

Cardiff University's Child Protection Procedures

Interim guidance for:

Researchers Working with Children and Young People

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1. PURPOSE OF THE PROCEDURES

Research with children and young people can uncover child protection concerns. Cardiff University's procedures are designed to ensure that a researcher undertaking such work is aware of how to respond if he/she has concerns about a child or young person, in order that the child or young person may be safeguarded. The procedures apply to all children contacted through a setting (eg school, youth club) or independently through the home etc. The procedures are designed to be used in conjunction with the All Wales Child Protection Procedures (2008) available at www.awcpp.org.uk.

These procedures should be read in conjunction with the

- ESRC Research Ethics Framework; and
- Cardiff University's Safeguarding Children And Vulnerable Adults Policy

(See Appendices)

2. KEY PRINCIPLES

- The key principles that underpin work with children and young people are found in the Children Act 1989 and 2004, and the UN convention on the Rights of the Child, which have been ratified by the UK government and reflected in English and Welsh policy.
- In the context of this policy, researcher includes undergraduate and postgraduate students, salaried research staff and project staff, including casual staff, who have direct contact with children and young people in the course of their research.

3. DEFINITIONS OF CHILD ABUSE AND NEGLECT

A child is considered as abused or neglected when somebody inflicts harm, or fails to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. A child or young person up to the age of 18 years can suffer abuse or neglect and require protection via an inter-agency protection plan.

In this Procedure, references to child or children includes young persons up to the age of 18.

a. Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or caregiver fabricates or induces illness in a child whom they are looking after.

b. Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child 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. It may involve causing children frequently to feel frightened or in danger, for example by witnessing domestic abuse within the home or being bullied, or, the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

c. Sexual Abuse

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

d. 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. It may involve a parent or caregiver failing to provide adequate food, shelter and clothing, failing to protect a child 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 basic emotional needs. Neglect may occur during pregnancy as a result of parental substance misuse.¹

¹ All Wales Child Protection Procedures 2008

4. SAFEGUARDING

The welfare of children is everyone's responsibility. The researcher may have limited, yet regular, contact with children that allows the researcher to become aware of possible areas of concern. Additionally, the subject matter being discussed may lead to disclosure of matters of concern.

The Government requires that any organisation, whether statutory, voluntary or other, that has contact with children must have a Child Protection Policy. In addition, all representatives are required, by law, to report any suspicions or concerns about a child's welfare to the social services department at the local authority.

The Children Act 2004 places a clear responsibility of safeguarding children on all agencies who have contact with children and families in their routine work. There are several ways in which the researcher may become aware that a child has been abused or is being abused:

- a) an allegation made by the child directly (a disclosure)
- b) by reports or allegations made by another person
- c) by observing signs or indications of abuse
- d) by an admission from an abuser

The suspected abuse of a child must be reported to social services or to the police which are the agencies with statutory powers to investigate suspected abuse. Other agencies/organisations must not undertake their own internal child protection enquiries.

5. GENERAL RESPONSIBILITIES

Each person in contact with or working with children, young people and their families should:

- a) understand his/her role and responsibilities to safeguard and promote the welfare of children
- b) be alert to the indicators of abuse and neglect
- c) be familiar with and follow his/her organisation's safeguarding protocol
- d) have access to and comply with the All Wales Child Protection Procedures (2008)
- e) have received child protection training commensurate with his/her role
- f) ensure that he/she has been subject to, and cleared by, an up-to-date Criminal Records Bureau (CRB) check. This should be done through his/her Principal Investigator.

[Contact Cardiff University's Human Resources (HUMRS) CRB Team via HUMRS reception to arrange this].

6. RESPONSIBILITIES OF RESEARCHERS IN CONTACT WITH CHILDREN AND YOUNG PEOPLE

A. Researcher's Responsibilities

- a) The researcher who is in contact with children and young people is expected to be familiar with the child protection procedures of the University and/ or host organisation (school, youth club/group etc) and he/she should seek training, if required.
- b) The researcher is legally obliged to report any issues of concern with regards to the physical and emotional welfare of the children with whom he/she works. It is the responsibility of the researcher to ensure that he/she is aware of the appropriate avenues to follow in reporting any concerns.
- c) The researcher must ensure that he/she is able to respond appropriately to a disclosure or suspicion of child abuse.
- d) In the case of immediate danger to the child, the researcher should contact the police or social services directly.
- e) Under Duty of Care good practice, the researcher must recognise his/her individual responsibility to his/her own safety and that of others with whom he/she works.

Note: the researcher should not be:

- f) responsible for assessing the accuracy of an allegation.
- g) held personally responsible for the physical and/or emotional welfare of any child with whom he/she work.

B. Actions for the researcher in the event of a child/young person protection concern

- show the child that you have heard what they are saying, and that you take their allegations seriously.
- encourage the child to talk, but do not prompt or ask leading questions. Do not interrupt when the child is recalling significant events.
- do not make the child repeat his/her account.
- explain what actions you must take in a way that is appropriate to the age and understanding of the child.
- explain the limits of confidentiality, as you have a responsibility to disclose information to those who need to know. Reporting concerns is not a betrayal of trust.
- make a record of what you have been told, using the exact words if possible, as soon as possible and no later than 24 hours after the event.
- if you require advice or support, contact the local duty team or NSPCC helpline (see annex for contact details). The need to seek advice however, should not delay any emergency action needed to protect a child. if you are unable to contact social services or your Principal Investigator/line manager for advice, you should report your concerns to the police

- report any concerns to the Principal Investigator or team member with responsibility for child protection within the research team or, if appropriate, to the member of staff of the host organisation with designated responsibility for child protection (see below).
- do not confront the alleged abuser.
- all concerns reported to social services are taken seriously It is better to have discussed it with an expert who has experience and responsibility to make an assessment.
- make a note of the date, time, place and individuals who were present at the discussion.

7. SPECIFIC CIRCUMSTANCES

a) Child/young person discloses a child protection concern in a setting (school/youth club etc).

If you have any reason for concern you must inform the project Principal Investigator and the lead individual for child protection within the setting (frequently the manager/ head teacher etc). It is the responsibility of this lead individual to contact social services and you should confirm that this has been done. If you are not satisfied with the lead contact's response, you should inform the person with responsibility for child protection within the academic School who should inform social services.

b) Child/young person discloses a child protection concern outside of a formal setting (within the home, community context etc)

If you have any reason for concern, these should be raised with the Principal investigator/ person responsible for child protection within the project, who should pass on these concerns to the local authority duty team.

c) Child/young person raises a concern during a focus group/group discussion

A child or young person may choose to disclose concerns during a focus group or group discussion. In such circumstances, the limits of confidentiality should be restated and the child should be asked to speak to the researcher after the session. If the child becomes distressed, it is best to terminate the group session and seek support from other staff. Follow-up will be as in b) above.

d) The child is at immediate risk of harm

In the event that the researcher suspects that the child is in immediate danger, the situation should be treated as an emergency. In such circumstances the researcher:

- a) should contact the NSPCC and/or duty team to seek advice on the action to take in an emergency situation (see section 3.3). If you are unable to make contact, do not delay reporting your concerns
- b) should contact the Police (999) and inform the Principal investigator.
- c) should not, under any circumstances, confront or contact the accused, or talk to friends and/or family of the abused.

8. RESPONSIBILITIES OF PRINCIPAL INVESTIGATOR

A: General Responsibilities of the Principal Investigator

- a) The Principal Investigator is responsible for ensuring that the researcher working with children and young people is familiar with appropriate child protection procedures and is equipped with appropriate knowledge and skills.
- b) The Principal Investigator is responsible for ensuring that the researcher working directly with children and young people has an up-to-date CRB check.
- c) The Principal Investigator should follow local child protection procedures for communicating child protection issues to the appropriate authorities, whilst keeping the best interests of the child and the researcher as the primary focus.

B: Responsibilities of the Principal Investigator in the event of a child protection concern

- a written referral to social services should be made as soon as a problem, suspicion or concern becomes apparent, and certainly within 24 hours.
- during office hours, referrals may be made by telephone to the local social services office. Outside of office hours, a referral should be made to the Emergency duty team. (See appendix A)
- social services should acknowledge the written referral within one working day of receiving it. Social services should be contacted again if a response has not been received within 3 working days (See annex A for details).
- any discussion about a child's welfare should be recorded in writing by the Principal investigator, including a note of the date and time, and details of the individuals participated in the discussion. These

records will be the responsibility of the Principal investigator and should be kept in a locked cabinet.

- at the end of any discussion there should be clear agreement about what actions will be taken and by whom, with details disseminated to the relevant parties.
- if the decision by social services is that no further action is taken, this should be recorded in writing, including the reasons for that decision.
- it is important that any concerns are referred to social services, even if you may think it may be unimportant or that the cultural context is not fully understood. The information provided could be crucial in a broader context.
- there is no restriction stated in the Data Protection Act or other legislation that prevents concerns being shared for the purpose of protecting children. Therefore, the facilitation of information-sharing during the enquiry is to be encouraged.
- wherever possible, consent should be obtained, but the public interest in child protection always overrides the public interest in maintaining confidentiality or obtaining consent. A child's safety is always of paramount consideration.

9. Wider Responsibilities

Responsibilities of the Head of School

The Head of School is responsible for ensuring that all research involving children and young adults is undertaken in compliance with these procedures. The Head of School should ensure that all staff and students undertaking research with children and young people receive appropriate child protection training and CRB checks, via the Principal Investigator.

10. ABUSE BY A PROFESSIONAL PERSON

It is best practice to avoid misunderstandings and to be clear about the correct procedure when working with or having contact with children. Staff should be advised to avoid any physical contact with a child which could be construed as over-familiar and to be aware of the implications of lone-working. It is important that any disclosure made by a child is passed to social services or the police and at no time should an adult agree with a child to keep secrets.

If the behaviour of a member of staff causes concern with regard to his/her relationship with children:

- do not dismiss these concerns or suspicions
- discuss the concerns with the named person who has responsibility for safeguarding children.
- if the above is inappropriate, or it is felt that the concern has not been taken seriously, social services should be contacted.

- social services has a protocol for responding where there are allegations regarding a professional, and the University should expect to be involved in a subsequent strategy discussion.

11. Review of procedure

These procedures will be subject to review in response to any legal or other developments in this area, and in view Cardiff University's policy development work in this subject area.

Appendix A Useful contacts

NSPCC 24 Hour Helpline (May also be given to Children)

0808 800 5000

Emergency Duty Team Numbers Wales

Anglesey

01286 675502

Blaenau Gwent, Carphilly, Monmouthshire Newport and Torfaen

0800 3284432

Cardiff and The Vale of Glamorgan

029 2044 8360

Carmarthenshire

01558 824283

Ceredigion

0845 6015392

Conwy

01492 515777

Gwynedd

01248 717227

Merthyr Tydfil

01443 849944

Neath Port Talbot

01639 895455

Pembrokeshire

08708 509 508

Rhondda Cynon Taff

01443 849944

Swansea

01792 775501

Wrexham, Flintshire and Denbighshire.

0845 0533 116

Appendix B

Useful documents

All Wales Child Protection Procedures (2008)

<http://www.torfaen.gov.uk/HealthAndSocialCare/ChildrenAndYoungPeople/ChildProtection/AllWalesChildProtectionProcedures/Publications/Procedures.pdf>

ESRC Research Ethics Framework

http://www.esrc.ac.uk/ESRCInfoCentre/Images/ESRC_Re_Ethics_Frame_tcm6-11291.pdf

**Appendix C
Decision Chart**

