

POLICY STATEMENT

This Policy applies to anyone working on behalf of Magic Ponies including senior managers and the board of trustees, paid staff, volunteers, sessional workers, agency staff and students. Its purpose is to protect and enhance the safety and well-being of all children and young people by actively promoting awareness, good practise and sound procedures.

We believe the safety and well-being of children and young people is of the utmost importance and that they have a fundamental and equal right to be protected from harm regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation. We fully recognise our statutory responsibility for safeguarding: the safety, protection and well-being of all children and young people that Magic Ponies supports and interacts with, is paramount and has priority over all other interests. This includes responding immediately and appropriately where there is a suspicion that any young person under the age of 18 years old may be a victim of bullying, harassment, abuse (including physical, sexual, emotional) or neglect.

'Young Person' means those under 18 years old including all of those up to their 18th birthday-as designated a 'child' within the terms of the Children's Act 1989.

Magic Ponies encourages a culture of listening to and engaging in dialogue, with children seeking their views in ways that are appropriate to their age, culture and understanding.

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England including the Children's Act 2004 and "Working Together to Safeguard Children 2018". [Working together to safeguard children \(PDF\)](#) (DfE), 2018 provides the key statutory guidance for anyone working with children and young people. All procedures and policies pertaining to safeguarding should be regularly reviewed and updated on an annual basis.

This policy was last reviewed on:

Date:.. 8/11/2023

Signed:... Lara Bekker CEO

ORGANISATIONAL RESPONSIBILITIES

Magic Ponies will be initially responsible for the implementation of the Safeguarding Policy and may designate a certain member of staff to manage the Safeguarding Policy and its implementation.

It is the responsibility of the Safeguarding Lead/ Manager to take appropriate action following any expression of concern and make referrals to the appropriate agency.

Magic Ponies will ensure that the designated Safeguarding Lead/ Manager participates in regular safeguarding training on an annual basis so that they are aware of the procedures of identifying and reporting suspected cases of abuse and neglect and are up to date with any legal changes.

All staff/ volunteers will be made aware of this Safeguarding Policy and related relevant procedures as part of their induction and their contract of employment.

All staff/ volunteers will be informed and have access to regular training as required to update their knowledge on safeguarding. More information can be found here; [SSCP Partnership Training Programme: Surrey Safeguarding Children Partnership \(surreyscp.org.uk\)](https://surreyscp.org.uk)

Please note that from March 2021 the safeguarding partnership training offer will be available on Olive (Surrey's LMS). The link for registration and booking is:

<https://surreycoun.plateau.com/learning/user/portal.do?siteID=SCA&landingPage=login>

Magic Ponies will work in accordance to guidance and good practice from the Surrey Safeguarding Children Partnership. More information can be found at: [Surrey Safeguarding Children Partnership \(surreyscp.org.uk\)](https://surreyscp.org.uk)

Safeguarding Lead/ Manager Responsibilities

Magic Ponies will ensure that all members of staff/ volunteers have timely and relevant safeguarding training.

Training for the Safeguarding Manager can be accessed from Surrey Safeguarding Children Partnership. Staff and volunteers can also access a range of multi-agency safeguarding training. More information can be found here; [Surrey Children's Services Academy \(SCSA\) - Surrey County Council \(surreycc.gov.uk\)](https://surreycc.gov.uk)

The Safeguarding Manager will take appropriate action following any expression of concern, disclosure or reported incident and make referrals to the appropriate agency.

Staff and Volunteer Responsibilities

Any new member of staff or volunteer with direct contact with young people will be taken through this safeguarding policy as part of the induction process and offered training soon after commencing their post.

All staff and volunteers to participate in timely and relevant training.

All staff have a duty to ensure that any suspected incident, allegation or other manifestation relating to child protection is reported using the procedures detailed below in this policy.

If in any doubt about what action to take, employees must seek advice from one of the named Safeguarding Leads/ Managers or in their absence, the CEO or board of trustees.

SAFEGUARDING INFORMATION

Definitions of harm

For the purpose of this policy, Magic Ponies has defined harm as:

- Neglect - the persistent failure to meet the basic physical and physiological needs of the young person that results in serious impairment of their health and development, including the failure to provide adequate food, clothing, shelter and failure to respond to basic emotional needs, such as being cared for when sick.
- Abandonment - leaving a child alone and unattended in circumstances that are inappropriate for their age and/ or level of ability.
- Emotional abuse – persistent, emotional ill treatment that has a severe adverse effect on the emotional development of children and young people. It may involve conveying to them that they are not wanted, not loved or worthless. It may involve inappropriate expectations (such as taking on the responsibility of an adult within the family) being placed on the young person leaving them frightened and unable to cope. It may also involve the threatening, exploitation or corruption of children and young people.
- Physical abuse – hitting, kicking, shaking, slapping, and throwing, scalding, burning, poisoning, drowning, suffocating, or other action intended to cause physical harm or ill health to the child or young person. Physical harm may also be caused when a parent or carer covers up the symptoms of, or deliberately causes ill health to a child or young person within their care.
- Racial abuse – any type of verbal or physical abuse that is directed at an individual or group because of their racial or ethnic background.
- Witnessing ill treatment, including domestic abuse of another person- this may impact the health or development of a child or young person.
- Sexual abuse or sexual exploitation - forcing or enticing a child or young person to participate in sexual activities, whether or not the child or young person is aware or has knowledge of what is happening. It includes child prostitution, encouraging children or young people to watch or participate in the production of pornographic material, online grooming, encouraging children and young people to behave in sexual inappropriate ways. Sexual acts include penetrative (rape or buggery) and non-penetrative acts such as touching or stroking.

The Sexual Offences Act 2003 defines 'consent' as '*if he agrees by choice and has the capacity to make that choice*'. The Act, removes the element of consent for many sexual offences for:

- o Children/young people under 16 (including under 13).
- o Children/ young people under 18 having sexual relations with a person of trust (for example: teachers, youth workers, foster carers, police officers).
- o Children / young people under 18 involved with family members over 18.
- o Persons with a mental disorder impeding choice or who are induced, threatened or deceived.
- o Persons with a mental disorder who have sexual relations with care workers.

In relation to young people under the age of 13, consent is irrelevant. The law says 'a child under the age of 13 does not, under any circumstances, have the legal capacity to consent to any form of sexual activity'.

The Police must be informed immediately of any sexual activity involving a child under 13 years of age.

General safeguarding advice

- Remember not to be a young people's friend, always maintain a professional manner when working with them.
- Do not accept a young person as a friend on any social networking site that you use.
- Always keep a record of any text or email exchanges with a young person (staff will use work telephones where available).
- Always be aware that your comments or actions may be perceived differently than intended, so be sensitive to the situation.
- Do not meet a young person alone, this is for the safety and well-being of the young person but also yourself. Where this is necessary, try to use public spaces for one-to-one meetings if you are not meeting in the Magic Ponies office or premises.
- Avoid detailed discussions about your personal experiences e.g. drugs, alcohol, sex.
- Never speak to the press about a child or young person without permission.

REPORTING PROCEDURES

In all cases it is vital to take every action which is needed to safeguard the child, children and young person(s). *Immediate* action may be necessary in the following situations;

- If emergency medical attention is required, phone the emergency services or take the child/ young person to the nearest Accident and Emergency department.

- If the child or young person is in immediate danger the police should be contacted by calling 999.
- Any suspicion, allegation or disclosure of abuse or harm must be reported immediately or as soon as practicably possible on the day of the occurrence to your Safeguarding Lead/ Manager.
- Disclosure or evidence for concern may occur in a number of ways including a comment made by a child, physical evidence such as bruising, a change in behaviour or inappropriate behaviour or knowledge.
- The Safeguarding Lead/ Manager must record the concern, with the staff member or volunteer using the appropriate Reporting Form. The Safeguarding Lead/ Manager is responsible for ensuring that a copy of the Incident Report or Request for Support referral form is immediately passed onto the most senior person responsible for safeguarding or Surrey Children's Services, C-SPA, details below. This form must be kept strictly confidential and stored securely.
- It is the responsibility of the Safeguarding Manager or in their absence the CEO/ person who has overall responsibility for safeguarding to deal with safeguarding matters. If further referral is necessary, it will either be through Surrey Safeguarding Children Partnership/ Surrey Children's services or the Police.

The Safeguarding Manager, CEO or chairperson of trustees will be responsible for informing the employee who reported the disclosure of any action taken and any outcome if this is appropriate.

It is also the responsibility of the Safeguarding Manager, CEO or chairperson of trustees to ensure any partner agencies involved with the young person are made aware of the disclosure and the action taken where relevant and where information sharing guidance permits this.

It is important to remember that often only when information held by a number of workers is put together, that a picture of child abuse emerges. All staff & volunteers must adhere to the information sharing protocol published by HM Government, adopted by the Children's Trust and endorsed by SSCP. Details can be found here; [Information sharing: advice for practitioners \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk). In addition to this, whilst respecting cultural differences, the basic requirements for children is that they are kept safe across social, ethnic and cultural boundaries.

Responding to a disclosure

If the child or young person is not in immediate danger or requires immediate medical attention, contact;

Line manager/ Safeguarding manager

Name/Phone/email: Lara Bekker 07498212563 lara@magicponies.co.uk

CEO/ Senior lead for safeguarding and child protection

Name/Phone/email: Lara Bekker 07498212563 lara@magicponies.co.uk

Trustee Board Member

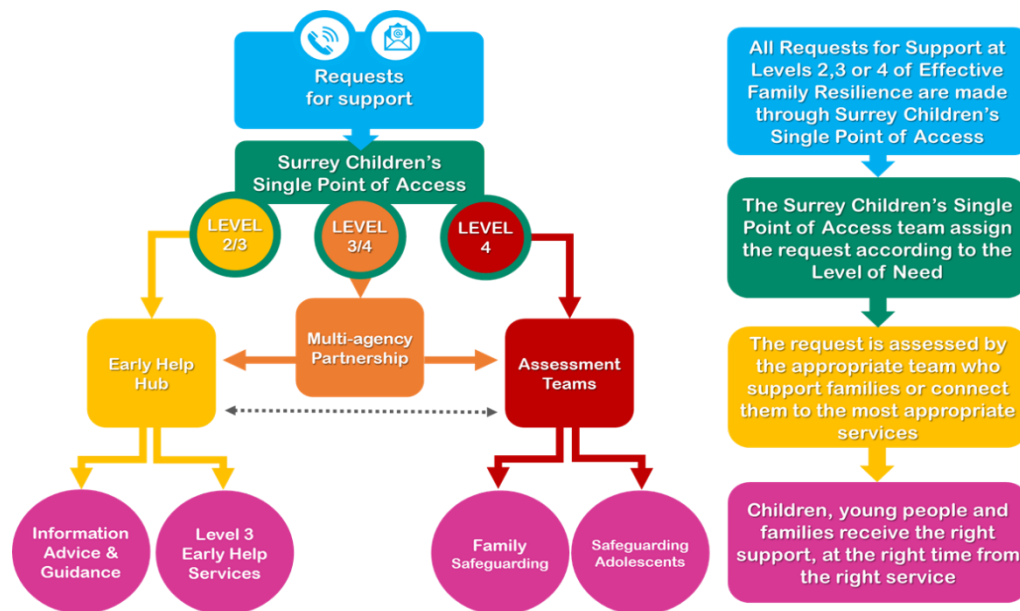
Name/Phone/email: Lara Bekker 07498212563 lara@magicponies.co.uk

Other helpful contacts

- **Children's Single Point of Access (C-SPA)**, a front door to Surrey County Council services for children, provides residents and people who work with children in Surrey with direct information, advice and guidance about where and how to find the appropriate support for children and families. C-SPA is available **9am-5pm, Monday – Friday**

Phone: 0300 470 9100

Email: cspa@surreycc.gov.uk



Emergency Duty Team (EDT), provides an emergency social care service for urgent situations which are out of normal office hours. If your call is not answered, please do leave a message and your contact details for someone to get back to you.

EDT is available **5pm-9am, Monday – Friday, Weekends 24 hours a day.**

Phone: 01483 517898

Email: edt.ssd@surreycc.gov.uk

- The LADO Service manages allegations against individuals who work or volunteer with children in Surrey. If you have a concern regarding someone who works with children, please contact the LADO on 0300 123 1650
Email: LADO@surreycc.gov.uk

- NSPCC Helpline 0808 800 5000

Reacting to a disclosure

- Listen carefully rather than asking leading questions.

- Never *promise* any particular action or NOT to disclose any information shared.
- Allow silence and/or allow child, young person to be upset.
- Try to relate to the age, understanding or special needs of the child or young person.
- Write down carefully the information you have been given as soon as possible, preferably within 24 hours and only including what you have been told.
- Discuss this as soon as possible with the safeguarding lead/ manager.
- Any decision not to tell the parents must be discussed with the safeguarding lead/ line manager unless the child or young person is in immediate danger.

Parents/ carers

It is good practise to be as open and honest as possible with parents/carers about any concerns. However, you must not discuss your concerns with parent's/ carer's in the following circumstances:

- Where sexual abuse or exploitation is suspected.
- Where organised or multiple abuse is suspected.
- Where fabricated or induced illness is suspected.
- Where female genital mutilation is a concern.
- In cases of forced marriage.
- Where contacting parents / carers would place a child / young person or others at immediate risk.

ESCALATION POLICY

Effective working together depends upon an open approach and honest relationships between agencies and a belief in genuine partnership working. Any disputes about the safety and well-being of a child should be resolved in a timely way with all agencies working together in the best interests of the child so that the welfare of the child remains paramount.

The Partners recognise that complexity of need and range of intervention/support will not always fit into a simple formula that leads to '*the right solution*'. Often there may be no right or wrong answer and quite legitimately practitioners may exercise their professional judgement differently. It is also the case that exceptionally, the needs of some young people and families may not easily fit within a conventional application of thresholds. The purpose of the SSCP Escalation Policy is to create a transparent process that enables multi-agency practitioners to exercise their professional judgement and provide the best possible service in a timely and safe way.

It is of vital importance that children, young people and their families do not become entangled in professional disagreements. Neither should disputes detract from the focus on the child, delay effective decision making, nor lead to protracted disputes that negatively impact upon the child and/or family and on inter-agency relationships and working practice. In reaching resolution, it is essential that at all times disputes are approached in a considerate manner and one which both respects and seeks to understand the views and concerns of others from their experience and perspective when engaging with the young person/family.

Disagreements should be resolved through child centred discussion between agencies. This escalation policy outlines the process to be followed when professionals are unable to agree about what is in the best interests of the child. The detailed policy can be accessed here: [SSCP-Escalation-Procedure-Final-1.pdf \(surreyscp.org.uk\)](#)

ALLEGATIONS MADE AGAINST STAFF AND VOLUNTEERS

When any form of complaint is made against an employee or volunteer, it must be taken seriously. The complaint should initially be dealt with by the most senior staff member on site at the time the complaint is made. If the complaint is against the most senior member of staff on site, then the Safeguarding Manager, CEO or Chair of Trustees must be informed.

The senior staff member must report the complaint immediately to the Safeguarding Manager giving details of the circumstances. The Safeguarding Manager or CEO may contact the Local Authority Designated Officer. Further information can be found here: [3.2 Managing allegations against people that work or volunteer with children | Surrey Safeguarding Children Partnership \(procedures.org.uk\)](#). They will attend the site of the allegation to gain an initial account of what has occurred from all relevant parties, including the person against whom the allegation has been made. If this is not possible, contact will be made by telephone. Lara Bekker, will have the right to suspend from duty and/or the premises, any person who is a party to the allegation until a full investigation has been made.

This action does not imply in any way that the person suspended is responsible or is to blame for any action leading up to the complaint. The purpose of any such suspension is to enable a full and proper investigation to be carried out in a professional manner.

It is the responsibility of the Safeguarding Manager, CEO or the Board of Trustees to make the decision as to whether to inform Social Services and/or the Police Child Protection Unit, depending on the nature of the allegation. In matters of allegations against staff or volunteers working in child protection, information must be provided to the local designated officer.

CONFIDENTIALITY AND WHISTLE BLOWING

- Magic Ponies operates a confidentiality policy. However, under no circumstances will information be kept confidential that raises concern about the safety and welfare of a child or young person.
- Any staff or volunteers with concerns about anybody providing services to children and young people should report this to their Line Manager, Safeguarding Manager/ CEO or trustee board member as appropriate. They will be fully supported throughout the process.
- All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and young people in accordance with the Information Sharing Policy published by HM Government, adopted by the Children's Trust and endorsed by SSCP. The Data Protection Act 1998 and General Data Protection Regulations are not a barrier to sharing information where a failure to do so would place a child at risk of harm.
- All staff must be aware that they cannot promise a child that they will keep secrets/ not disclose potentially harmful information.

SAFER RECRUITMENT POLICY STATEMENT

Magic Ponies will apply the Working Together to Safeguard Children 2018 and SSCP Guidelines using the framework for safer recruitment and employment practice.

This will apply to all staff and volunteers undertaking activities with children and young people including teaching, training or instruction, care or supervision, providing guidance or treatment, fostering and childcare. It could also include specific positions such as school governor, Director of children's social services, and any work carried out in a limited range of specific settings such as schools where children should always be able to build relationships of trust with the people working with them.

The purpose of safer recruitment is to ensure:

1. Applicants who may wish to harm adults at risk, children or young people are deterred from applying for jobs or volunteering opportunities.
2. Any unsuitable applicants are rejected by scrutinising applications and exploring potential areas for concern at interview
3. Unsuitable appointments are not made by having at least one member of the interview panel trained in safer recruitment; carrying out all relevant pre-employment checks* and ensuring all new staff and volunteers are given an appropriate induction.
4. To identify and manage any identified risks.
5. Maintain a safe and vigilant culture.

Multi-agency training on safer recruitment is available through the Surrey Children's Services Academy: [Surrey Children's Services Academy \(SCSA\) - Surrey County Council \(surreycc.gov.uk\)](http://surreycc.gov.uk)

*Disclosure and Barring Service (DBS) Checks

All new staff and volunteers are to have a DBS check before commencing employment. Any failure to disclose convictions may result in disciplinary action or dismissal. Any positive disclosures will be discussed with the Safeguarding Manager, CEO and/or trustees. All this information will be kept on the personnel file. The DBS number and date of processing will be held on a secure database.

A risk assessment will be completed if there is a positive DBS check sent back.

ADDITIONAL RELEVANT POLICIES/ PROCEDURES

This safeguarding policy should be read alongside our organisational policies, procedures, guidance and other related documents. *[This may include specific guidance in any of the following areas that can be included as Appendices or a link provided to the full documents where these are stored in a digital location].*

• Role description for the designated safeguarding officer • Dealing with disclosures and concerns about a child or young person • Managing allegations against staff and volunteers • Recording concerns and information sharing • Child protection records retention and storage • Code of conduct for staff and volunteers • Behaviour codes for children and young people • Photography and sharing images guidance • Safer recruitment • Online safety • Anti-bullying • Managing complaints • Whistleblowing • Health and safety • Induction, training, supervision and support • Adult to child supervision ratios

References

- Surrey Safeguarding Children Partnership protocols, guidance and procedures
- Working Together to Safeguard Children 2018
- Information Sharing Advice for Practitioners' guidance 2018