

HOLIDAY ACTIVITIES & FOOD PROGRAMME (HAF)

SAFEGUARDING CHILDREN & YOUNG PEOPLE

POLICY AND GUIDANCE FOR NON-SCHOOL PROVIDERS

If you are worried that a child or young person is at risk of serious harm through abuse or neglect - you should contact MASH. However if you think a child is in immediate danger, phone the police immediately on 999.

MASH telephone line:

- 020 3373 4600 during office hours (Monday to Thursday, 9am to 5.15pm or Friday 9am to 5.00pm)
 - 020 8430 2000 at any other time

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1. About the Holiday Activities and Food Programme

School holidays can be a particularly difficult time for some families because of reduced income or increased costs relating to food and childcare. For some children, this can lead to holiday hunger and a holiday experience gap, with children from these families more likely to experience 'unhealthy holidays' in terms of nutrition and physical health. These children are also more likely to experience social isolation.

The government funded Holiday Activities and Funding programme (HAF) is a response to this issue.

The programme provides free places at holiday clubs during the Easter, summer and Christmas school holidays for primary and secondary age children and young people in Newham who are eligible for benefits-related free school meals (FSM eligible). The programme also provides free or subsidised holiday club places for children and young people who are not in receipt of benefits-related free school meals, but who are at risk or vulnerable.

These holiday club places provide at least one daily nutritious meal, a range of physical and enriching activities, signposting and referrals to other help and support, nutrition education and food education for parents and families.

The Council deliver a fully inclusive programme in partnership with a range of organisations and schools

2. Purpose of this document

The purpose of this document is to bring together Government legislation and guidance to ensure that the wellbeing of children and young people is promoted and safeguarded, while they are accessing Newham's HAF programme and that providers are adhering to their statutory role in terms of safeguarding responsibilities.

"Working Together 2018", sets out the following definition for Safeguarding and promoting the welfare of children.

A child is defined as 'anyone who has not yet reached their 18th birthday'.

'Children' therefore means 'children and young people' throughout the document.

3. What is safeguarding?

Safeguarding a child means:

- protecting children from maltreatment
- preventing impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcome

For the purposes of this document, a HAF provider is any organisation, excluding schools, that has been contracted by Newham Council to deliver the Holiday Activities and Food programme (HAF), during the Easter, summer, and Christmas school holidays.

HAF providers must work in partnership with the **Newham Multiagency Safeguarding Hub (MASH)** who are the safeguarding lead for the Local Authority as outlined within “Working Together 2018” and within the auspices of Newham Children’s Safeguarding Partnership Board who provide the multi-agency governance to ensure all relevant agencies can safeguard and promote the welfare of children in the local area.

Newham has the required safeguarding arrangements in place to ensure children’s needs for additional support and protection are met in partnership with all relevant agencies and families.

Further information about Newham Safeguarding Children’s Partnership can be found – at <https://www.newhamscp.org.uk/>

4. Duty of HAF Providers

HAF providers must appoint a **Designated Safeguarding Lead (DSL)**. The role of the DSL is to:

- ensure safeguarding requirements are fully met within the provision and
- be the single point of contact for any concerns whilst the provision is operational.

Each DSL must familiarise themselves with the HAF Safeguarding Policy and incorporate the policy into the induction programme for each worker or volunteer.

The DSL must:

- ensure all staff receive safeguarding training and
- understand what to do if they or a colleague have a concern about a child.

This safeguarding document along with “Working Together 2018” sets out the legal requirements and relevant legislation governing HAF providers and their interactions with the Newham MASH team and partner agencies. The duty to intervene in family life by any agency, must only be in the best interest of all children/young people and led by MASH.

HAF providers will **not** be required to undertake safeguarding assessments of any children in their provision, however, each provider must demonstrate that they exercise a duty of care whilst the child/ren are in their care; this is with the agreement of the parent or significant adult who holds parental responsibility for the child.

Any concerns about a vulnerable adult or family should be shared with the DSL in line with the reporting responsibilities outlined within this policy.

5. The Designated Safeguarding Lead (DSL) - duties and responsibilities

The HAF provider’s Designated Safeguarding Lead (DSL) should take lead responsibility for safeguarding and child protection as outlined throughout this policy. This should be explicit in written guidance and/or discussions held with the role holder. This person should have the appropriate status and authority within the HAF provision to carry out the duties of the post. They should be given the time, training, resources, and support to provide advice and support to other staff on child-welfare and child protection matters. All DSLs must complete the HAF Safeguarding training, or must have completed the equivalent of L2 Safeguarding training or above within the last 12 months.

The DSL should familiarise themselves with the following:

a) Duties of the Local Authority – Children Act 1989:

Threshold for referral is:

- Children at risk or likely to be at significant harm
- Children at risk of sexual exploitation
- Children at imminent risk
- Children in Need
- All concerns noted within this document with reference to types of abuse
- Concerns that professionals, partner agencies or the public have about a vulnerable adult or child

b) Contacting the Police and understanding their powers:

DSLs **may** be advised by Newham's MASH team to telephone the Police if the risk to a child/ren is immediate. It is important for DSLs to understand the powers that the Police hold, which legally permit them to become involved in safeguarding matters.

The meaning of 'powers to execute to safeguard children' is where the police are called out to a situation, and they decide that the child or young person is at risk; they then have the power to remove the child or vulnerable adult to a place of safety.

Examples of when the Police may execute their powers are as follows:

- To assess risk
- To assess need
- To act to safeguard a child/young person who is or likely to be at risk of significant harm.
- To assess children and Needs of children and to include 'Asylum seeking children/un-accompanied minors/children with additional needs
- To assess children and provide provisions to promote their wellbeing and safety
- To listen to children and young people views
- To work in partnership with parents in the best interest of children

This list is not exclusive but acts as a guide. DSLs should always seek advice from the MASH Team prior to involving the Police unless there is a threat of violence or immediate harm to a child or member of staff.

6. Where does HAF fit in relation to other services for Children and Families?

The HAF programme sits within the category of 'universal services and voluntary and community sector organisations' which is categorised as Tier 1 in the document 'Newham's Help and Support Pathways for Children and Families' <https://www.newhamscp.org.uk/wp-content/uploads/2022/05/Newham-Pathways-to-help-and-support-guidance-2022-v3-1.pdf>

All children, young people and families including those with SEND can access Tier 1 services without a referral from a statutory agency. The full document 'Newham's Help and Support Pathways for Children and Families' provides detailed guidance.

7. Safer Recruitment Guidance

The DSL must ensure that they have engaged with the 'Safer recruitment process'.

For the purposes of this policy, 'staff' are all the people employed by the HAF provider, including volunteers.

The DSL duties and responsibilities for the provision must include ensuring that the staff recruitment complies with this Safer Recruitment Guidance to ensure a consistent and a thorough recruitment process has been completed, prior to the staff/volunteer commencing work.

The DSL must ensure Disclosure and Barring Service (DBS) checks are completed, on applicable positions as part of this process. ***The aim of the Safer Recruitment guidance in this policy*** is to help deter people who might abuse children from applying for roles where they will have access to those vulnerable groups.

Individuals involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of ***The Safer Recruitment Guidance in this policy***. The Safer Recruitment Guidance shall be applied consistently in relation to all staff and volunteers regardless of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation.

The DSL should ensure all applicants complete a standard application process, to confirm they have all the information they need about the HAF provider; and the HAF provider has all the information they require about the applicant.

This process will provide the DSL with essential information such as employment history (either paid or voluntary). During the application process, applicants are asked to confidentially self-disclose any unspent criminal offences or child protection investigations. As the role requires an enhanced DBS check, the HAF provider must ask applicants to disclose any unprotected spent offences.

Where the information received raises a safeguarding concern, details will be shared with DSL who will take reasonable steps to confirm the applicants' suitability for the role. ***All*** applicants will be asked to provide an explanation for any significant gaps or repeated changes in employment history where no reasons have been provided on their application.

HAF providers may also ask interview questions which are designed to allow candidates to demonstrate the attitudes and values that people working with children need to have.

Applicants must be asked to provide contact details of people willing to act as a referee during the application process. References are normally sought after a conditional offer of employment or engagement has been made, however there may be occasions when we ask applicants for their consent to contact a referee before an offer of employment or engagement has been made.

Regulated Activity Requirement Checks

DBS checks should be carried out on any individuals intending to work in Regulated Activity with children. An Enhanced DBS check and Barred List check is required before commencement of employment or engagement. ***Regulated activity is work that a barred person must not do.***

HAF providers are advised to withdraw a conditional offer of employment or engagement if an applicant has failed to co-operate with this process or if the process has not been completed within reasonable timescales

If new or adverse information emerges, the DSL should advise the HAF provider to withdraw the position offered.

All staff, including volunteers, employed by HAF providers must have an enhanced DBS check with barred list information.

Volunteers and DBS checking

It is accepted that volunteers play an important role in the delivery of HAF provision.

Volunteers that regularly work in HAF holiday clubs, are carrying out regulated activity. This means they will be subject to an enhanced Disclosure and Barring Service (DBS) check with barred list information.

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

The guidance on [regulated](#) activity in relation to children contains definitions of what is meant by regular and regulated activity.

To provide reassurance to parents, families, and carers, all volunteers who are involved in the delivery of the provider's HAF programme, should have an enhanced DBS check (which, should include the children's barred list information).

8. Relevant Legislation and Guidance

Staff may find the following information helpful as it underpins the framework that governs referrals that are made to MASH. Some or all of these terms may be mentioned when in discussions with other professionals or Newham MASH.

Children Act (CA) 1989 s17 (1) and (10):

Section 17 of the Children Act 1989 places a general duty on local authorities to safeguard and promote the welfare of children in need.

Section 17 definition:

- a. *"Under section 17 of the **Children Act 1989**, councils with social services responsibilities carry lead responsibility for establishing whether a child is in need and for ensuring services are provided for **all** children as appropriate. **This does not require councils with social services responsibilities themselves necessarily to be the provider of such services.**"*

This means that within Section 17(1) HAF providers 'shall safeguard and promote the child's welfare'. HAF providers are required to observe this duty whilst providing their services.

Children Act (CA)1989 Section 47:

The CA 1989 stipulates the following:

- a. *“Section 47 also sets out duties for the local authority itself, around making enquiries in certain circumstances to decide whether they should take any action to safeguard or promote the welfare of a child as not to do so may well impair the child’s best outcomes.”*
- b. *“Have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or likely to suffer, significant harm”.*

For clarity this means, ‘The authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child’s welfare.

In the case of a child falling within paragraph (a) (b) above, the enquiries shall be commenced as soon as practicable and, in any event, if not immediate action, then within 48 hours of the authority receiving the information’

HAF providers are by statute expected to care for children safely and should any concerns arise that suggests the child is at risk then the HAF provider will be required to notify Newham’s MASH team and is expected to work in partnership with MASH, especially with regards to next steps such as informing the family or sharing information.

9. Recording of Safeguarding Concerns

All HAF providers should keep a record of children who attend with an injury or experiences an injury whilst attending the provision.

A child may attend the HAF provision with an injury that was sustained outside of provision, in these circumstances the parent or guardian should be asked what happened and the member of staff must inform the DSL, who will seek advice from the Newham MASH team if required.

Should a child be injured whilst attending the provision e.g. during an activity, the appropriate medical attention should be sought, and the parent or guardian informed immediately. The DSL should also be informed, and a record of the incident made. There is no need for accidents to be reported to the Newham MASH team.

All non-accidental injuries should be reported to the ***DSL*** who will contact the Newham MASH

As a guide:

You must:

- Record the incident in detail
- Record who was involved in the incident
- Record what was shared with you
- Record the time and date of the incident
- Record who you spoke with
- Record agreed actions by the Designated safeguarding lead

10. Referral process to Newham MASH Team

1. Inform Newham’s MASH team between the hours of 9-5pm and if outside these hours call the MASH Out of Hours Emergency Duty Team, and or the Police.

2. Newham's MASH Team will take the information and are likely to ask you to complete a referral
3. The MASH team will see whether the child(ren) is already open to Children's Social Care and if so, they will contact the social worker holding the case.
4. If the case is not open to Children's Social Care, the MASH team will assess whether any next steps are required to ensure the wellbeing of the child is safeguarded
5. MASH can also request that Children's Social Care assess whether protection is required, as there is a risk to the child's life-likelihood of serious immediate harm. The police and or the Local Authority will execute their statutory power in terms of an application to the court for an Emergency Protection Order or Use of Police Power Section 46 Children Act 1989 to act to ensure the child's safety.

To request support or protection of a child and to access the MASH consultation line

Contact details for Newham MASH:

- **020 3373 4600 during office hours (Monday to Thursday, 9am to 5.15pm or Friday 9am to 5.00pm)**
- **020 8430 2000 at any other time.**

Online referral link below for reporting a safeguarding concern:

https://azcareportal-live.newham.gov.uk/aztriageportal/jsp_mash/admin/login.jsp

It is important that the DSL making the referral contacts MASH, to ensure they receive the appropriate support, when completing the online referral documentation.

Following a referral to Newham's MASH team, the DSL may be requested to take part in strategy discussions and multidisciplinary meetings, and/or support other staff to do so, and may be asked to contribute to the assessment (not undertake the assessment) of children when necessary. ***Please see section on Strategy Meetings/multidisciplinary meetings.*** Should the DSL be invited to such a meeting, they should only present information that their organisation knows about the child/ren who accessed their provision.

11. Strategy Meetings/Multidisciplinary Meetings

A strategy meeting is a multidisciplinary meeting held to collate all the information an organisation and agencies know about a child/ren. These are held if concerns about a child indicates that he/she is facing harm and HAF providers maybe expected to attend/contribute.

"Working Together 2018" states the strategy meeting tasks are as follows:

The discussion should be used to:

- share available information
- agree the conduct and timing of any criminal investigation

- decide whether enquiries under section 47 of the Children Act 1989 must be undertaken
- Where there are grounds to initiate an enquiry under section 47 of the Children Act 1989

Decisions should be made as to:

- what further information is needed if an assessment is already underway and how it will be obtained and recorded
- what immediate and short-term action is required to support the child, and who will do what by when
- whether legal action is required

DSLs are only required to contribute information **and not assess or investigate**, that is the role of a Social Worker and Police.

12. Abuse Categories and definitions

To ensure staff consider all areas of safeguarding, the following section provides examples of abuse categories and definitions. These examples are not exclusive but provide some guidance on what staff/volunteers should be sensitive too:

Sexual abuse

- stomach pains
- discomfort when walking
- inappropriate (sexually explicit) language or behaviour
- aggressive or withdrawn behaviour
- fear of a particular person
- pain, itching, bruising, or bleeding in the genital area

Sexual abuse can be perpetrated by a family member or a stranger resulting in a child or young person under 18 years of age being sexually abused. It should be noted that children can also sexually abuse children, and this is also an offence. Adults who sexually abuse children and are convicted of the offence, are usually on the 'Sex Offenders Register' which will be disclosed on the DBS check undertaken.

Physical abuse

Physical abuse is where a child is being physically abused by a parent, sibling, or another person and this is known as an assault. Indications of this abuse could include:

- unexplained or untreated injuries
- cigarette burns, bite, or belt marks
- covering their arms or legs unnecessarily
- flinching when they are touched

More examples of physical abuse:

- **Hitting/slapping**
In relation to physical abuse it should be noted that hitting a child can be harmful in many situations. HAF providers will not tolerate any young person being

inappropriately chastised by their parent or primary carer. HAF staff will not physically chastise any child who attend their services.

- **Pushing**

Pushing a child with an open hand or an object is not acceptable.

- **Restraining**

Some children may have additional needs or present with challenging behaviour. For example, such as they have limited language; a physical disability; ASD; or ADHD, and therefore they will require more attention and observation during their time whilst in the HAF provision. However, they should experience a fully inclusive service, without the use of restraints.

HAF staff are **not** permitted to restrain a child. Should a child's behaviour become volatile, which may stem from them feeling vulnerable due to their complex needs, the HAF provider must agree a safe place where they can be supervised and supported. Once the staff are satisfied that the child is a) in a safe place and b) being supervised at all times. The incident should be reported to the **Designated Safeguarding Lead** and inform the guardian or parent immediately.

Should a child have an unexplained injury, that they say happened in their parent's or guardian's care. HAF staff are to inform the DSL who will report the concern to the Newham MASH team, for them to decide the next step(s).

Domestic Abuse

Domestic abuse is a crime, whether children are in the household or not.

The impact on any child/ren who are exposed to their parents' or other adult's inappropriate altercations towards one another, does impact on the child's emotional and psychological wellbeing; also exposing children to risk of harm. Should staff observe this happening during any family session, whilst the child(ren) are being dropped off or collected from the club, staff have a duty to inform their DSL and a decision made as to whether a referral and/or telephone call is required to the Newham MASH team, for them to decide the next step(s).

Emotional Abuse

Emotional abuse is when a child is traumatised by the behaviour they are exposed to by their parents' or a person whose care they are in. Non-physical abusive behaviour can present additionally to those indicated above in the following ways:

- self-harming
- showing extreme emotion
- sudden speech disorders
- delayed development in babies
- name calling/ insults,
- coercive behaviour,
- feeling threatened, fear of reprisals,
- financial control,
- withdrawn in presentation etc.

It should be noted that emotional abuse is present in all abuse categories. Children who are exposed to this type of abuse are usually reluctant to share their experiences. Should there be a suspicion that a child is experiencing emotional abuse it must be reported to

your DSL who will report suspicions to the Newham MASH team, for them to advise of the next step(s).

Neglect

Neglectful parenting covers a range of inappropriate parenting to include, neglecting the child's basic need for food, clean clothing, not giving the child appropriate love and attention, neglecting their right to attend school regularly, not registering the child with a G.P, optician, or Dentist etc. Indications of this could present in the following ways:

- underweight
- dishevelled poor appearance and hygiene
- being smelly or dirty
- being hungry or not given money for food
- health and development problems.
- living in an unsuitable home environment, such as having no heating, water
- change in behaviour
- becoming clingy

If staff are concerned that a child is experiencing any form of abuse, they must report these concerns to the **Designated Safeguarding Lead**, who will in turn report the highlighted concerns to the **Newham MASH team**, for them to advise if next step(s) are required.

13. Additional areas of risk/concerns

The DSL should also be aware that the area of safeguarding continues to expand as more cases are made known. The following areas are where we know that a child/ren, have experienced harm or been placed at risk.

Female Genital Mutilation

Female genital mutilation (FGM) is a procedure where the female genitals are deliberately cut, injured, or changed, where there's no medical reason for this to be done.

There are four main types of FGM:

- Type 1 (clitoridectomy) – removing part or all- of the clitoris.
- Type 2 (excision) – removing part or all- of the clitoris and the inner labia (lips that surround the vagina), with or without removal of the labia majora (larger outer lips).
- Type 3 (infibulation) – narrowing of the vaginal opening by creating a seal, formed by cutting and repositioning the labia.
- Type 4 – The Other harmful procedures to the female genitals, including pricking, piercing, cutting, scraping, or burning the area.

FGM is often performed by traditional circumcisers or cutters who do not have any medical training. However, in some countries it may be done by a medical professional.

Anaesthetics and antiseptics aren't generally used, and FGM is often carried out using knives, scissors, scalpels, pieces of glass or razor blades.

Health needs of the child not met

The health needs of the children meeting threshold for statutory intervention, can be brought about by the parent or carer not meeting their health needs when required to do so. It could also mean that the parents are administering their medication inappropriately. It could also be that they continuously inform the child that they are not well, when in fact they do not have any health needs. This could constitute 'Fictitious Illness'. Further reading can be found in this link [Fictitious Illness](#).

Child Exploitation

Child exploitation (CE) in this section includes Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE). It is where an adult manipulates and coerces a child to engage with adult behaviours for the adult or adults' gain. There is a process to be undertaken by the Newham MASH team once they have been made aware of a case of possible Child Exploitation in any form by a HAF provider. This area of concern falls within Section 47 Children Act 1989, and protocols that the Newham MASH team would follow include:

1. Multi Agency Strategy discussion
2. Child Exploitation assessment tool
3. An assessment required to assess the needs of an exploited child or young person.
4. Safeguarding protocols to be followed

Modern Slavery 2015

Modern Slavery is where children are sold for the use of adult behaviours or needs which is against the British Law and therefore it is a crime. Concerns should be raised with the DSL who will discuss the matter with Newham's MASH Team. The Local Authority also has a duty to assess to ensure they safeguard what is in the best interest of the child and make the referral if required to the National Referral Mechanism (NRM).

- <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england->
- <https://www.gov.uk/government/publications/national-referral-mechanism-guidance-for-child-first-responders>
- <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

Responding to radicalisation and/or Extremism

Radicalisation and extremism is where a person is pressured into conforming to an ideology that leads to harm of anyone who does not hold a similar value or belief. Since the 2011 revised 'Prevent' strategy, the government has defined extremism as: "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.

The Counterterrorism and Security Act 2015 describes Prevent Duty as the duty placed on specified authorities to have due regard to the need to prevent people from being drawn into radicalisation and extremism leading to domestic or international terrorism. Prevent duty is about keeping people and communities safe from the threat of terrorism.

Newham has appointed a Prevent Officer who will support each provider with advice on keeping all children safe, identifying radicalisation whether it be an extreme religious and political view. MASH can support HAF providers with reporting cases of concern.

14. Other things to consider when promoting a safe environment for children

This should also be covered in detail within the Provider's Health and Safety Policy.

HAF Providers in school settings

Providers delivering a HAF provision in school settings must familiarise themselves with part 1 of "Keeping Children Safe in Education 2021", which specifically addresses safeguarding within the learning environment, wherever the child is developing skills.

Providers must ensure that anyone involved in the delivery of their holiday club is familiar with "Keeping Children Safe in Education 2021", which sets out learning to improve service delivery in line with government safeguarding expectations.

Link to guidance: <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Adult Visitors

All HAF providers must consider how they monitor children, staff, volunteers, and visitors (including uninvited visitors). HAF providers must have robust monitoring processes in place for visitors including those who are uninvited. Where activities are provided off site, the required supervision of children by staff/volunteers must be in place and the staff/volunteers must be compliant with the

To ensure appropriate safeguards are in place, providers should ensure the following is in place:

- A signing in and out process for all visitors to the club, to include parents/guardians;
- A register for children to be signed in and out;
- No unauthorised person(s) on their premises at anytime;
- Workmen/women required on the premises **must** be authorised to be on the premises, supervised and restricted to the area they are working on.

Additional Personal Support

Children and young people should always receive the appropriate level of supervision to meet their needs. Should a child not be independently mobile or require personal support due to SEND, staff/volunteers providing such support (i.e. use of toilet facilities), should do so with staff/volunteers supporting each other, not in isolation (i.e., one person).

15. Managing allegations against professionals

This is also known as abuse of a position of trust.

All staff/volunteers are considered as holding a 'position of trust' although they are not deemed professionals, they are expected to be trustworthy and deliver safe practice around each child they come into contact with. When staff/volunteers conduct themselves in a manner which breaches that trust, it is known as an 'abuse of a position of trust.' Inappropriate behaviours are where, for example, an adult who is in a position of trust

engages in an inappropriate relationship with a child 18 or under, or with a person 25 years of age and under with SEND.

The Local Designated Officer (LADO) is appointed by Newham Council to coordinate and lead on investigations where a professional or a person in a 'position of trust', is suspected to have abused their position.

DSLs have a duty to inform Newham's MASH team and or inform the police if such a concern is shared with them or they become aware of such a matter. At which point the Newham MASH team will gather information known from the DSL, to undertake an assess the allegation against the member of staff or volunteer via the following process:

- A strategy meeting will be convened and at that 'Multi Agency Strategy meeting decisions will be made in terms of safeguarding the child, by suspending the alleged perpetrator from the organisation they are working in, so that they've secured the child's safety.
- Further actions will be determined at the strategy meeting with the LADO and partner agencies.

16. Data Protection Act 2018

Where members of staff need to share special category personal data, health requirements, for example, where information obtained is sensitive, they should always consider and identify the lawful basis for doing so under Article 6 of the GDPR, and in addition be able to meet one of the specific conditions for processing under Article 9.

In effect, the Data Protection Act 2018 contains 'safeguarding' of children and individuals at risk' as a processing condition that allows staff to share information. Including without consent (where in the circumstances consent cannot be given as the parent cannot be contacted, the parent refuses, or it cannot be reasonably expected that a member of staff obtains consent as to do so would place a child at risk).

17. Links to legal references

<http://www.gov.uk/find-your-local-council> (Support services)

[Children Act 1989](#)

[Children Act 2004](#)

[Children and Families Act 2014](#)

[The Special Educational Needs and Disability Regulations](#)

[Human Rights Act](#)

[Crime and Disorder Act 1998](#)

[Mental Health Act 2007](#)

[Charities Act 2011](#)

[Safeguarding Partner\(s\) Children Act 2004 Amended by](#)

[Children and Social Work Act 2017](#)

[Data Protection Act 2018](#)

[UK Modern Slavery Act 2015](#)

[Young Person's Act 2008](#)

[Strategic Needs Assessment Specific Needs SEND \(JSNA\)](#)

[Equality Act 2021](#)

[Carers Recognition of Services Act 1995](#)

[Immigration and Border Forces](#)

[National Immigration and Asylum Act 2002](#)

[Adoption and Children Act 2002](#)

[Multi Agency Public Arrangement \(MAPPA\)](#)

<https://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

[The duties of the Partner Agencies](#)

[Working together 2018](#)

<http://www.workingtogetheronline.co.uk/index.html>

[Information Sharing](#)

[Prevent Duty](#)