


Safeguarding Policy – Children, Young People and Vulnerable Adults

Date of Policy	June 2019
First Copy Approved by	Sarah Sturme Chief Executive Officer
Signed	
Date	March 2021
Date of next review	April 2025

Review Dates:	Review Comments:	Reviewed by:
March 2018	First Pure Insight Policy & Local Procedures	B Harris
June 2018	Added use of Outlook Calendar	B Harris
April 2021	Added Policy covers up to age 30 and updated contact numbers	B Harris & Sarah Sturme
June 2021	Added section 10 Information Sharing and Confidentiality (including App 1 Report Form)	B Harris & Sarah Sturme
January 2023	Reviewed and some changes to pre-amble. Duty officer changed to reflect duty system	Ed Nixon & Andy Britton (Trustees)
April 2024	Amendments to procedures section	Sarah Sturme and Kim Steele

Contents

- 1) Policy Statement/Aims
- 2) Child/Young Persons Safeguarding:
 - a) Introduction
 - b) Recruitment
 - c) Training
- 3) Types of Abuse
- 4) Procedures for Responding to Concerns about Abuse, (including telephone numbers)
- 5) Protection of employees who report care and protection concerns
- 6) Data Protection and management of confidential information
- 7) Review of Policy and Procedures
- 8) Policy Breaches
- 9) Mental Capacity
- 10) Information Sharing and Confidentiality

1. Policy Statement and Aims

Pure Insight is fully committed to promoting children's and young people's rights, notably their right to be protected from harm, abuse and exploitation and to be involved in any decisions that directly affect them. The definition of a young person in this Policy is aged between 18 up to 30 years of age.

For the purpose of this policy a child is defined as a person under the age of 18 years

Definition of Safeguarding: "To ensure children/young people are kept safe from harm and to create an environment to promote their wellbeing and life chances."

The aim of Pure Insight's Child/Young Persons Protection Policy is to promote good practice by:

1. Providing children and young people with appropriate safety and protection whilst in the care of Pure Insight
2. Allow all staff to make informed and confident responses to specific child/young person's protection issues.

Pure Insight will:

- Ensure that all employees and volunteers understand their legal and moral obligations to protect children and young people from harm, abuse and exploitation.
- Develop best practice in relation to the recruitment of all employees.
- Provide opportunities for all newly appointed employees and volunteers through the provision of induction training.
- Ensure that all employees understand their responsibility to work to the standards and procedures detailed in the organisation's Child and Young Persons safeguarding procedures.
- Ensure that all employees and volunteers understand their obligations to report care or protection concerns about a child/young person, or an employee's conduct towards a child/young person, to the organisation's designated lead for child/young person's safeguarding.
- Ensure that all procedures relating to the conduct of employees are implemented in a consistent and equitable manner.
- Ensure that the person responsible for taking the lead for child/young person's safeguarding understands his/her responsibility to refer any child protection concerns to the statutory child protection agencies.
- Provide opportunities for all employees to develop their skills and knowledge particularly in relation to the care and protection of children and young people.
- Ensure that children and young people are enabled to express their ideas and views and will have access to the organisation's complaints procedures.

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

- Endeavour to keep up to date with national developments relating to the care and protection of children and young people.

2. Child/Young Persons Safeguarding

a) Introduction

The purpose of these procedures is to ensure that all concerns about the care and protection of children/young people are effectively managed.

Pure Insight encourages an environment in which diversity is recognised, valued and implemented, appreciating the multi-cultural and diverse nature of society in general. Pure Insight is committed to principles of fairness and mutual respect in which the concept of individual responsibility is accepted by all.

All employees at Pure Insight are required to implement the child/young person safeguarding procedures. All employees who work with children and young people have a duty of care to do what is reasonable to safeguard the child's health, development and welfare.

The named designated lead person responsible for Child/Young Persons Safeguarding at Pure Insight is Kim Steele. Sarah Sturmeay is deputy safeguarding lead. In addition to this there is a Safeguarding Manager duty Rota, covered by the leadership team 7 days a week, details can be found in outlook calendars for each day of the week.

b) Recruitment

The following recruitment procedures are applicable to applicants applying to work, (paid or unpaid), with children/young people at Pure Insight:

- All applicants are asked to complete an application form with full employment history.
- All applicants are asked to complete a disclosure form detailing any criminal convictions.
- All suitable applicants are invited to attend an interview, of which there will be a minimum of two individuals on the interview panel (or assessment process for volunteers)
- All successful applicants must provide two satisfactory references stating their suitability to work with children and young people prior to starting work.
- All successful applicants need to complete an enhanced DBS disclosure form and will not commence lone working until a satisfactory enhanced DBS is returned, (exceptions to this are when there is an enhanced DBS within 2 years for a similar role, a risk assessment must be completed around working with over 18's whilst waiting for DBS to be processed)

- Any applicant found to be fully listed on the Disqualified from Working with Children's List will not be appointed to work in a position with children/young people.
- All new trustees will have DBS, 2 references and interview with Chair and CEO

c) Training

Newly appointed employees recruited to work with children/young people will complete a six-month probationary period and comprehensive induction training and mentoring programme which will include:

- The structure of Pure Insight, including clarification on the roles and responsibilities of employees within the organisation and the Company's aims and objectives
- A record of employees training and development requirements
- Clear details of the expectations, roles and responsibilities of all newly appointed employees
- Agreeing and signing up to the organisation's child/young person's safeguarding policy and procedures
- Safeguarding training and a copy of the organisation's Code of Conduct (within the first twelve weeks)
- The contact details, role and responsibility of Pure's lead person in child/young person's safeguarding, access to the outlook calendar for duty safeguarding cover.
- Refresher training every 2 years.

3. Types of Abuse

Common warning signs in young people

- Neglect of self-care
- Aggressive behavior
- Withdrawn
- Isolated from friends/family.
- Substance abuse
- No longer enjoying activities.
- Getting in trouble and going missing
- Suddenly hostile or argumentative
- Any changes to a child or young person's behavior that is out of the norm.

Abuse or neglect of a child/young person is caused by inflicting harm or by failing to act to prevent harm. Children/young people may be abused in a family or in an institutional or community setting, by those known to them or more rarely by a stranger.

In child/young person's protection abuse/neglect is categorised as:

Physical Abuse

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child/young person. Physical harm may also be caused when a parent or carer feigns the symptoms, of, or deliberately causes ill health to a child whom they are looking after. This situation is commonly described using terms such as, fabricated illness by proxy or Munchausen Syndrome by proxy.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child/young person such as to cause severe and persistent adverse effects on the child's/young person's emotional development. It may involve conveying to children/young people that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children/young people. It may involve causing children/young people frequently to feel frightened or in danger, or the exploitation or corruption of children/young people. Some level of emotional abuse is involved in all types of ill treatment of a child/young person though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing a child/young person to take part in sexual activities, whether or not the child/young person is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include non-contact activities, such as involving children/young people in looking at, or in the production of pornographic material, or watching sexual activities, or encouraging children/young people to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's/young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child's/young person's health or development. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to protect a child/young person from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's/young person's basic emotional needs.

There are other issues which can lead to the abuse and neglect of children/young person, for example, domestic abuse; children and families affected by substance abuse; severe and on-going bullying and harassment etc.

Financial Abuse

Financial abuse in intimate relationships is a way of controlling a person's ability to acquire, use and maintain their own money and financial resources. This can also include exploiting another person such as a friend for financial gain.

Prevent

Prevent is a counter terrorism strategy. Radicalization (or radicalisation) is a process by which an individual, or group comes to adopt increasingly extreme political, social, or religious ideals and aspirations that reject or undermine the status quo or undermine contemporary ideas and expressions of the nation. Radicalisation can be really difficult to spot. Signs that may indicate a child is being radicalised include:

- isolating themselves from family and friends
- talking as if from a scripted speech
- unwillingness or inability to discuss their views.
- a sudden disrespectful attitude towards others
- increased levels of anger
- increased secretiveness, especially around internet use.

Children who are at risk of radicalisation may have low self-esteem or be victims of bullying or discrimination. Extremists might target them and tell them they can be part of something special, later brainwashing them into cutting themselves off from their friends and family.

Domestic Abuse

Domestic abuse as an incident or pattern of incidents of controlling, coercive, threatening, degrading and violent behavior, including sexual violence, in the majority of cases by a partner or ex-partner, but also by a family member or carer. It is very common. In the vast majority of cases, it is experienced by women and is perpetrated by men.

Domestic abuse can include, but is not limited to, the following:

- Coercive control (a pattern of intimidation, degradation, isolation and control with the use of physical or sexual violence)
- Psychological and/or emotional abuse [2]
- Physical or sexual abuse
- Financial abuse
- Harassment and stalking
- Online or digital abuse

Domestic abuse is a gendered crime which is deeply rooted in the societal inequality between women and men. It takes place “because she is a woman and happens disproportionately to women.” (CEDAW, 1992: para. 6)

Women are more likely than men to experience multiple incidents of abuse, different types of domestic abuse (intimate partner violence, sexual assault and stalking) and in particular sexual violence. Any woman can experience domestic abuse regardless of race, ethnic or religious group, sexuality, class, or disability, but some women who experience other forms of oppression and discrimination may face further barriers.

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

Grooming/Gangs

Young care leavers can be groomed by gangs for criminal activity or sexual exploitation.

If a young person is being groomed, they may:

- be very secretive, including about what they are doing online.
- have older boyfriends or girlfriends.
- go to unusual places to meet friends.
- have new things such as clothes or mobile phones that they can't or won't explain.
- have access to drugs and alcohol.
- Be in drug debt.
- Going missing for a few days
- Have more money than usual.

“County Lines” is a national term used by police and law enforcement to commonly describe the approach taken by gangs and criminal networks originating from urban areas, who travel to locations such as county or coastal towns to sell class A drugs. Gangs typically use children, young people and vulnerable adults to deliver drugs to customers and this often involves the child being subjected to deception, intimidation, violence and grooming. The county lines business model is linked by a marketed mobile phone line through which users’ phone for specific drugs to be supplied.

In Greater Manchester we recognise that the criminal exploitation of children and vulnerable adults is not only in relation to drugs but can include other forms of criminal activity such as arson, violent offences, storing firearms and holding money, amongst other forms of criminality. We also know that young people and vulnerable adults are not always moved to towns outside of Greater Manchester and that the exploitation can take place within our boundaries. The movement of a person for the purposes of exploitation is detailed in the Modern Slavery Act 2015 as a form of trafficking and slavery.

Another form of criminal exploitation is ‘Cuckooing’ which involves gangs and criminal networks taking over the home of a vulnerable person and using their property as a base to store drugs, firearms and often run their criminal activity.

4. Procedures for Responding to Concerns about Abuse/Neglect

1) A concern may be raised that a child/young person may be experiencing abuse/neglect by **an individual outside of Pure Insight**. A concern of this nature may come to light because, for example.

- A child/young person has alleged that they are being abused.

or

- The organisation has received a third-party report that a child/young person is being abused/neglected.

or

- There are signs and indicators which could point to abuse/neglect.

2) A concern may also be raised that a child/young person is being harmed or abused by **an employee or volunteer from within Pure Insight**. A concern of this nature may come to light because, for example.

- A child/young person alleges that they have been harmed by an employee/volunteer.

or

- A parent/carer or other individual from outside the organisation alleges that their/a child has been harmed by an employee/volunteer.

or

- Other workers may have witnessed or have concerns about an employee's/volunteer's behaviour towards children/young people.

In either of the situations outlined above the 'alerter' must inform their line manager immediately

Role of Employees/Volunteers:

All employees or volunteers working for Pure Insight have a **duty to report** any allegations or suspicions of abuse/neglect of child/young person to their line manager the same day.

They must:

- Respond quickly if the child/young person is in immediate danger. It may be necessary, even before reporting, to take action to ensure their safety by calling for emergency services or for urgent medical attention or by removing them to a safe place.
- Report as soon as possible (same day) to your line manager, or the Safeguarding Duty Manager (info available in calendars) if line manager not available – making sure they are aware your call is regarding a safeguarding concern by also alerting them via message or email. Failure to report could result in forensic evidence being lost/contamination of investigation.
- You must not initially discuss your suspicions, what you have witnessed or has been disclosed to you with anyone other than the leadership team at Pure Insight (unless

the concern raised directly involves their conduct). It will be relevant to disclose information to colleagues joint working with a young person but seek guidance as to when this is appropriate.

- Do not ask leading questions, this can also jeopardise investigation.
- Be factual when reporting; ensure information is accurate and legible, recording a full statement including times, dates and names. This information must be documented and shared the same day.
- Do not take photographs of injuries.
- Do not attempt to investigate any child/young person protection concern (including allegations made against an employee)
- Do not attempt to discuss child/young person protection concerns with a child or young person's parent/carer/provider.
- Risks can change, so any new information or changes to the situation need to be reported in as new safeguarding concerns so they can be dealt with accordingly.

Your line manager or designated safeguarding manager will help you to decide if your concerns warrant further action.

Safeguarding Procedures for line managers and Duty Safeguarding Managers are on internal systems.

Contact for Duty Safeguarding Managers

The Leadership Team provides duty safeguarding cover over a 7-day period – see outlook calendar for details of daily duty manager and contact details) which can be found at the top of each day's schedule.

Designated Safeguarding Leads

Kim Steele Tel – 07387893675 kim@pure-insight.org.uk

Deputies

Sarah Sturmeay: Tel - 07595089787 sarah@pure-insight.org.uk

Duty Safeguarding Managers – see outlook calendar – day entries.

Local Authority - Safeguarding contact details

<p>Salford Safeguarding Contacts Leaving Care Team – 0161 607 1888 Salford Bridge Partnership (MASH – children) 0161 603 4500 from 8.30am to 4.30pm Out of Hours - Emergency Duty Team: 0161 794 8888 outside office hours Local Authority Designated Officer (LADO) 0161 603 4350 LADO@salford.gov.uk</p>	<p>Cheshire East Safeguarding contacts Leaving Care Team – 0300 123 5012 (option2, option 3) The Cheshire East Consultation Service (ChECS) children 0300 123 5012 (Monday -Thursday 8.30 am - 5pm or Friday 8.30am - 4.30pm) Out of Hours Service (Emergency Duty Team) 0300 123 5022 outside office hours Local Authority Designated Officer (LADO) 01606 288934 Safeguarding Adults at risk (cheshireeast.gov.uk)</p>
<p>Stockport Safeguarding contacts Leaving Care Team – 0161 475 6700 Duty LCT – 07773 127768 Safeguarding MASH (children) 0161 217 6028 – Monday to Thursday from 8.30am to 5pm, Friday from 8.30am to 4.30pm Our Of Hours Service (Emergency Duty team) 0161 718 2118 – evenings and weekends Local Authority Designated Officer (LADO) https://www.stockport.gov.uk/start/contact-the-lado 0161 474 5657.</p>	<p>Trafford Safeguarding Contacts Trafford Children's First Response https://trafford-framework.egovhub.net/TRAFFORDFIRSTRESPONSE/launch (if non urgent) 0161 912 5125 during office hours (Mon - Fri 8:30 - 4:30) Out of hours (Emergency Duty Team) 0161 912 2020. Local Authority Designated Officer (LADO) 0161 912 5125</p>
<p>Warrington Council Leaving Care Team 01925 446235 Children's Safeguarding/Social Work Team 01925 443322 Out of hours (Emergency Duty Team) 01925 444400 Local Authority Designated Officer (LADO) 01925 442079 LADO@warrington.gov.uk</p>	<p>Halton Council Leaving Care Team 0151 511 8594 Children's Safeguarding/Social Work Team 0151 907 8305 Out of hours (Emergency Duty Team) 0345 050 0148 Local Authority Designated Officer (LADO) 0151 511 7925 Safeguarding.adminteam@halton.gov.uk</p>
<p>Bury Council Leaving Care Team Duty 0161 253 6666 Children's Safeguarding/Social Work Team 0161 253 6666/ MASH – 0161 253 5678 Out of hours (Emergency Duty Team) 0161 253 6606 Local Authority Designated Officer (LADO) 0161 253 6168 lado@bury.gov.uk</p>	

5. Protection of employees who report care and protection concerns

The law protects workers from actions by those individuals who have been implicated in the abuse, harm and/or neglect of a child or young person as long as the employees report was not malicious or vexatious.

6. Data Protection and management of confidential information

(also see section 10 Information sharing and Confidentiality)

Pure Insight is committed to managing confidential information in accordance with Data Protection guidelines.

Pure Insight recognises that children and young people have a right to confidentiality unless Pure Insight considers they, or others, could be at risk of abuse and/or harm.

Pure Insight endeavors to have a person-centered approach to Safeguarding and will work with the child or young person to share information in a way that keeps their best interests as well as safety at heart.

7. Review of Child/Young Persons Protection Policy and Procedures

This policy and guidelines will be reviewed every three years, or sooner, if required by the Designated Lead in Child/Young Persons Safeguarding at Pure Insight

8. Policy Breaches

Action will be taken against any employee who does not follow procedure and therefore could leave children/young people at risk. Failure to adhere to this policy will be dealt with under the company's disciplinary policy.

9. Mental Capacity

We all have problems making decisions from time to time, but the Mental Capacity Act is about more than that. It is there for situations where someone is unable to make a decision because of the way their brain works. This could be due to illness, brain injury, learning disability, mental health problems, or the effects of drugs or alcohol.

People who cannot make a decision for themselves are said to 'lack capacity'. In law, a person is said to lack capacity if they cannot do one or more of the following things:

- Understand the information given to them.
- Retain that information long enough to be able to make a decision.
- Weigh up the information available to make a decision.
- Communicate their decision.

Someone may have the capacity to make some decisions and not others. If they do lack mental capacity to make a particular decision, then it must be made in their 'best interests', taking into account the person's wishes, feelings, beliefs and values.

Before deciding if a person lacks capacity, it's important to take steps to enable them to try to make the decision themselves.

For example:

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

- Does the person have all the relevant information they need?
- Have they been given information on any alternatives?
- Could information be explained or presented in a way that's easier for them to understand (for example, by using simple language or visual aids)?
- Have different methods of communication been explored, such as non-verbal communication?
- Could anyone else help with communication, such as a family member, carer or advocate?
- Are there particular times of day when the person's understanding is better?
- Are there particular locations where the person may feel more at ease?
- Could the decision be delayed until they might be better able to make the decision?

<https://www.legislation.gov.uk/ukpga/2005/9/contents>

10. Information Sharing and Confidentiality

Information sharing is vital to Safeguarding and promoting the welfare of children and young people. A key factor identified in many serious case reviews, has been a failure by practitioners to record information to share it, to understand its significance and then take appropriate action.

Introduction

Professionals are sometimes uncertain about when they can share information lawfully. It is important therefore, that they:

- Understand and apply good practice in sharing information at an early stage as part of preventative work.
- Are clear that information can be shared where they judge that a child is at risk of significant harm; and
- Understand what information *is* and *is not* confidential and the need in some circumstances to make a judgement about whether confidential information can be shared, in the public interest, without consent.

Practitioners should use their judgement when making decisions on what information to share and when. They should follow organisation procedure or consult with their manager if in any doubt.

The most important consideration is sharing the information is likely to safeguard and protect a child.

Information can be held in many different ways, e.g., in case records, report forms, in a variety of IT systems. Any information shared should be included on the individual's record.

Key Points

The Data Protection Act 1998 requires that personal information is obtained and processed fairly and lawfully, is accurate, relevant and not held longer than necessary, is kept securely and only disclosed in appropriate circumstances.

The Act balances the rights of the information subject (the individual whom the information is about) and the need to share information about them. Never assume sharing is prohibited – it is essential to consider this balance in every case.

See The Information Commissioner Code of Good Practice for further information.

It is important that each agency involved in providing services to children and families has a systematic approach to explain to children and families when they first access services, openly and honestly, what and how information will, or could be shared and why, and seek their agreement.

The general principle is that information will only be shared with the consent of the subject of the information. In some circumstances, however, it will not be appropriate to seek consent before sharing information with others, and or information can be shared where consent has been refused.

The exception to this is where to do so would:

- Place the child or others at increased risk of Significant Harm; or
- Place an adult at risk of serious harm; or
- Undermine the prevention, detection or prosecution of a serious crime (i.e. any crime which causes or is likely to cause significant harm to a child or serious harm to an adult) including where seeking consent might lead to interference with any potential investigation.

This may be the case were making a referral to Children's Social Services under **the Making Referrals to Children's Social Care Procedures**

Professionals must also share information when they are in situations where there is a statutory duty or Court Order requiring the information to be shared. In such situations, information should be shared even if consent has not been given.

However, wherever possible, the individual concerned should be informed about the information to be shared, the reasons and to who it will be disclosed.

Professionals must always consider the safety and welfare of a child when making decisions on whether to share information about the child. Where there is concern that the child may be suffering or is at risk of suffering significant harm, the child's safety and welfare must be the overriding consideration.

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

Professionals should, where possible, respect the wishes of children or families who do not consent to share confidential information. However, there may still share information if in their judgement there is sufficient need to override that lack of consent.

Professionals should seek advice where they are in doubt, especially where the doubt relates to a concern about possible significant harm to a child or serious harm to others.

Professionals should ensure that the information they share is accurate and up to date, necessary for the purpose for which they are sharing it, shared only with those people who need to see it and shared securely.

Professionals should always record the reasons for their decision – whether it is to share information or not.

Confidentiality, Consent and the Public Interest

Information sharing: advice for practitioners providing safeguarding services, states that: You do not necessarily need the consent of the information subject to share their personal information.

Where possible, you should seek consent or be open and honest with the individual (and/ or their family, where appropriate) from the outset as to why, what, how and with whom, their information will be shared.

You should seek consent where an individual may not expect their information to be passed on and they have a genuine choice about this. Consent in relation to personal information does not need to be explicit – it can be implied where to do so would be reasonable i.e. a referral to a provider or another service. More stringent rules apply to sensitive personal information, when if consent is necessary then it should be explicit. But even without consent, or explicit consent, it is still possible to share personal information if it is necessary in order to carry out your role, or to protect the vital interests of the individual were, for example, consent cannot be given. Also, if it is unsafe or inappropriate to do so i.e. where there are concerns that a child is suffering, or is likely to suffer significant harm, you would not need to seek consent. A record of what has been shared should be kept.

It is also possible that an overriding public interest would justify disclosure of the information (or that sharing is required by a court order, other legal obligation or statutory exemption). To overcome the common law duty of confidence, the public interest threshold is not necessarily difficult to meet – particularly in emergency situations.

Confidential health information carries a higher threshold, but it should still be possible to proceed where the circumstances are serious enough. As is the case for all personal information processing, initial thought needs to be given as to whether the objective can be

Pure Insight

info@pure-insight.org.uk

www.pure-insight.org.uk

Company Registered No. 872717 Charity No. 1155389

achieved by limited the amount of information shared – does all of the personal information need to be shared to achieve the objective?

In deciding whether there is a need to share information you need to consider your legal obligations, including:

- a) Whether the information is confidential: and
- b) If it is confidential, whether there is a public interest sufficient to justify sharing the information.
- c)

Not all information is confidential. Confidential information is information of some sensitivity, which is not public knowledge, and which has been shared in a relationship where the person giving the information understood that it would not be shared with others. For example, a teacher may know that one of his/her pupils has a parent who misuses drugs. That is information of some sensitivity but may not be confidential if it is widely known or it has been shared with the teacher in circumstances where the person understood it would be shared with others. If, however, it is shared with teacher by the pupil in a counselling session for example, it would be confidential.

Confidence is only breached where the sharing of confidential information is not authorised by the person who provided it or to whom it relates. If the information was provided on the understanding that it would be shared with a limited range of people or for limited purposes, then sharing in accordance with that understanding will not be a breach of confidence. Similarly, there will not be a breach of confidence where there is explicit consent to the sharing.

Even where sharing of confidential information is not authorised, it may lawfully be shared if this can be justified in the public interest. Seeking consent should be the first option, if appropriate. Where consent cannot be obtained to the sharing of the information or is refused, or where seeking it is likely to undermine the prevention, detection or prosecution of a crime, the question of whether there is a sufficient public interest must be judge by the professional on the facts of each case.

Therefore, where a professional has a concern about a child, he or she should not regard refusal of consent as necessarily precluding the sharing of confidential information.

A public interest can arise in a wide range of circumstances, for example, to protect children or other people from harm, to promote the welfare of children or to prevent crime and disorder. There is also public interest, which in some circumstances may weigh against sharing, including the public interest in maintaining public confidence in the confidentiality of certain services. The key factor in deciding whether or not to share confidential information is proportionality, i.e. whether the proposed sharing is a response in proportion

to the need to protect the public interest in question. In making the decision, the professional must weigh up what might happen if the information is shared - against what might happen if it is not – and make a decision based on a reasonable judgement.

It is not possible to give guidance to cover every circumstance in which sharing of confidential information without consent will be justified. It is possible however to identify some circumstances in which sharing confidential information without consent will normally be justified in the public interest.

These are:

- When there is evidence that the child is suffering or is at risk of suffering significant harm; or
- Where there is reasonable cause to believe that a child may be suffering or at risk of significant harm: or
- To prevent significant harm arising to children or serious harm to adults, including through the prevention, detection and prosecution of serious crime, i.e. any crime which causes or is likely to cause significant harm to a child or serious harm to an adult.

Seven Golden Rules for Information sharing

1. **Remember that the Data Protection Act 1998 and human rights laws are not barriers** to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. **Be open and honest with the individual** (and or their family where appropriate) from the outset about why, what how and with whom information will, or could be shared and seek their agreement, unless it is unsafe or inappropriate to do so.
3. **Seek advice from other practitioners if you are in any doubt about sharing the information** concerned, without disclosing the identity of the individual where possible.
4. **Share with informed consent where appropriate and where possible, respect the wishes of those who do not consent to share confidential information.** You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.
5. **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and wellbeing of the individual and others who may be affected by their actions.

6. **Necessary, Proportional, Relevant, Accurate, Timely and Secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion and is shared securely.
7. **Keep a record of your decision and the reasons for it** – whether it is to share information or not. If you decide to share, then record what you have shared with whom and for what purpose.

Source: Information Sharing: Advice for Practitioners Providing Safeguarding Service to Children, Young People, Parents and Carers (Mar2015))

Appendix 1 – Pure Insight Reporting Form for Safeguarding

Private and Confidential

Details of Young Person (if under 18 and their Parents/Carer)	
Name of Young Person	
Gender	Male <input type="checkbox"/> Female <input type="checkbox"/>
Age	
Date of Birth	
Parent / Carers name(s) (if under 18)	
Home Address	
Your Details	
Your Name	
Your Position	
Date and time of incident	
Incident/Report	
Are you reporting your own concerns or responding to concerns raised by someone else?	
<input type="checkbox"/> Responding to my own concerns	<input type="checkbox"/> Responding to concerns raised by someone else
If responding to concerns raised by someone else, please provide their name and position within the organisation etc.	
Please provide details of the incident or concerns you have, including times, dates, and any other relevant information. Describe any injuries, whether fact, opinion, or hearsay	

Please provide details of any witnesses to the incident(s)

To be completed by Area Manager, Safeguarding Manager or Safeguarding Leads (decide with reporting person who completes which action)	
Have you spoken to the young person?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, please provide details of what was said.	
Have you spoken to Carer/Guardian? – if appropriate and doesn't concern their conduct/care?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<i>It would be unusual for us to contact parent/carer unless part of mitigating risks.</i>	
If yes, please provide details of what was said.	
Have you spoken to the person the allegations are being made against?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<i>If appropriate and part of mitigating risks (not if serious/criminal)</i>	
Further action taken to date (who, when, detail)	
Have you informed the statutory authorities	
Childrens Social Care	Yes <input type="checkbox"/> No <input type="checkbox"/>

Please provide the name of the person and his / her contact number and date/time of contact	
Police	Yes <input type="checkbox"/> No <input type="checkbox"/>
Include crime number and/or collar number.	

Data Protection

As the person completing this form, you must notify each person whose information you include about what will happen to their information and how it may be disclosed except to the extent that doing so would prejudice either the prevention or detection of a crime or the apprehension or prosecution of an offender.

Name	
Signature	
Date	
Time	