



**Uthan**

## **Safeguarding & Child Protection Policies & Procedures**

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## 1 Our Safeguarding and Child Protection Policy and Procedures

### 1.1 Aims

This policy applies to anyone working on behalf of Uthan including all staff (paid and volunteers), trustees and students

Uthan is committed to its responsibility in ensuring the safety and well-being and safety of all children, young people and adults engaging with, delivering and receiving its services.

The purpose of this policy is to:

- Protect children and young people receiving Uthan's services.
- Provide staff and volunteers with the principles guiding our safeguarding

approach.

### 1.2 Legal Basis

This policy has been drawn up on the basis of law and guidance that seeks to protect the children, namely:

- Children Act 1989
- United Convention of the Rights of the Child 1991
- Data Protection Act 1998
- Sexual Offences Act 2003
- Children Act 2004
- Protection of Freedoms Act 2012
- Relevant government guidance on safeguarding children

## 2 Responsibilities and Roles

### 2.1 Responsibilities of Uthan

We recognise that:

- The welfare of the child is paramount, as enshrined in the Children Act 1989
- All children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have a right to equal protection from all types of harm or abuse.
- Some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues
- Working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people's welfare.

Our responsibilities include:

- Assigning a Designated Safeguarding Person (DSP).
- Ensuring all necessary safeguarding and criminal records checks are completed to ensure the safety and legality of all Uthan staff.
- Ensuring all staff complete a Safeguarding training course when they join the company, which must be renewed every two years.
- Keeping records of all student attendance of Uthan.
- Delivering our own in-house training for Safeguarding in the specific context of working for Uthan.

- Ongoing support for all staff on all Safeguarding matters.

We will seek to keep children and young people safe by:

- Valuing, listening to and respecting them.
- Adopting child protection practices through procedures and a code of conduct for staff and volunteers.
- Developing and implementing an effective e-safety policy and related procedures.
- Providing effective management for staff and volunteers through supervision, support and training.
- Recruiting staff and volunteers safely, ensuring all necessary checks are made.
- Sharing information about child protection and good practice with children, parents, staff and volunteers.
- Sharing concerns with agencies who need to know, and involving parents and children appropriately.
- We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on 08.02.2020

Next date of review: 08.02.2021

Signed: Narinderjit Singh Lallie

Date: 08.02.2020

Director

## 2.2 Designated Safeguarding Person (DSP)

Uthan has appointed a Designated Safeguarding Person (DSP) who is responsible for dealing with any concerns about the protection of children. That person is Narinderjit Singh Lallie, Senior Teacher (info@uthan.org.uk). The role of the DSP is to:

- Act as the first point of contact for staff or volunteers concerned about the safety and welfare of a child.
- Be responsible for contacting the Children's Social Services Department in cases where a child is at risk of harm.
- Be familiar with Local Safeguarding Children Board (LSCB) procedures.

- Identify training needs and organise Safeguarding training for staff.
- Ensure that all staff/volunteers can access the child protection policy and procedures.
- Provide timely advice, training and guidance to staff concerned about a child protection issue and responding to child protection concerns.
- Liaise with appropriate local agencies for support and advice and keep a list of local contacts.
- Ensure all documentation for staff is securely organised and updated as required.
- Lead on reviewing Uthan's Safeguarding and child protection policy and monitoring its implementation.

### 2.3 Directors and Senior Management Team

It is the role of Uthan's directors (Pritpal Rai, Bhupinder Singh Chaggar and Narinderjit Singh Lallie) and Senior Management Team (Bhavanjot Rehal, and Prabhjot Gill) to:

- Promote the importance of safeguarding across the organisation.
- Review, update and develop Uthan's policy and procedures on safeguarding in consultation with the NSPCC.
- Ensure that the organisation meets the requirements of its insurers regarding its safeguarding responsibilities.
- Support staff/volunteers after they have shared their concerns about a child.
- Communicate to staff any changes in policy and procedures.
- Evaluate the effectiveness of safeguarding within the organisation.
- Manage complaints about poor practice of either staff or volunteers.
- Make decisions about appointing someone who has a criminal record.

### 2.4 All Staff

All Uthan staff and volunteers have a responsibility for the protection of children engaged in Uthan activities. It is the role of all Uthan staff and volunteers to:

- Be familiar with Uthan's child protection policy and procedures
- respond appropriately to and report concerns about a child to the Uthan DSP.
- Keep accurate records of concerns about children and actions taken.
- Ensure parents, carers, children and young people are aware of the organisation's safeguarding policy and procedures.

## 2.5 DBS

An enhanced Disclosure and Barring Service Certificate (DBS) is required for all staff working in contact with children. These are updated on an annual basis.

Uthan are likely to dismiss any staff with a criminal conviction with immediate effect if they work directly with children.

In exceptional cases, Uthan may take the decision to suspend employment pending a full investigation into the nature of the offence. In these instances, we will maintain confidentiality, only passing on details on a strictly need to know basis.

Should any criminal convictions appear on a DBS for any member of staff who does not have contact with children, a full investigation will be implemented, with the outcome of a decision being made as to whether continuing to employ that person would pose any risk to any of stakeholders. If the outcome of that decision is that it would pose a risk, the member of staff will be dismissed with immediate effect.

Any individual who is found to be deliberately withholding information pertaining to a transgression of the law will be dismissed with immediate effect.

## 3. Safeguarding Procedures

### 3.1 Responding to Concerns

Once a concern has been raised with the DSP, the DSP should:

- Assess whether the concern involves immediate risk of significant harm, a clear allegation of abuse by the child, or does not involve immediate risk of significant harm.
- Safety permitting, if the child requires immediate medical treatment the DSP should arrange treatment in communication with the child's parents.

- Where there is not an immediate risk of significant harm, if safety allows, the DSP should talk to the group's designated responsible adult Group Leader and the child's parents.

The DSP may talk to the Uthan Senior Management Team and other professional agencies including the NSPCC helpline in order to determine the best course of action.

### 3.2 Referral Procedures

When contemplating referrals to children's social care, consider the following:

- Is there reason to have concerns about the child's immediate safety?
- What other information do you need to make an informed decision and how should you go about obtaining it?
- Do you have sufficient information about the child if a referral is to be made?
- Are there issues of consent and/or confidentiality in respect of sharing information (common law duty of confidence, Human Rights Act 1998, Data Protection Act 1998)?
- Who else should you share the information with, and when and how should this be done?
- Have you and/or other staff written a report of the concerns, ensuring this accurately reflects anything a child has said and distinguishes clearly between fact and opinion?
- Have you taken account of the child's right to know what action, if any, will be taken?
- Have you ascertained the child's wishes and feelings?
- Have you provided for the child's immediate support needs?
- Have you considered any support needs of the person reporting the concerns?
- Record keeping and information security.

### 3.3 Information Privacy and Confidentiality Policy

Information held by Uthan may need to be passed to the Children's Social Services Department or the Police in order to assist any further enquiries and investigation. It is the responsibility of the DSP to ensure that information is passed on to the relevant authorities as requested, and that it is completed correctly.

The purpose of recording information is to:

- Allow for a chronology of events (what happened and when).
- Show history of events, allowing analysis of patterns.
- Allow for continuity in absence of a staff member.
- Show actions taken by staff.
- Provide accountability.
- Provide a basis for evidence in court.
- Provide information for enquiry, statistics, research.
- Highlights staff training and development needs.

To be as helpful as possible the information should include:

- The nature of the allegation or concern.
- The child's account (using his/her own words).
- A description of any visible bruising or other injuries.
- Any times, dates or other relevant information.
- Whether the parent, carer, child or adult is aware of the referral having been made.
- A clear distinction between what is fact, opinion and hearsay.
- Jargon free and easy to understand.
- Clear records of how decisions were reached with others.
- Records should be signed, timed and dated.

Do not:

- Delay reporting the matter by trying to obtain more information.
- Destroy any handwritten notes made at the time of the incident in case they are needed by the Courts.

Practice issues:

- Be specific – what is the exact nature of the concern and which category of abuse



does it suggest.

- Show the evidence – What did you see, hear? Who said what, when, where, how?
- Be precise with time words – what does always, frequent, never mean?
- State your professional judgement.
- Ensure your professional judgement is supported by the evidence.
- Copies of records and referrals should be kept in line with Uthan's data protection policy and procedure.

Care must be taken to ensure that both adults and children's confidentiality is maintained and that information is handled and disseminated on a need to know basis only.

Individuals must be confident that information held about them by Uthan will only be disclosed to others either with their consent or when there is a legal duty to do so.

Good practice principles must be adhered to when handling personal information, that is:

- Personal information is obtained and processed fairly and lawfully.
- Only disclosed in appropriate circumstances.
- Accurate, relevant and not held for longer than necessary.
- Kept securely.

Guidance (DfE, 2018) allows for the disclosure of personal information without consent of the subject in certain conditions, including for the purposes of the prevention and detection of a crime, for example where there is a child protection concern.

It is best to gain verbal or written consent from a child or parent/carer before any personal information relating to them is shared with another organisation (such as Children's Social Services Department). However, you may not need to seek consent to share information if it might be unsafe to seek or causes an unjustified delay or if it would prejudice the prevention, detection or prosecution of a serious crime. When in doubt, advice should always be sought from someone experienced in dealing with these issues, such as a Children's Social Services Department or the NSPCC Helpline. A decision can then be made about whether or not to seek consent and/or inform the parents/carers of your concerns.

In situations where a request is made by another organisation for information about

individuals (staff, volunteers and children), the relevant manager and designated person must be informed, and their decision (including reasoning for this decision) should be recorded and stored by the DSP. This should include:

- Date and time.
- Summary of information shared.
- Who the information was shared with.
- Whether you are sharing with or without consent.
- If sharing without consent, whether the child or family were informed.
- How the information was shared and any receipt of it having been received,

Uthan will ensure that data regarding children is correctly stored and managed in line with these principles, and that we will take all appropriate action regarding the sharing of information as follows:

- Recognise that legislation is not a barrier to sharing information about concerns.
- Be honest and open with the person (be they a child or an adult) about why, what, how and with whom information will be shared.
- Seek advice when we are in doubt, without disclosing the identity of the person (be they a child or an adult) where possible.
- Share information with consent where appropriate and respect the wishes of those who do not consent to share confidential information where possible.
- Base our information sharing decisions on considerations of safety and well being.
- Ensure the information we share is necessary, proportionate, relevant, accurate, timely and secure.
- Keep a record of our actions, decisions, and reason(s).

### 3.4 Guidance for Staff Concerned About a Child's Welfare

Any concerns you might have may not always be of the same nature, and may not require the same course of action. In practical terms, concerns are likely to arise in a number of ways: minor concerns, Safeguarding concerns, and child protection concerns.

### 3.4.1 Minor Concerns

If you observe something that is a possible cause for concern, but not an indicator of possible abuse, you should be mindful of this, and speak to the child's teacher to learn about their background. If you start to observe a pattern of repeated incidents, then you should treat this as a Safeguarding concern.

### 3.4.2 Safeguarding concerns

These concerns will go beyond those that are dealt with as above and will usually indicate a member of staff or volunteer's concern about a child's vulnerability, where it is felt that vulnerability needs further assessment and possible action.

### 3.4.3 Child protection concerns

These will arise when staff or volunteers are worried or have evidence that a child has been harmed or is likely to be harmed or where a child makes a disclosure.

All staff have a responsibility to ensure concerns about children, no matter how unclear, are passed on and assessed. Staff should not undertake any investigations. The responsibility of staff is to be vigilant, record and report only. The source of your concern is most likely to stem from either:

- The conduct of a member of the public or a staff member.
- A child 'disclosing' abuse.
- Bruising or evidence of physical hurt; which may be accompanied by your observations of how the child is behaving, either by themselves or with others.
- If a child discloses abuse, remember that this may be the beginning of a legal process, as well as of a process of recovery for the child. Legal action against a perpetrator can be seriously damaged by any suggestion that the child's disclosure has been led in any way.

## 3.5 Definitions of abuse

The NSPCC (2017) offers four defined areas of abuse: physical, emotional, sexual and neglect.

### 3.5.1 Physical abuse

Physical abuse may involve:

- Hitting
- Shaking
- Throwing
- Poisoning
- Burning or scalding
- Drowning
- Suffocating

### 3.5.2 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.
- Not giving the child opportunities to express their views
- Deliberately silencing them.
- 'Making fun' of what they say or how they communicate.
- Age or developmentally inappropriate expectations being imposed on children
- Overprotection and limitation of exploration and learning.
- Preventing the child participating in normal social interaction.
- Seeing or hearing the ill-treatment of another.
- Serious bullying (including cyber bullying) causing children frequently to feel frightened or in danger.
- Exploitation or corruption of children.

### 3.5.3 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 (for example, rape 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.
- Encouraging children to behave in sexually inappropriate ways.
- Grooming a child in preparation for abuse (including via the internet).

### 3.5.4 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:

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

## 3.6 Procedure for reporting concerns

In a situation where a child discloses information to you that is cause for concern, you

should:

- Respond in a calm manner.
- Listen and be supportive. Do not investigate, e.g. ask to see other bruises.
- Never stop a child who is freely recalling significant events, but don't push the child to tell you more than s/he wishes.
- Never promise to keep secrets. Find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others to keep them safe – but only those who need to know about it.
- Reassure the child that they have done the right thing in telling you.
- Tell the child what you will do next.

After the conversations, you should immediately:

- Write an account of the conversation using the “Child Protection Concerns Form” at the end of this document, and send your record in to your DSP.
- It is important to remember that the person who first encounters a case of alleged abuse is not responsible for deciding whether abuse has occurred. That is a task for the professional child protection agencies, following a referral from the DSP in the organisation.
- Keep the discussion confidential.
- Any subsequent events/incidents where you or Uthan are involved affecting the child need to be recorded.

If you have seen/heard something that concerns you, but a child has not disclosed to you:

- Write an account of your concerns immediately. Put the date and timings on it and mention anyone else who was present. Then sign it, and hand your record in to your DSP and if appropriate, the 's DSP, who will decide what action to take next.
- Do not approach the child and ask questions of them or anyone else involved in the situation.

### 3. 7 Concerns involving other members of staff

If concerns relate to the conduct of a member of staff these should be reported in person or by phone to the DSP immediately. Concerns relating to the conduct of the DSP should be reported to a member of the Senior Management Team.

The police and other relevant agencies should always be consulted before informing the person who is the subject of an allegation that may possibly require a criminal investigation.

The Local Authority Designated Officer (LADO) will discuss the matter with the employer and, where necessary, obtain further details of the allegation and the circumstances in which it was made.

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 LADO will immediately refer to children's social care and ask for a strategy discussion to be convened straight away. In these circumstances, the strategy discussion should include the LADO and a representative of the employer.

If there is no cause to suspect that 'significant harm' is an issue, but a criminal offence might have been committed, the LADO will immediately inform the police and convene a similar discussion to decide whether a police investigation is needed. That discussion should also involve the employer.

There are three possible courses of action that might follow the initial consideration and none, one or a combination of these may be necessary:

- Disciplinary action
- Police investigation
- Referral to a list of persons considered unsuitable to work with children

Within Uthan's acknowledgement that it has a responsibility for the safety of children involved in all of its activity and that the welfare of the child/young person is paramount, it expects all its staff and volunteers to adhere to safe conduct. Safe conduct includes

valuing and respecting children as individuals.

Your attention is drawn to the position of trust you hold in working with children and the power and influence you hold. Uthan expects this responsibility to be at the forefront of the minds of all staff to ensure that these positions of trust are never abused.

Where possible, avoid situations where you are alone with a single child.

Staff and volunteers should watch out for each other. Are colleagues being drawn into situations that could be misinterpreted? How colleagues view each other's practice will be how outsiders will view it, including parents.

Staff and volunteers should adhere to best practice principles of Safeguarding:

- Give guidance and support to inexperienced helpers.
- Be aware of any physical contact with a young person. Where necessary, for example when there has been an accident and you are the on duty first aider, ensure that you are treating the person for the injury. Do not continue with any additional contact wherever it is unnecessary.
- Do not have, or be perceived to have, favourites.
- Treat young people with respect, do not bully, shout or use racism, sectarianism or sexist language
- Do not make suggestive or inappropriate remarks to or about a child, even in fun, as this could be misinterpreted.
- Do not give lifts to young people.
- Do not take young people to your home.
- Do not use physical punishments or any action that involves locking up a child.
- Do not arrange meetings outside working hours.
- Do not accept any money from Uthan participants. Tell young people of Uthan's policy and ensure the participant does not feel offended.
- Do not give money or gifts to Uthan participants. If in a situation where a student/participant is stranded with no money to get home, discuss the situation with the student's/participants' parents. Where there is no other alternative than to give the student/participant money to cover travel costs such as train fare, ensure that other members of Uthan staff are aware of this and make a written record of conversations



leading to this decision.

- Do not borrow money from Uthan students/participants.
- Where relevant, wear identification badges/ t-shirts as supplied to you by Uthan, or as supplied by the Local Organiser/host organisation/venue.

### 3.8 Physical Contact

We encourage Uthan staff leading classes and workshops to make physical contact with children as it is a great tool for building trust and behaviour management. There may also be situation where it is necessary to use Reasonable Force (for example if a child tries to attack you or another child). It is important to be aware of boundaries, and potential risks involved.

Do not assume that common sense will prevail in these situations. In order to protect yourself from compromising situations, it is worth taking some time to familiarise yourself with current legislation ().

Within the specific framework of a Uthan class, this is what we advise:

- We encourage high-fives and fist bumps.
- Be equal in your approach – avoid favouritism or bias based on personality or gender.
- Be sensitive to the child needs – if the child displays any signs or resistance or discomfort, verbally or non-verbally, desist immediately, and remember to be sensitive to that child's needs in the future
- Be conscious that children often hide their feelings, so and may not be forthcoming if they feel uncomfortable with how they are being touched
- If a child chooses to hug you, affirm their affection with a gentle pat or rub on the back, shoulders or head
- If a child is distressed or upset, it may be appropriate to use physical contact to comfort them, but be conscious of boundaries when you do so
- Don't initiate a hug with a child
- Always be child-focused: never use physical contact with a child to serve your own emotional needs.

### 3.9 Accusations

Some children have awareness around safeguarding, and may try to use it tactically to their advantage. This usually takes the form of accusing an adult they are in conflict with of abusing them. This is an extremely sensitive situation, and you should be aware of how you can avoid being put in a vulnerable position. These are our recommendations on how to deal with/avoid these situations:

- Avoid situations where you are alone in a classroom with a child.
- If it is inevitable, leave the door open and/or inform a member of staff that you will be alone with the child, and check that their Safeguarding Policy permits this.
- When an accusation is made, make it your number one priority to report it to the DSP or a senior member of staff immediately.
- Build a relationship of trust at all levels, and be conscious of individuals who would vouch for your character.

### 4 Recording Media

Recording videos of children performing to be published on our website is a positive part of Uthan culture, and also be a great way of showing kids how much they have progressed. However, it can be a very sensitive issue, both legally and emotionally, and the following must be adhered to by all staff:

- Consent must be obtained by the child's parents before any filming can take place.
- This consent must be recorded either digitally or physically.
- All recording must be done on approved Uthan equipment.
- Media may only be published through approved Uthan channels.
- Never upload any Uthan media to your own personal social media channels.
- Do not share any Uthan media on your own personal social media channels unless it is taken from a public source e.g. the Uthan website.
- When you have finished uploading, processing or otherwise using the media, delete it from the device within 24 hours.
- Never share internal Uthan media with anybody outside the company.

## 4.1 Performances

At our performances, parents often enjoy recording media of their children performing. This is something we encourage. However, we should always make it clear to parents that any media recorded is strictly for personal use, and sharing with friends and family, and should under no circumstances be shared in any public forum.

## 4.2 Archived footage

In some situations, it may be appropriate to store media for purpose of archiving or legacy. In such instance, we must have a record of the names of the children whose images appear and their parents, and also record that those parents have given their permission for their images to be used.

## 5. Resources

### 5.1 Children's Social Services Department

Every local authority has a statutory duty to protect and promote the welfare of children in need in its area. This may be achieved through the provision of a range of services but includes working closely with children, young people and their parents, relatives or other carers and also with other organisations. The name of the department may vary from one authority to another – children's social care, children's services etc. – however there will always be a dedicated department within each local authority responsible for assessing child welfare concerns.

### 5.6 Local Authority Designated Officer (LADO)

The LADO works within Children's Social Services Departments and should be alerted to all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed, a child.

- Possibly committed a criminal offence against children, or related to a child.
- Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

The LADO captures concerns, allegations or offences and will provide advice and guidance to the employer. They help co-ordinate information-sharing with the right people and will also monitor and track any investigation, with the aim to resolve it as quickly as possible.

### 5.7 Local Safeguarding Children Board (LSCB)

A LSCB is the local statutory body responsible for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do. All LSCBs are partnerships made up of senior representatives from several organisations and agencies which may include the Local Authority, the local Council, the Police, the Health Service, Youth Offending Service, local Probation Service, the Children and Family Courts Advisory and Support Service, the NSPCC and others. Each LSCB will produce and publish guidance on what to do if you are concerned about a child's welfare; this guidance will be based on statutory guidance issued by Government (nation specific).

### 6 Form for Reporting Child Protection Concerns

After a concern has been raised and dealt with according to the procedure laid out in the Uthan Safeguarding and Child Protection Policy and Procedure it is important that all details get written down on this reporting form.

Where a referral is made this form will be sent to the children's social care services as a written confirmation of the referral with a copy retained by the DSP.

The form must be completed and given, or sent in a sealed envelope marked 'Private' and Confidential to Uthan's Designated Safeguarding Person (DSP) on the same day as the concern.

### 7 References

Department for Education (DfE) (2018) Working together to safeguard children: a guide to

inter-agency working to safeguard and promote the welfare of children (PDF). London: HM Government.

National Society for the Prevention of Cruelty to Children (NSPCC) (2017). Definitions and signs of child abuse.

<https://learning.nspcc.org.uk/media/1188/definitions-signs-child-abuse.pdf>