



With Kids

Child Protection and Safeguarding Policy

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Policy Owner: Gwen Galbraith, Chief Executive Officer, With Kids

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Scope

This policy covers all trustees, employees, volunteers, students and external agencies making use of our facilities, or providing services on behalf of With Kids.

While trustees, employees and volunteers are likely to have varied levels of contact with children, young people and vulnerable adults at risk as part of their duties and responsibilities for With Kids, everyone should be aware of preventative measures and potential indicators of abuse and neglect and be clear about what to do if they have concerns.

Responsibilities are limited and it is important to remember the following:

It is not the responsibility of any With Kids Trustee, Employee, Student or Volunteer to determine whether abuse or neglect is taking place.

It is the responsibility of the Trustee, Employee, Student or Volunteer to take the action set out in the **Child Protection (Safeguarding) Procedures**, if they are concerned about abuse or neglect taking place.

This policy sets out With Kids responsibilities under the Protection of Children (Scotland) 2003, Children (Scotland) Act 1995, Protection of Vulnerable Groups Act 2007, the Children and Young People (Scotland) Act 2014, and the Adult Support and Protection (Scotland) Act 2007. This policy must be read in conjunction with other related With Kids policies.

This policy has been updated in line with the National Guidance for Child Protection in Scotland 2021 and selected key principles underpinning the National Guidance for Child protection in Scotland 2021 that shape With Kids child protection policy and procedures.

“The Scottish approach to child protection is based upon the protection of children’s rights. The Getting it right for every child (GIRFEC) policy and practice model is a practical expression of the Scottish Government’s commitment to implementation of the United Nations Convention on Rights of the Child (UNCRC). This requires a continuum of preventative and protective work.”

“The most effective protection of children involves early support within the family, before urgent action is needed and purposeful use of compulsory measures are necessary.”

“There are consistent threads running between enabling, preventative and protective work applying the GIRFEC approach. They may be distilled in this way:

- the timing, process and content of all assessment, planning and action will apply to the individual child, and to their present and future safety and wellbeing. Their views will be heard and given due consideration in decisions, in accordance with their age, level of maturity, and understanding*

- services will seek to build on strengths and resilience as well as address risks and vulnerabilities within the child’s world*

- partnership is promoted between those who care about and have responsibilities for the child – it entails a collaborative approach between professionals, carers and family members”*

Excerpts from page 10 of The National Guidance for Child Protection in Scotland 2021.

What is Safeguarding?

In Scotland, safeguarding refers to the actions we take to promote the welfare of children and vulnerable adults to protect them from harm, abuse and neglect. We recognise that harm can come from any source, including from within any organisation working with children and vulnerable adults. In our sector, we understand it to mean protecting people, including children and at risk adults, from harm that arises from coming into contact with our staff or services. Safeguarding establishes a culture where everyone takes responsibility for welfare of children and vulnerable adults.

See Appendix 1 for definitions of risk categories for children and adults.

Purpose of this policy

The purpose of this policy and the associated procedures is to protect and promote the welfare of the children, young people and adults at risk using or receiving services provided or commissioned by With Kids and to support With Kids, its staff, trustees, students and volunteers in fulfilling their statutory responsibilities.

With Kids is not a statutory service and it is not the role of a charity to investigate allegations of abuse. However, all trustees, employees, students, volunteers and contracted service providers have a clear responsibility to take action when they suspect or recognise that a child, young person or an adult at risk may be a victim of significant harm or abuse (**refer to Appendix 1 for guidance on definitions**).

This policy demonstrates how With Kids will meet its legal obligations and reassure service users, trustees, employees, students, volunteers and those working on behalf of With Kids:

- About what they can expect With Kids to do to protect and safeguard children, young people and adults at risk
- That they are able to safely voice any concerns through an established procedure
- That all concerns about abuse, reports of abuse and potential abuse are dealt with in a timely and effective manner
- A duty to promote inter-agency cooperation between named agencies, including local authorities;
- Senior management commitment to the importance of safeguarding and promoting children's welfare;
- That there are clear lines of accountability and efficient recording and monitoring system in place
- That trustees, employees, students and volunteers delivering services to children or young people receive appropriate training
- That robust 'safer' recruitment procedures are in place and vetting of staff in compliance with the Protection of Vulnerable Groups (PVG) scheme and Disclosure Scotland.

With Kids must carry out its responsibilities by ensuring that the needs and interests of children, young people and adults at risk are considered by all

trustees, employees and volunteers when taking decisions in relation to service provision.

With Kids will use the views of children and young people to help shape its services.

With Kids commits to addressing safeguarding throughout its work, through the three pillars of prevention, reporting and response as detailed in this policy.

Prevention:

With Kids responsibilities

- Ensure all staff have access to, are familiar with, and know their responsibilities within this policy
- Ensure there are appropriate governance structures in place to monitor safeguarding activity, to learn from child protection / safeguarding data and events and to make improvements to safeguarding policy, procedure and practice.
- Implement stringent child protection / safeguarding procedures when recruiting, managing and deploying staff and associated personnel
- Ensure staff receive training on child protection / safeguarding at a level commensurate with their role in the organisation
- Design and undertake all its programmes and activities in a way that protects people from any risk of harm that may arise from their coming into contact with With Kids. This includes the way in which information about individuals in our programmes is gathered and communicated
- Proactively promote the welfare and protection of all children and vulnerable adults at risk who access services from With Kids at all times;
- Follow up on reports of child protection / safeguarding concerns promptly, appropriate and sensitively and according to due process
- Work in co-operation with local authorities, the police, Local Child Protection Committee's and make appropriate changes and amendments to improve safeguarding policies and procedure as needed.
- Not tolerate harassment of any trustee, employee, volunteer, child or vulnerable adult at risk who raises concerns of abuse or neglect.

Additionally, With Kids staff and associated personnel are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of the Child Protection and Safeguarding Policy
- Report any concerns or suspicions regarding safeguarding violations by any With Kids staff member or associated personnel to the appropriate staff member

Enabling reports

With Kids will ensure that safe, appropriate, accessible means of reporting child protection / safeguarding concerns are made available to staff and the agencies we work with.

Effective records management policies include a well-structured file plan, standard file-naming conventions for electronic documents, and a clear retention policy about when to keep and delete documents. This will assist organisations with accountability and documentation obligations, including those relating to access to records

Any staff reporting concerns or complaints through formal whistleblowing channels (or if they request it) will be protected by the Disclosure of Malpractice in the Workplace (Whistleblowing) Policy. With Kids will also accept complaints from external sources such as members of the public, partners and official bodies.

How to report a safeguarding concern

Staff members who have a complaint or concern relating to child protection / safeguarding should report it immediately to the Chief Executive Officer or a With Kids Designated Child Protection Officer (DCPO). If the staff member does not feel comfortable reporting to the Chief Executive Officer or DCPO (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report their concern to an independent designated board member –

Contact details can be found Appendix 2.

Response

With Kids will follow up child protection / safeguarding reports and concerns according to policy and procedure, and legal and statutory obligations (**See Child Protection Procedures**).

With Kids will apply appropriate disciplinary measures to staff found in breach of policy. The police will be contacted immediately if there is belief that a crime has been committed.

With Kids will offer support to survivors of harm caused by staff or associated personnel, regardless of whether a formal internal response is carried out (such as an internal investigation). Decisions regarding support will be led by the survivor.

Training, Support and Supervision

With Kids recognises that the area of child protection and child protection / safeguarding can be emotive, and will offer training and support to its staff in dealing with these issues.

a) Mandatory training:

Training on the Child Protection and Safeguarding Policy and Child Protection (Safeguarding) Procedures will be given at induction for all staff and volunteers. Training on Child Protection will be provided to all staff annually.

b) Enhanced training:

Enhanced training will be provided, as necessary, for those working directly with children, young people and vulnerable adults.

c) Managerial support and clinical supervision:

Line management and clinical supervision support will be given to all staff dealing with the complexities that arise from working directly with children and vulnerable adults at risk. This will include:

- Time to debrief and discuss the issues with your manager.
- Support and protection under the organisation's Disclosure of Malpractice in the Workplace (Whistle-blower) policy
- Support and protection in the event of any retaliatory action from an abuser harassing a member of staff or volunteer or acting aggressively as a result of their alleged abuse being uncovered.
- Acknowledging staff member's concerns and suspicions of abuse; giving them time to discuss and feel comfortable. Ensuring effective implementation of agreed reporting procedures.

- By feeding back what actions have been taken in the light of a report being made -bearing in mind the obligation to confidentiality in issues of child protection.

Board of Trustees

Trustees have a legal duty to take reasonable steps within their power to ensure that children and young people that come in contact with the charity are safeguarded from harm.

The Trustees delegate the responsibility and day-to-day implementation of Child Protection (Safeguarding) Procedures to the Chief Executive Officer. One member of the Board will take the role of 'Child Protection / Safeguarding Officer' and support the Chief Executive Officer in this role.

Designated Person

The designated person for all Child Protection issues will be the Chief Executive Officer (CEO) of With Kids, the Glasgow Clinical Manager, the Glasgow Depute Clinical Manager and the Edinburgh Clinical Manager. They will be clearly identified to all staff members and volunteers.

A designated person will always be available during work hours. They will have responsibility to act as a resource to any member of staff or volunteer who has child protection / safeguarding concerns. The designated child protection officer's information and photographs should be on display in public areas of With Kids' premises. **Contact details are in Appendix 2.**

Confidentiality

It is essential that confidentiality is maintained at all stages of the process when dealing with child protection / safeguarding concerns. Information relating to the concern and subsequent case management should be shared on a need to know basis only, and should be kept secure at all times.

Sharing information

Sharing relevant information is an essential part of protecting children from harm. All staff, volunteers and trustees at With Kids should all understand when and how they may share information. Practitioners must be supported and guided in working within and applying the law through organisational procedures and supervisory processes. Within data protection guidelines the information systems at With Kids should provide an effective framework for lawful, fair and transparent information sharing. Where appropriate, data sharing agreements must be in place.

Where there is a child protection concern, relevant information should be shared with police or social work without delay, provided it is **judged necessary, proportionate and lawful to do so**. The lawful basis for sharing information should be identified and recorded.

Summary of lawful bases for sharing personal information

Public interest or public task - Necessary for performance of a task carried out in the public interest, which is laid down by law, or in the exercise of an official authority, for example, a public body's tasks, functions, duties or powers.

Vital interests- Necessary to protect someone's life or, for example, if a child is deemed to be at risk of significant harm.

Legal obligation Necessary to comply with a common law or statutory obligation.

Consent -Unlikely to be an appropriate basis for sharing information about a child protection concern, as outlined above in this section.

Contract –When necessary, in performance of a contract entered in to by an individual and therefore unlikely to be relevant in this context.

For more information- <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/>

Where there is a possible child protection concern and a decision is **made not to share information**, consider:

- what are the reasons for deciding not to share information?
- what harm could result if this information is not shared?
- what are the possible risks for the child or young person or for others if information is not shared and how serious could those risks be?
- Reasons for not sharing should be recorded on the cause for concern form

Monitoring and Evaluation

The CEO will monitor all child protection / safeguarding incident reports to ensure that appropriate action has been taken.

The CEO will present an annual report to the Board of Trustees assessing the effectiveness of the policy and recommending whether additional actions are required at an organisational level to make it more effective.

Links to Other With Kids Policies & Procedures

All staff and volunteers need to be mindful and aware of other policies and procedures within With Kids that support their work and contribute to child protection / safeguarding children and adults at risk.

Associated policies and procedures

- Child Protection (Safeguarding) Procedures
- Recruitment Policy
- Code of Conduct
- Anti Bullying and Harassment policy
- Disclosure of Malpractice in the Workplace (Whistle-blower) policy
- Complaints Policy

Professional bodies

Our therapeutic staff are also registered with the relevant professional body and follow their codes of practice.

Play Therapists: Ethical Basis for Good Practice

- <https://www.bapt.info/play-therapy/ethical-basis-good-practice-play-therapy/>

Art, Speech and Language Therapists: Standards of Proficiency

- <https://www.hcpc-uk.org/standards/standards-of-proficiency/>

BACP – British Association for counselling and psychotherapy

- <https://www.bacp.co.uk/events-and-resources/ethics-and-standards/ethical-framework-for-the-counselling-professions/>

PTUK – Play Therapy UK

- <https://playtherapy.org.uk/ptuk-ethical-framework-and-guidelines/>

Appendix 1 – Definitions

Definition of a child:

The policy and procedures apply to all children and young people up to the age of 16 years, including unborn babies. Within the document the terms “children” or “child” refer to all children and young people up to the age of 16 years.

The fact that a child has become sixteen years of age, is living independently or is in further education, is in the armed forces, in hospital, or in prison or a young offender’s institution, does not change their status or their entitlement to services or their protection under the Children Act 1989.

Definitions of Adult at Risk:

When a young person reaches the age of 16 the responsibility for their well-being may transfer to adult service providers. Although they cease to be subject of the Safeguarding Children Procedures, some adults may continue to be vulnerable.

An “Adult at Risk” is defined as any person aged 16 years and over who:

- are unable to safeguard their own well-being, property, rights or other interests; and
- are at risk of harm; and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

Definitions of abuse:

Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children may be maltreated at home; within a family or peer network; in care placements; institutions or community settings; and in the online and digital environment. Those responsible may be previously unknown or familiar, or in positions of trust. They may be family members. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol and drug use.

Physical abuse:

Physical abuse may involve hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child or adult at risk. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child or adult at risk.

There may be some variation in family, community or cultural attitudes to parenting, for example, in relation to reasonable discipline. Cultural sensitivity must not deflect practitioners from a focus on a child's essential needs for care and protection from harm, or a focus on the need of a family for support to reduce stress and associated risk

Emotional / Psychological Abuse:

Emotional or psychological abuse is the persistent emotional maltreatment of another person such as to cause severe and persistent adverse effects on the person's emotional development. It may involve conveying to another person that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving another person opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the the abuse of another (in accordance with the Domestic Abuse (Scotland) Act 2018)

It may involve serious bullying (including cyber-bullying) causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child or adult at risk, though it may occur alone.

Neglect:

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

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

Sexual Abuse:

Child sexual abuse (CSA) is an act that involves a child under 16 years of age in any activity for the sexual gratification of another person, whether or not it is claimed that the child either consented or assented. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse as can other children.

For those who may be victims of sexual offences aged 16-17, child protection procedures should be considered. These procedures must be applied when there is concern about the sexual exploitation or trafficking of a child.

The CSA may involve:

- physical contact, including penetrative or non-penetrative acts.
- non-contact activities, such as involving children in looking at or in the production of indecent images
- in watching sexual activities, using sexual language towards a child, or encouraging children to behave in sexually inappropriate ways.

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a person under 18 into sexual activity in exchange for something the victim needs or wants, and/or for the financial

advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact. It can also occur through the use of technology. Children who are trafficked across borders or within the UK may be at particular risk of sexual abuse

Criminal exploitation:

Criminal exploitation refers to the action of an individual or group using an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity in exchange for something the victim needs or wants, or for the financial or other advantage of the perpetrator or facilitator. Violence or the threat of violence may feature.

The victim may have been criminally exploited, even if the activity appears consensual. Child criminal exploitation may involve physical contact and may also occur through the use of technology.

It may involve gangs and organised criminal networks. Sale of illegal drugs may be a feature. Children and vulnerable adults may be exploited to move and store drugs and money. Coercion, intimidation, violence (including sexual violence) and weapons may be involved.

Child trafficking:

Child trafficking involves the recruitment, transportation, transfer, harbouring or receipt, exchange or transfer of control of a child under the age of 18 years for the purposes of exploitation. Transfer or movement can be within an area and does not have to be across borders. Examples of and reasons for trafficking can include sexual, criminal and financial exploitation, forced labour, removal of organs, illegal adoption, and forced or illegal marriage

Female genital mutilation:

This extreme form of physical, sexual and emotional assault upon girls and women involves partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. Such procedures are usually conducted on children and are a criminal offence

in Scotland. FGM can be fatal and is associated with long-term physical and emotional harm.

Forced marriage:

A forced marriage is a marriage conducted without the full and free consent of both parties and where duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional abuse. Forced marriage is both a child protection and adult protection matter. Child protection processes will be considered up to the age of 18. Forced marriage may be a risk alongside other forms of so called 'honour-based' abuse (HBA). HBA includes practices used to control behaviour within families, communities, or other social groups, to protect perceived cultural and religious beliefs and/or 'honour'

For more in depth look at abuse categories please refer to The National Guidance for Child Protection, Part four – specific needs and concerns.

Appendix 2 – Contact Details

Chief Executive Officer, Gwen Galbraith (Available Mon – Fri)

Phone numbers: 0141 550 5770 / 07761 690 999

Email: g.galbraith@withkids.org.uk

Glasgow Clinical Manager, Lindsay Paterson (Available Mon- Fri term time only)

Phone Numbers: 0141 550 5770 / 07985 566 654

Email: l.paterson@withkids.org.uk

Glasgow Clinical Manager, Claire Brown (Available Mon – Fri) *Please note I'm based in a school on Tuesday and have limited time to respond to emails. I will get back to you as soon as possible.

Phone Numbers: 0141 550 5770 / 07534 158 790

Email: c.brown@withkids.org.uk

Glasgow Clinical Manager – Hannah Ireland

Phone Numbers 0141 550 5770 / 07949 995 794

Email: h.ireland@withkids.org.uk

Edinburgh Clinical Manager, Lisa Bywater (Available- Mon to Friday)

*Please note I'm based in a school on Wednesdays and have limited time to respond to emails. I will get back to you as soon as possible.

Phone numbers: 0131 453 9400 / 07539 957703

Email: l.bywater@withkids.org.uk

The Board member nominated to act as the 'Child Protection / Safeguarding Officer' is as follows:

Board member, Pauline Craig

Phone numbers: 07793 219 860

Email: paulinecraig@fastmail.fm