

# Group Child Protection Policy

We will provide this policy on request at no cost, translated, in large print, in Braille, on tape or in another non-written format.

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|------------------------------------|-------------------------------------------|
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## 1. Introduction

This policy is part of a suite of policies designed to safeguard and protect people. This Child Protection Policy outlines how we support children and young people at risk of harm and guides both customers and staff in understanding our responsibilities and the response process when we are concerned about a child.

This policy should be read in conjunction with the following policies:

- Adult Support & Protection;
- Multi-Agency Public Protection Arrangements (MAPPA); and
- Domestic Abuse

Protecting children who are at risk from abuse or neglect is a shared responsibility. Everyone has a part to play, including social services, police, health, housing, and care organisations. Children should be supported to live free from harm.

The policy explains how we work with others to protect children at risk and support partner agencies whose responsibility it is to investigate where children may be at risk of abuse or neglect, and provide support. As an organisation, we have a duty of care to report any suspicions or disclosures of a child at risk, and it is therefore our expectation for staff to support with this to help safeguard children.

## 2. Policy Aims & Objectives

### Our Aims

This policy has been designed to support staff and customers in understanding our approach to Child Protection. The policy aims to support staff to:

- understand Child Protection legislation;
- understand and recognise different types of harm and neglect;
- effectively support those at risk of or affected by harm;
- uphold the wellbeing and rights of all those who use our services; and
- effectively report concerns to statutory agencies (e.g. Police, social work, or health) when a child is at risk.

### Our Objectives

For an effective approach to Child Protection to be embedded, our objectives are to:

- make sure our policy and supporting processes are clear, practical and easily accessible;
- ensure relevant staff are aware of their role and responsibilities and that these are clearly defined;

- provide training to relevant staff so they can confidently recognise and respond to signs of harm and neglect;
- build partnerships with agencies responsible for investigating Child Protection concerns and supporting children at risk through regular structured contact; and
- the Group Protection Team will monitor Child Protection activity across the organisation to determine themes arising and ensure continuous improvement and strengthening of our approach through quality assurance of reports.

### 3. What is Child Protection?

Every child deserves to live free from fear, harm, or abuse. Child Protection means recognising when a child might be at risk and taking steps to keep them safe. This includes the consideration, assessment, and planning of required actions. Police, social work, or health services start Child Protection procedures when they believe a child has been harmed or is at serious risk.

(National Guidance for Child Protection in Scotland, 2021)

In Scotland, the definition of a child varies in different legal contexts; however, statutory guidance that supports the Children and Young People (Scotland) Act defines a child as anyone under the age of 18.

Where a young person between the ages of 16 and 18 requires support and protection, statutory services will be required to consider which legal framework best supports each individual's needs and circumstances. This will ensure that these individuals do not fall between eligibility and service criteria due to an overlap in legislation between Adult Support & Protection and Child Protection.

When staff are concerned about a person at risk who they know or believe to be between the ages of 16 and 18, then a child protection referral should be completed. Statutory services will then determine whether the referral should be dealt with under child or adult protection processes.

However, in the context of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, a child means every human being below the age of 18. Where applicable, the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 can give rise to rights and obligations relating to children and young people up to the age of 18.

In Scotland, the Child Protection register is a confidential list of all children in the local area who have been identified as being at risk of significant harm. There is an urgent need for everyone to remain alert and act quickly to protect children at risk.

### 4. Types of Abuse & Neglect

Abuse and neglect are forms of child maltreatment. They may occur through direct actions or omissions that result in or fail to prevent significant harm. Abuse can happen within families, institutions, or, more rarely, by strangers.

All children have a fundamental right to care and protection. A child may require protection when their basic needs, such as food and warmth, are not met, or they may need protection from harm from other people.

The following categories of abuse and indicators are not exhaustive and should be used as guidance and not as a checklist.

**Physical Abuse** is the causing of physical harm to a child or young person. It may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, or suffocating. Physical harm can also happen when a parent or carer pretends a child is ill or deliberately makes them ill.

Possible signs of physical abuse:

- unexplained injuries or burns, particularly if they are recurrent;
- improbable excuses given to explain injuries;
- refusal to discuss injuries;
- untreated injuries or delay in reporting them;
- excessive physical punishment;
- arms and legs kept covered even in hot weather;
- fear of returning home;
- aggression towards others;
- running away; and
- administration of toxic substances.

**Emotional Abuse** is the persistent emotional neglect or ill-treatment of a child that causes severe and lasting harm to their emotional development. It may include:

- conveying to a child that they are worthless, unloved, or inadequate;
- valuing a child only insofar as they meet the needs of another;
- imposing age- or developmentally inappropriate expectations; or
- causing the child to feel frightened, in danger, exploited, or corrupted.

Emotional abuse is often present in all forms of maltreatment, but it can also occur independently.

Possible signs of emotional abuse:

- low self-esteem;
- continual self-deprecation;
- sudden speech disorder/refusal to speak;
- fear of carers;
- severe hostility/aggression towards other children;
- significant decline in concentration span; and
- self-harm.

**Sexual Abuse & Exploitation** is any act involving a child in sexual activity for the gratification of another person, regardless of whether the child is said to have consented or assented. It includes:

- physical contact – penetrative or non-penetrative acts; or
- non-contact activities – exposure to indecent images, watching sexual acts, use of sexual language, or encouraging sexually inappropriate behaviour.

Child sexual exploitation is a form of sexual abuse where a person(s) of any age uses a power imbalance to force or entice a child into sexual activity in exchange for the sexual activity. The presence of perceived consent does **not** negate the abusive nature of the act.

Possible signs of sexual abuse or child sexual exploitation:

- sleep disturbances or nightmares;
- complaints of genital itching or pain;
- self-harm;
- eating disorders;
- unexplained pregnancy;
- acting in a sexually explicit manner;
- anxiety/depression/withdrawn;
- fear of undressing, e.g. for physical exercise;
- low self-esteem;
- inappropriate sexual awareness;
- running away;
- developmental regression; and
- lack of trust or over-familiarity with adults.

**Online abuse** is any type of abuse that happens on the internet. It can happen across any device that is connected to the web, like computers, tablets and mobile phones, and can happen anywhere online, including:

- social media;
- text messages and messaging apps;
- emails;
- online chats;
- online gaming; and
- live-streaming sites.

Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming. Or the abuse may only happen online.

A child or young person experiencing abuse online might:

- spend a lot more or a lot less time than usual online, texting, gaming or using social media;

- seem distant, upset or angry after using the internet or texting;
- be secretive about who they are talking to and what they're doing online or on their mobile device; and
- have lots of new phone numbers, texts or email addresses on their devices.

**Neglect** is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. It may involve:

- failing to provide adequate food, shelter, and clothing;
- not protecting the child from physical harm or danger;
- failing to ensure access to appropriate medical care or treatment; or
- ignoring or failing to respond to the child's basic emotional needs.

In severe cases, neglect may result in a diagnosis of non-organic failure to thrive, where a child fails to reach normal growth or developmental milestones without a physical or genetic cause. In its extreme form, neglect can lead to malnutrition, lack of stimulation, and life-threatening consequences, especially for young children

Possible signs of neglect:

- constant hunger or inappropriate/erratic eating patterns;
- poor hygiene;
- constant tiredness;
- lack of adequate clothing;
- failure to seek appropriate/necessary medical attention; and
- unhygienic home conditions.

**Important:** if a child says they're being abused—even if there are no visible signs—take it seriously and report it immediately to the appropriate authorities.

The above list is not exhaustive. Our customer facing staff are best placed to be able to recognise and respond quickly to signs of harm and are supported to do so. We also work with other services to provide extra support to children and families when needed.

## 5. Our Role in Child Protection?

Child Protection is everyone's responsibility, not just those who work directly with children. Social Work and Police Scotland lead investigations, but they rely on others to report concerns.

As a housing, care, and property management provider, we may not investigate abuse, but we play a vital role in **recognising**, **responding** to, and **reporting** any concerns. Customer facing staff are best placed to recognise and respond to concerns of abuse or neglect and are supported to do so.

**Recognising signs of abuse or neglect**, our customer-facing staff are well placed to identify children who may be at risk of abuse or neglect and are trained to remain alert and to identify concerns early.

We may learn that a child is at risk of abuse or neglect through:

- a parent or carer sharing a concern;
- information from someone else;
- observations by staff;
- insights from our customer information; and
- multi-agency meetings (e.g. Children's Hearings).

Sometimes, a child may tell us directly. No matter how we find out, we must act appropriately and safely. If you are unsure what to do, speak with your line manager or contact the Group Protection Team for support.

**Responding to concerns of child abuse or neglect**, our front line staff will respond by reporting concerns and offering additional support to the child and family. There are clear processes in place to support staff to respond appropriately and report their concerns.

If someone shares a concern:

- we take it seriously—our role is to report, not investigate;
  - we listen and avoid asking probing questions;
  - we act quickly to offer help and refer to specialist services;
  - we explain that the information must be passed on. This is linked to our requirement within legislation and our professional duty to act. Information will be shared in accordance with the rules for sharing personal data;
  - we treat everyone with empathy and respect, and without judgement;
  - we reassure the person they've done the right thing;
  - if a child is in immediate danger, we call the emergency services. If there is any uncertainty, speak with your manager or the Group Protection Team, and
  - we report to statutory agencies (local authority, police or health) following the guidance on making reports below. This is linked to our requirement within legislation and the duty of care that we have to protect children from the risk of harm.
- 
- **Reporting concerns:** If you're worried about a child's safety, it's important to act quickly and follow the correct steps. Before making a report, you should ensure that you are following the rules regarding data sharing. See section 11 for further information.
- Use the standard reporting templates and specific process to contact the Local Authority where the child lives, or call the local authority to report concerns.
  - If a crime may have or has been committed, report it to Police Scotland by calling 101 or 999, depending on the urgency.

- Escalate any concerns to your line manager or to the Group Protection Team. For Wheatley Care, this may be to on-call outwith hours.

You can find contact details for all 32 council Child Protection Teams here: <https://www.childprotection.scot/useful-links/council-social-work/>

If a **neighbour or another person tells us a child is at risk**, we'll usually let the individual concerned know that we're reporting it if it is appropriate to do so, unless it's unsafe or not possible to do so. Staff should speak to their manager or the Group Protection Team if unsure.

Where there is a concern that a child is at risk of harm or neglect, consent does not need to be obtained to submit a referral to statutory agencies.

## 6. A Personalised Approach to Child Protection

We follow Scotland's national approach, Getting It Right For Every Child (GIRFEC), which means:

- offering the right help, at the right time, from the right people; and
- putting children's rights and wellbeing at the centre of everything we do.

Our approach to Child Protection includes consideration of human rights in accordance with the Human Rights Act 1998, and children's human rights in line with the UNCRC (Incorporation) (Scotland) Act 2024 (where applicable). We will reflect on the effect of the UNCRC (Incorporation) (Scotland) Act 2024 in our service design, delivery and decision-making, including the best interests of children and the right of children to be heard.

Our customer facing staff will get to know our customers and understand the issues affecting them. We tailor support to each family's needs by offering a diverse range of services and making referrals to specialist services. We ensure that each interaction is personal as we recognise that there is no one-size-fits-all approach.

We will also give consideration to any request for a reasonable adjustment in line with the Equality Act 2010.

We provide advice and practical solutions to improve home security and personal safety, including safety products and guidance on online safety. Where appropriate, safety apps can be demonstrated to help families stay protected.

If a family feels unsafe in their current home, we will respond and offer a Housing Options interview and work with partners to explore safer housing solutions. Alongside these measures, we offer wraparound support to families who need extra assistance, ensuring they have access to the right services and resources to meet their needs.

## 7. Measuring our Impact

We will measure our impact in Child Protection by:

- monitoring the number of Child Protection referrals submitted; and
- reviewing referrals to understand emergent themes or hotspots of concern, which will then inform our work on Child Protection.

This approach will guide our future actions, enable us to allocate resources effectively and identify training and support needs.

## 8. Legislation & Strategic Drivers

This policy is based on key legislation and laws that protect children and support their rights:

- Social Work (Scotland) Act 1968
- Children (Scotland) Act 1995
- Children (Scotland) Act 2020
- Human Rights Act 1998
- Children's Hearings (Scotland) Act 2011
- Children and Young People (Scotland) Act 2014
- Data Protection Act 2018
- General Data Protection Regulation (Regulation (EU) 2016/679)
- Domestic Abuse (Scotland) Act 2018
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

### Strategic Drivers

- National Guidance for Child Protection in Scotland (2021)
- Getting it Right for Every Child (GIRFEC)

## 9. Policy Review & Consultation

This policy has been developed in consultation with key stakeholders working in statutory agencies. The policy shall be reviewed every three years; however, more regular reviews will be considered where, for example, there is a need to respond to changes in legislation or guidance. Reviews will consider legislative, performance standard and good practice changes.

The Wheatley Group will publish this policy on our staff intranet, WE Connect, and on our website. A hard copy is also available on request. Customers may also request a copy of the policy in other formats and community languages, e.g. Braille.

## 10. Policy Awareness & Training

Staff across the organisation will be aware of the existence of this policy and of the requirement to apply the process contained within when there is a concern that the child is at risk of abuse or neglect. Customer facing staff will be trained in Child Protection policy and process.

## 11. Confidentiality & Data Protection

Everyone working in our organisation has a duty to help protect children, young people, and adults who may be at risk.

Sometimes, we may need to share personal information with other organisations to keep someone safe. This must follow strict rules under data protection laws, including the Data Protection Act 2018 and General Data Protection Regulations GDPR.

Before sharing any information:

- staff must check the Group's Data Protection Policy (especially Appendix 2);
- staff must be satisfied that data sharing complies with the General Data Protection principles in Article 5 UK GDPR, and that there is a lawful basis for sharing the data;
- the decision to share must be recorded, including the reason;
- information should only be shared on a "need to know" basis; and
- an audit trail must be kept.

The Wheatley Group recognises that Child Protection can include very sensitive information. If staff are unsure, they should speak to the Wheatley Group Information Governance Team for advice on data protection issues that arise from Child Protection concerns and reports and to ensure that any data sharing is in accordance with the UK GDPR, the Data Protection Act 2018 and the requirements of the Group's Data Protection Policy and the Group's Special Category Data Policy.

Any requests for information should be shared with the Information Governance Team, who will check that there are data sharing agreements in place.

## 12. Equal Opportunities Statement

This Policy aligns the Group's Equity, Diversity and Inclusion (EDI) and Human Rights Policy. We recognise our pro-active role in valuing and promoting EDI and equity of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equitable treatment for our stakeholders and will not discriminate against anyone on the grounds of race, ethnicity,

nationality, language, religion, belief, age, sex, sexual orientation, gender reassignment, trans history, disability, marital status, pregnancy or maternity. We will endeavour to achieve fair outcomes for all.

As required, we undertake Equality Impact Assessments on relevant policies, strategies, projects and frameworks to help us take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures and to maximise positive impacts.

### **13. Complaints**

We aim to get things right the first time. However, if a customer is unhappy with this policy or how it's applied, they can make a complaint.

A summary of our Complaints Policy and Procedure is available on our Wheatley Group and subsidiary websites.

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