. All units, agencies and entitled personnel living and working within European Support Group (ESG) AOR ISODETS.
 - c. ESG ISODETS are required to comply with the spirit of the policy, procedures and guidance contained within SOBF(G). Specific jurisdiction and legislative constraints apply when managing Child Protection cases in ISODETS that are outside the geographical boundaries of the BFG AOR. Those ISODETS within the ESG AOR should provide documented evidence of their local safeguarding procedures for inclusion within SOBF(G).
 - d. The unit CO/OC is responsible for family welfare and should be aware of the functions and responsibilities of other agencies and the support available from them when Child Protection and Safeguarding cases arise. The CO is also required to be aware that issues relating to child protection and safeguarding, for example consultation with parents in relation to decisions affecting their children, have the potential to be affected by the Human Rights Act (HRA) 1998 (more particularly Article 8 from the European Convention for the Protection of Human Rights and Fundamental Freedoms). COs must also be aware of employment disclosure regulations and issues.
 - e. In addition, the CO and all agencies involved in a child protection case must ensure that all matters relating to the protection of children are treated in the strictest of confidence.
 - f. Throughout these processes the CO should seek specialist advice on all matters relating to child protection from the statutory social work service, the single Service specialist welfare provider and departmental legal advisers as appropriate.
 - g. BFSWS is faced with the immediate need to place a child with a family member or friend in an emergency.
3. Any request for information that does not fall within these categories must be declined.
4. Where there is doubt about information sharing, CO SIB(G) RMP should be consulted.

5. **BFG Central Referral Team (CRT).**

a. Core Assets is the contracted organisation within BFG for the provision of a social work service for British Forces in North West Europe. As part of their establishment a joint social work/Service police child protection team, known as the Central Referral Team was set up. The team consists of specially trained and experienced Service police personnel and senior social work practitioners, whose role is to investigate cases of child abuse or where there is suspected child abuse or concerns that a child may be at risk of significant harm.

b. CRT has agreed and published 'Terms of Reference' (TOR), which should be read in conjunction with this document. The CRT:

- (1) Provides a joint response for all child protection investigations or offences involving children.
- (2) Provides a 24 hour service with a 4 hour response to joint SIB/BFSWS child protection enquiries/investigations.
- (3) Co-ordinates strategy discussions and undertake risk assessments.
- (4) Undertakes single or joint investigations (adopting procedures similar to those under the Criminal & Justice Act 03 and Section 47 CA 89).
- (5) Conducts all recorded interviews of children, required in support of criminal investigations undertaken by the Service police¹¹.
- (6) Provides advice to Service police units regarding other forms of children's evidence.
- (7) Undertakes/co-ordinates police protection (PP) and PO.
- (8) Shares information with other agencies where necessary to protect children.
- (9) Collects evidence for criminal and or civil proceedings.
- (10) Will support other overseas commands as required at the request of the respective CO, providing advice or conducting an investigation as necessary.

6. **Child Protection Conferences.**

a. The GOC is responsible for all aspects of safeguarding the welfare of children and young people in the BFG AOR. Current legislation and guidance mandates that the person who chairs the conferences is a professional who is independent of operational or line management responsibilities for the case. The status of the chairman should be sufficient to ensure inter agency commitment to the conference and the child protection plan.

b. Within BFG AOR the GOC delegates these responsibilities to the Independent Conference and Review Service (ICRS). ICRS contribute to the safeguarding of children through:

¹¹ The Service Police should be taken to mean any member of the Royal Military Police (RMP) or the Royal Air Force (RAF) Police.

- (1) Chairing, initial and review child protection conferences in line with current legislative, regulatory and guidance requirements applicable in England Including relevant associated tasks.
- (2) Chairing complex strategy meetings if an allegation covers circumstances that may involve a number of alleged abusers and/or a number of children, or an allegation is levelled at a professional member of staff from any community support agency operating within the GSG geographical AOR.
- (3) Chairing, co-ordinating and providing professional input to statutory reviews for children 'looked after' as required by the CA 1989 and related regulations and will support other overseas commands as required at the request of the respective CO providing advice or conducting an investigation as necessary.
- (4) Providing independent consultation, advice and information to operational staff in all agencies on matters relating to safeguarding children.
- (5) Applying and maintaining a common professional level of child protection related practice and procedure across BFG AOR.
- (6) Promoting and monitoring compliance with practice standards and contribute to the development of effective monitoring and audit systems.
- (7) Collating and recording statistics on behalf of GOC HQ BFG.

c. The work of the ICRS is in line with current legislation¹² and the GOC requires ICRS to provide an independent service accountable to him. This service is available to other overseas commands on request.¹³ Although SSAFA provides independent chair functions in all overseas Commands other than BF Germany.

Brunei (Army HQ – Sp Comd)

7. An LSCB is in place and is chaired by DCOS and meets quarterly. SSAFA provides a statutory and non statutory social work service under agreement in Brunei, which goes under the title of 'Personal Support and Social Work Service'. Local child procedures have been developed as laid down in WTSG 2013 and in accordance with UKSC procedures and the Brunei LSCB.

8. Chairing of child protection conferences is provided by the Senior Medical Officer Brunei who is able to access the advice and support of the SQ&P SSAFA Forces Help in undertaking this role.

Nepal (Army (Sp Comd))

9. A Safeguarding Committee is in place and is chaired by the DCOS and meets quarterly. Membership of the Safeguarding Committee includes representatives from both Pokhara and Kathmandu where children are located. Professional support is provided in-country by the SSAFA Forces Help Health Visitor and external support is provided by the SSWP based in Brunei. The SSWP provides level one and level two training as

¹² Children and Adoption Act 200.

¹³ T&S will be paid for by the requesting Command.

appropriate each year. In addition to this the SSWP also undertakes an annual audit of the safeguarding procedures in Oct/Nov.

Collective Training Establishments (BATUS, BATUK, Belize) (Army (Sp Comd))

10. BATUS has a protocol in force with the South East Alberta Child and Family Services Authority to deliver 'First Response' child intervention/protection services. This body is the Canadian authority responsible for statutory social work services in the BATUS area. The protocol was developed by SO1 G1/G4 BATUS, PSW, SSAFA and the CEO South East Alberta Child and Family Services Authority. The protocol is subject to an annual review and update.

11. BATUK – to follow.

12. Belize – N/A from September 2011 as no accompanied families from this date.

European Joint Support Unit (EJSU) (JFC)

13. Currently as for BFG.

British Forces Cyprus (BFC) (JFC)

14. Commander BFC (CBFC) is responsible for all aspects of safeguarding the welfare of children and young people within BFC. Within the Sovereign Base Areas (SBAs), SSAFA provides the local authority social work service and has statutory obligations and authority in respect of safeguarding and promoting the welfare of children. SSAFA Social Work operates in partnership with other public organisations, the voluntary sector, children and young people, parents and carers and the wider community. However, all organisations that operate within BFC have a responsibility to ensure that children are protected from harm. Other functions within BFC that make an important contribution to safeguarding include healthcare, schooling, policing and security, housing, sport, leisure services (clubs & societies) and youth services.

15. WTSC13 requires CBFC to establish a Local Safeguarding Children Board (LSCB). The BFC LSCB is chaired by Commander Med and comprises representatives from J1, Cyprus Joint Police Unit, Education and Training Services, Service Children's Education and SSAFA. The BFC LSCB meets quarterly.

16. Training and Development of BFC Safeguarding Procedures.

a. The BFC LSCB is responsible for developing local policies for the training of people who work with children, or in services affecting the safety and welfare of children. Within BFC, SSAFA Social Work is the lead agency for providing and facilitating Safeguarding Training. The BFC LSCB reviews and evaluates the provision and availability of single and multi-agency training to ensure training reaches all relevant staff. Training for 'inter agency', or 'multi agency' work aims to equip people with the knowledge and skills necessary to work together with staff from other agencies, or other professional backgrounds. The shared aim is to improve the safeguarding of children and young people.

b. All MOD personnel, organisations, volunteers and agencies who work with children within BFC, regardless of the frequency or level of contact, are required to

undertake appropriate safeguarding training in accordance with the BFC Safeguarding Policy including an Induction to Safeguarding within the first 3 months of employment. It is recognised that many BFC agencies and organisations that have significant safeguarding responsibilities already have well established procedures in place. Where this is not the case, local BFC guidelines provide a template for general safeguarding induction guidance. This should be implemented with immediate effect where a single agency safeguarding induction pack does not exist. For information on Safeguarding Children courses or to apply to attend, contact the SSAFA Safeguarding Training Administrator on 94120 Ext 2506 or Tel no. +357 25968064.

17. **BFC Child Protection Conferences.** Independent chairing of child protection conferences in BFC is provided by SSAFA based in London. The nominated individual is to be suitably qualified and experienced as well as being independent of operational or line management responsibilities for the case.

British Forces Gibraltar (BFGib) (JFC)

18. Commander British Forces Gibraltar (CBF) is responsible for all aspects of safeguarding the welfare of children and young people within BF Gibraltar. The Joint Social Work Service (JSWS) provides a quasi statutory and non statutory social work service in Gibraltar. The constituent social work organisations, SSAFA and RNRMW share the lead on safeguarding and child protection as well as providing personal welfare and support.

19. The JSWS operates in partnership with other public organisations, the voluntary sector, children and young people, parents and carers and the wider community. However, all organisations that operate within BF Gibraltar have a responsibility to ensure that children are protected from harm. Other functions within BF Gibraltar that make an important contribution to safeguarding include healthcare, schooling, policing and security, housing, sport, leisure services (clubs & societies) and youth services.

20. WTSC13 requires CBF to establish a Local Safeguarding Children Board (LSCB). The BF Gibraltar LSCB comprises representatives from J1, Joint Police Unit, Gibraltar Defence Police, JSWS, Medical Centre and Service Children's Education. Members of the local authority social work department are also invited to attend. The BF Gibraltar LSCB meets quarterly.

21. Training and Development of BFGib Safeguarding Procedures.

a. The BF Gibraltar LSCB is responsible for developing local policies for the training of people who work with children, or in services affecting the safety and welfare of children. Within BF Gibraltar, JSWS is the lead agency for providing and facilitating Safeguarding Training. The BF Gibraltar LSCB reviews and evaluates the provision and availability of single and multi-agency training to ensure training reaches all relevant staff. Training for 'inter agency', or 'multi agency' work aims to equip people with the knowledge and skills necessary to work together with staff from other agencies, or other professional backgrounds. The shared aim is to improve the safeguarding of children and young people.

b. All MOD personnel, organisations, volunteers and agencies who work with children within BF Gibraltar, regardless of the frequency or level of contact, are required to undertake appropriate safeguarding training in accordance with the BF Gibraltar Safeguarding Policy including an Induction to Safeguarding within the first 3

months of employment. It is recognised that many BF Gibraltar agencies and organisations that have significant safeguarding responsibilities already have well established procedures in place. Where this is not the case, local BF Gibraltar guidelines provide a template for general safeguarding induction guidance.

22. **Child Protection Conferences.** Independent chairing of child protection conferences in BF Gibraltar is provided by SSAFA based in London. The nominated individual is to be suitably qualified and experienced as well as being independent of operational or line management responsibilities for the case

British Forces South Atlantic Islands (BFSAI) (JFC)

23. Commander BFSAI (CBFSAI) is responsible for all aspects of safeguarding the welfare of children and young people within BFSAI; children and young people of those individuals subject to Service Law within the Falkland Islands (FI) and Ascension Island (AI) fall under this remit. SSAFA provides the local authority social work service through a designated social worker, located in the FI. The Falkland Island Government has responsibility for the safeguarding and promoting the welfare of children. SSAFA Social Work operates in partnership with the wider community and governments in BFSAI (including indigenous LSCBs in FI and AI), the BFSAI Chain of Command, children and young people, parents and carers. However, all organisations that operate within BFSAI have a responsibility to ensure that children are protected from harm. Other functions within BFSAI that make an important contribution to safeguarding include healthcare, schooling, policing and security, housing, sport, leisure services (clubs & societies) and youth services.

24. WTSC13 requires CBFSAI to establish an LSCB. The BFSAI LSCB meets at least four times per year, is chaired by ACOS J1 BFSAI and comprises representatives from J1, BFSAI Joint Police Unit, Service Children's Education, SSAFA, Chaplaincy and Medical Services, as well as cross representation with the FI indigenous LSCB. The indigenous AI LSCB incorporates cross representation from the AI Headquarters.

25. Training and Development of BFSAI Safeguarding Procedures.

a. The BFSAI LSCB is responsible for developing local policies for the training of people who work with children, or in services affecting the safety and welfare of children. Within BFSAI, SSAFA Social Work is the lead agency for providing and facilitating Safeguarding Training. The BFSAI LSCB reviews and evaluates the provision and availability of single and multi-agency training to ensure training reaches all relevant staff. Training for 'inter agency', or 'multi agency' work aims to equip people with the knowledge and skills necessary to work together with staff from other agencies, or other professional backgrounds. The shared aim is to improve the safeguarding of children and young people. The FIG and SSAFA jointly produce and deliver safeguarding training to military and civilian personnel.

b. All MOD personnel, organisations, volunteers and agencies who work with children within BFSAI, regardless of the frequency or level of contact, are required to undertake appropriate safeguarding training in accordance with the BFSAI Safeguarding Policy, including an Induction to Safeguarding within the first 3 months of employment. It is recognised that many BFSAI agencies and organisations that have significant safeguarding responsibilities already have well established procedures in place. Where this is not the case, local BFSAI guidelines provide a template for general safeguarding induction guidance. This should be implemented

with immediate effect where a single agency safeguarding induction pack does not exist. For information on Safeguarding Children courses or to apply to attend, contact the SSAFA Social Worker on 94130 3331 or 0050 073331.

11 Glossary of Terms

Key Definitions

1. **Abuse and Neglect.** The terms ‘abuse’ and ‘neglect’ are defined as follows in WTSC13: ‘Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to prevent harm. Children may be abused in a family or an institutional or community setting, by those known to them or, more rarely, by a stranger for example, via the internet. They may be abused by an adult or adults, or another child or children’.
2. **Child/Children.** A child is anyone who has not reached their 18th birthday. That fact that a child is living independently, is in further education, is a member of the Armed Forces, is in hospital, in prison or in a Young Offenders Institution, does not change his or her status, or entitlement to services, or protection under the CA89 and CA04.
3. **Child Death Overview Panel.** The Child Death Overview Panel is responsible for reviewing information on all child deaths and is accountable to the Local Safeguarding Children Board (LSCB). When a child dies unexpectedly and the LSCB consider that the criteria for a serious case review have been met, this should be discussed with DCYP.
4. **Children in Need.** Children are defined as being ‘in need’, under Section 17 of the Children Act 1989 (CA1989), when their vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development will be significantly impaired without the provision of services. The critical factors to be taken into account in deciding whether a child is in need under the CA1989 are what will happen to a child’s health or development without services being provided, and the likely effect that the services will have on the child’s standard of health and development.
5. **Children In Need of Protection.** The CA 1989 introduced the concept of significant harm, as a threshold justifying compulsory intervention in family life in the best interest of children. Section 47 of the CA 1989 placed a duty on LAs to make enquires to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.
6. **Child Protection.** Under WTSC, child protection is the process of protecting individual children identified as suffering, or at risk of suffering, significant harm as a result of abuse or neglect. (Note the difference between Child Protection and Safeguarding of Children defined in JSP 834 Part 1).
7. **Children’s Trust.** Each LA is required to establish Children’s Trust Boards in their area.
8. **Children and Young Peoples Plan (CYPP).** The CYPP is a plan that describes the actions and provisions by which the LAs will achieve the outcomes defined in CA04 for children and young people in their area.
9. **Early Help (EH).** This is a standardised approach to conducting an assessment of a child’s additional needs and deciding how those needs should be met. The aim is to identify at the earliest opportunity a child or young person’s additional needs which are not being met by the universal services they are receiving, and provide timely and co-

ordinated support to meet those needs. It is done in partnership with the child/young person, parents and/or carers. It is not a tool to be used when child protection is the concern or where a child in need under Section 17 of the Children's Act is applicable.

10. **Development.** Development refers to the physical intellectual, emotional, social or behavioural development of children and Young People.
11. **Protection Order (PO).** A PO is a court order under section 44 of the CA89 or section 19 of the AFA which will normally give the local authority or social workers the power to protect a child from harm by removing the child to suitable accommodation or preventing the child from being removed from accommodation (e.g. from hospital).
12. **Fostering.** Fostering is caring for someone else's child(ren) in the carer's own home. Foster carers look after babies, children and young people who are often distressed about being separated from their family. The child may need to be fostered for many reasons that can include illness in the family or serious abuse. The placement may be either short or long term. The latter can eventually lead to adoption of the child(ren).
13. **Private Fostering.** A private fostering arrangement is one that is made privately (i.e. without being instigated by a local authority) for the care of a child under the age of 16 (under 18, if disabled) by someone other than a parent or close relative, with the intention that it should last for 28 days or more.
14. **Investigation.** In the context of child safeguarding, an investigation is the onset of the formal process for the gathering of information specific to child protection concerns. These concerns may or may not involve a criminal investigation.
15. **Central Referral Team (CRT).** Part of the BFSWS UKSC (G) establishment this is a joint social work/Service police child protection team. The team consists of specially trained and experienced Service police personnel and social workers, whose role is to investigate cases of child abuse or where there is suspected child abuse or concerns that a child maybe at risk of significant harm.
16. **Local Authority (LA).** In the UK, LAs have a statutory responsibility for all Children's Service authorities and are responsible for all social services and education for the community.
17. **Local Safeguarding Children Board (LSCB).** Each LA in England and Wales is required by CA04 to establish and operate an LSCB. The LSCB is the key statutory body that will agree how relevant organisations in the local area will co-operate to safeguard and promote the welfare of children in that locality.
18. **Safeguarding and Promoting the Welfare of Children.** Safeguarding and Promoting the Welfare of Children is the process of protecting children from maltreatment, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enable children to have optimum life chances and enter adulthood successfully.
19. **Serious Case Review (SCR).** An SCR is carried out when abuse and neglect are known or suspected factors when a child dies or is seriously injured or harmed, and there are lessons to be learnt about inter-agency working to protect children.

20. **Significant Case Evaluation (SCE).** This process may be conducted in respect of cases not fulfilling the criteria for SCR but nevertheless, which may constitute sufficient grounds to examine practice and add to learning.
21. **Well-being.** Section 10 of CA04 requires LAs and other specified agencies to cooperate with a view to improving the wellbeing of children in relation to the five outcomes set out in CA04.
22. **Young People.** Throughout this document any reference to child/ children is to include young people aged up to 18 years or 19 if still in full time education, or 25 if disabled or identified with a statement of SEN.

Categories of Abuse

26. **Abuse and Neglect.** The types of abuse and neglect detailed in WTSC are set out below.

27. **Physical Abuse.** Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

28. **Emotional Abuse.** Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects 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 include not giving the child opportunities to express their views, deliberately silencing them or "making fun" of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. Emotional abuse may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

29. **Sexual Abuse.** Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape, buggery or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

30. **Neglect.** Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- a. Provide adequate food, clothing and shelter (including exclusion from home or abandonment).
- b. Protect a child from physical and emotional harm or danger.
- c. Ensure adequate supervision (including the use of inadequate care-givers).
- d. Ensure access to appropriate medical care or treatment.
- e. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Abbreviations

| | |
|----------------|--|
| AAB | Area Authority Board |
| ACF | Army Cadet Force |
| ACO | Air Cadet Organisation |
| AFA | Armed Forces Act |
| AF(PCSF)R | Armed Forces (Protection of Children of Service Families) Regulations 1996 |
| AFW | Accommodation Families and Welfare |
| AG | Adjutant General |
| ATC | Air Training Corps |
| AWCPPRG | All Wales Child protection Procedure Review Group |
| AWS | Army Welfare Service |
| BFBS | British Forces Broadcasting Service |
| BFG | British Forces Germany |
| BFGHS | British Forces Germany Health Service |
| BFPO | British Forces Post Office |
| BFSWS | British Forces Social Work Service |
| CA | Core Assets |
| CAO | Child Assessment Order |
| CDOP | Child Death Overview Panel |
| CCF | Combined Cadet Force |
| CEOP | Child Exploitation Online Protection |
| CI NI | Child In Northern Ireland |
| CMP | Civilian Medical Practitioner |
| CO | Commanding Officer |
| CPP | Child Protection Plan |
| CPS | Centre for Policy Studies |
| CRB | Criminal Record Bureau |
| CRIS | Crime Reporting in Schools |
| CSA | Child Safety Order |
| DA | Devolved Administration |
| DCDS(Pers&Trg) | Deputy Chief of the Defence Staff (Personnel & Training) |
| DCSF | Dept for Children, Schools and Families (now DfE) |
| DETS(A) | Directorate of Education Training Services (Army) |
| DfE | Department for Education |
| DfES | Department for Education and Skills (now DfE) |
| DH | Department of Health |
| PO | Protection Order |
| ESG | European Support Group |
| GP | General Practitioner |

| | |
|----------|--|
| HQ | Headquarters |
| ICRS | Independent Conference and Review Service |
| ICT | Information Communication Technology |
| IRO | Independent Reviewing Officer |
| ISA | Independent Safeguarding Authority |
| ISODET | Isolated Detachment |
| CRT | Central Referral Team |
| JSP | Joint Services Publication |
| LA | Local Authority |
| LSCB | Local Safeguarding Children Board |
| MOD | Ministry of Defence |
| MOU | Memorandum of Understanding |
| MSSC | Marine Society & Sea Cadets |
| NHS | National Health Service |
| NSPCC | National Society for the Prevention of Cruelty to Children |
| NPFS/RMW | Naval Personal and Family Service/Royal Marines Welfare Organisation |
| RAF | Royal Air Force |
| RCPC | Regional Child Protection Committee |
| ROSPA | Royal Society for the Prevention of Accidents |
| SCC | Sea Cadet Corps |
| SCE | Service Children's Education |
| SCE | Serious Case Evaluation – Page 23 |
| SCR | Serious Case Review – Page 10 |
| SEN | Special Educational Needs |
| SEE | Serious Event Evaluation |
| SIB | Special Investigation Branch |
| SOBF(G) | Standing Orders for the British Forces in Germany |
| SOFA | Status of Forces Agreement |
| SP Pol | Service Personnel Policy |
| SSAFA | Soldiers, Sailors, Airmen and Families Association – |
| SSWP | Forces Help Senior Social Work Practitioner |
| SSVC | Services Sound and Vision Corporation |
| SW | Social Worker |
| TOR | Terms of Reference |
| WTSC | Working Together to Safeguard Children |
| UK | United Kingdom |
| UKSC | United Kingdom Support Command |

Reference Documents

31. Joint Service Publications (JSP)

JSP 342 - Education of Service Children.

JSP 464 - Tri Service Accommodation Regulations (TSARS).

JSP 535 – Cadet Training Safety Precautions (CTSP)

JSP 770 - Chapter 3 – Children, Young People and Families. Section 1 to 9.

JSP 800 – Defence Movements and Transportation Regulations Vol 2 Chp 5

JSP 814 – Policy & Regulations for MOD Sponsored Cadet Forces

JSP 820 – Disability and Additional Needs Policy

JSP 830 Chapter 26 – Safeguarding Children: Armed Forces Child Protection Powers.

JSP 832 – Guide to Service Inquiries

JSP 893 - Policy on Safeguarding Vulnerable Groups

JSP 913 - Tri Service Policy on Domestic Abuse & Sexual Violence

JSP 950 Leaflet 4-6-6

32. Defence Instructions and Notices (DINs)

DIN2011DIN04-109 Change to Policy for In-Flight Escorting of Unaccompanied Minors on RAF AT and MOD funder charter.

33. Army General and Administrative Instructions (AGAI)

AGAI 53 - Barrack Regimes and Living Out by Single Personnel

AGAI Vol 3 Chapter 083 – Single Service Guidance

34. External Reference Documents

a. The following reference documents underpin safeguarding and child protection in England, Devolved Administrations and in Overseas Commands:

Working Together to Safeguard Children A guide to inter-agency working to safeguard and promote the welfare of children DCSF Publications Edition 2010 (Revised 2012)

Children Act 1989

Children Act 2004

Safeguarding and Vulnerable Groups Act 2006

Protection of Freedoms Act 2012 (amends elements of above SVG Act 2006)

Children Act 2004

Protection of Children (Scotland) Act 2003

The Children (Northern Ireland) Order 1995

Armed Forces Act 2006 – Schedule 13

Armed Forces (Protection of Children of Service Families) Regulations 2009

Staying Safe Action Plan DCSF 2008

Sexual Offences Act 2003

b. **Other References:**

Achieving Best Evidence in Criminal Proceedings (ABE)

Association Chief Police Officer Guidance (ACPO)

Boarding Association National Minimum Standards for Care 2002

British Association of Social Worker (BASW) Code of Ethics 2002

Challenge of Partnership in Child Protection – DH Practice Guidance

Childcare Act 2006

Children Act 1989

Children & Young Persons Act 1933

Crime and Disorder Act 1998

Criminal Justice Act 2003

Criminal Justice and Court Service Act 2000

Data Protection Act 1998

DfE (formerly Dept for Children, Schools and Families) circular 10/95 'Protecting Children from Abuse: The Role of the Education Service'

DfE (formerly Dept for Children, Schools and Families) Information Sharing Practitioners Guide 2006

DfE (formerly Dept for Children, Schools and Families) circular 11/95 'Misconduct of Teachers and Workers with Children and Young Persons'

Domestic Violence, Crime and Victims Act 2005

DfE (formerly Dept for Children, Schools and Families) Safeguarding Children and Safer Recruitment in Education 2007

Education Act 2002

Education Staff and Child Protection: Staff Facing an Allegation of Abuse (Joint NEOST/Teacher Union Guidance 2002)

Human Rights Act 1998

Framework for the assessment of children in need and their families 2000

Family Law Reform Act 1969

Framework for the assessment of Children in Need and their Families DOH
2000

General Medical Council (GMC) guidance entitled 'Confidentiality: 12th October
2009

General Social Care Council – Codes of Practice 2002

Central Referral Team Terms of Reference 2004

Inter-Agency Co-operation to Improve Wellbeing of Children

Information Sharing: Further guidance on legal issues 2006

Information Sharing: practitioners guide 2006

Land Command Standing Order No 3351 (Andover Nov 2010) Children in Need
of Protection

List 99

Local Authority Social Services Act 1970

Local Authority Safeguarding children Statements

Local Safeguarding Children Boards Regulations 2006 - Statutory Instrument
2006 No. 90

Manual of Service Law, Volume 1, Chapter 26 – Safeguarding Children: Armed
Forces child protection powers.

National Service Framework for Children, Young People and Maternity Services

National Daycare Standards 2003

Northern Ireland Guidance or Northern Ireland Legislation

Nursing and Midwifery Council The Code

Police and Criminal Evidence Act 1984

Protection of Children Act (POCA) 1999

Protection of Children (Scotland) Act 2003

Role and Responsibilities of the Director of Children's Services and the Lead
Member for Children's Services.

Safeguarding Children and Young people: roles and competences for health care staff. Intercollegiate Document, September 2010.

Safeguarding Vulnerable Groups Act 2006

Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

Staying Safe July 2007

Safeguarding children in whom illness is fabricated or induced by carers with parenting responsibility DH 2002

Safeguarding children: a Joint Chief Inspectors report on arrangements to safeguard children

Safeguarding children in whom illness is fabricated or induced

Safeguarding Children Action Plan Feb 2008

Safer Recruitment in Education guidance 14 Nov 06

Sex Offenders Act 1997

Sexual Offences Act 2003

Single Service Guidance – AGAI Vol 3 Chapter 083

Standing Orders for the British Army in Germany

United Nations (UN) Convention on the Rights of the Child 1991 - Article 12

Vulnerable Groups Act

Victoria Climbié Inquiry 2003

Wales Legislation

Working Together to Safeguard Children April 2013

c. **Specific to BFG**

Caldicott Standards (applicable to BFGHS and BFSWS)

Challenge of Partnership in Child Protection – DH Practice Guidance

Criminal Injuries Compensation (Overseas) Scheme (CIC(O)) – (DCI JS 2 of 2004 dated 23 Jan 2004)

SI BF(G) 3217 - Families Administration 2007

SI BF(G) 3222 - Casualties Procedure for BFG & the Benelux Countries 2007

Sexual Offences Act 2003: 'Personal Services 2 (Army) Policy 7/2006 – Sexual Offences Act 2003 – The Employment and Posting of Offenders

SO BF(G) 3351 - Police Protection www.BFGNet.de/safeguarding

SO BF(G) 3352 - Regulations for "Suitable Person" checks for Personnel Working with Children and Vulnerable Persons

Tax Credit (New Category of child Care provider) regulations 2002 as defined in SO BF(G) 3218 - Regulations for the Conduct of Organised Care for Children Under the Age of 8 in BFG, Part 111, Chapter 2