

SCOTTISH REGISTER OF LANGUAGE PROFESSIONALS WITH THE DEAF COMMUNITY

SRLPDC

Child and Adult Protection Guidelines

British Sign Language/English interpreters and associated language professionals work extensively throughout the Deaf community in Scotland, currently serving a population of an estimated 13,000 sign language users. These practitioners and their supporting staff endeavour to reduce inequality and enable access for Deaf people seeking information and services. They work in settings such as employment, health, education, leisure, the courts and many more. This places them, and others operating under the auspices of SRLPDC, in a unique position in the lives of those taking part. There may come a time when a child or adult feels the need to confide in an interpreter or a language professional, or when someone working with a child or an adult who may be 'at risk' feels that all is not well in that person's life.

We believe that every child and vulnerable adult, regardless of age or ability, has, at all times and in all situations, a right to feel safe and protected from any situation or practice that places or may place them at risk of harm, both psychologically or physically. If any interpreter, language professional, staff member or volunteer working under the auspices of SRLPDC has suspicions about a person's physical or emotional well-being, they must take immediate action.

All practitioners, staff and volunteers are required to share concerns with their line manager (where appropriate) in the first instance. In the absence of a line manager, they should contact SRLPDC's Designated Person, in this case the Chair of the Board of Trustees for signposting.

Where concerns are raised about the Designated Person, these should be passed directly to Police Scotland.

If the Designated Person is not available or likely to become available that day, then child and adult protection concerns should be referred to Social Services - there is usually an out of hours service for evenings/ weekends and/or police. Practitioners, staff and volunteers are not asked to assess the level of harm or likelihood of immediate harm – this will be done through assessment of the situation by their line manager (where appropriate) or the Designated Person in discussion with Police or Social Services.

If concerns are more general about a person's welfare and not protection issues, then the practitioner/ staff member/ volunteer will discuss these with their line manager (where appropriate) or SRLPDC's Designated Person, who would then make a referral to an appropriate professional for assessment of the person's needs. SRLPDC recognises that it has a duty to make sure that practitioners, staff and volunteers are given the information, knowledge and backup (including professional training) that will help them to give the support, guidance and help needed when they believe that someone is being harmed or at risk of harm.

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Child Protection

The United Nations Convention on the Rights of the Child (1989) states that each child has the right to protection from all forms of abuse, neglect or exploitation. It also states that children have the right to express their views on any issues or decisions affecting them and to have those views taken into consideration.

The Children (Scotland) Act 1995 put these rights into Scottish law and placed a duty on anyone aged 16 or over, who has care and control of a child, to do all that is reasonable in the circumstances to safeguard a child's health, development and welfare.

'The welfare of the child is paramount' – In other words, the safety and wellbeing of children must come before anything else. In line with this, sharing information and taking other steps to make sure that children are protected should come before dealing with any other concerns.

Definitions:

The term 'child' in Scotland often means those below the age of 16, although the general definition in the Children (Scotland) Act 1995 and the Protection of Children (Scotland) Act 2003 is those below the age of 18.

"Child protection" means protecting a child from child abuse or neglect. Abuse or neglect need not have taken place; it is sufficient for a risk assessment to have identified a *likelihood* or *risk* of significant harm from abuse or neglect.

<http://www.scotland.gov.uk/Resource/Doc/334290/0109279.pdf>

Adult Protection

The Adult Support and Protection (Scotland) Act 2007 makes provision to protect adults who are unable to safeguard their own interests, such as those affected by disability, physical or mental infirmity and who are at risk of harm or self-harm, including neglect. Section 13 of the 2007 Act recognises that a wide range of voluntary and private organisations, such as SRLPDC, work with vulnerable adults and while these organisations do not have specific legal duties or powers under the Act, as care and service providers they do have a responsibility to involve themselves with the Act.

Definitions:

Section 3 of the Adult Support and Protection (Scotland) Act 2007 defines an **adult at risk of harm** as an adult who:

- is unable to safeguard his/her own well-being, property rights or other interests; **and**
- is at risk of harm; **and**
- because affected by disability, mental disorder, illness or physical or mental infirmity is more vulnerable to being harmed than an adult who is not so affected.

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All 3 of the conditions above must be met in order for an adult to be defined as an adult 'at risk of harm'.

However, it is important to note that an adult may have a disability or illness but still able to keep themselves and their property safe.

The Act says that an adult is at risk of harm if:

- another person's conduct is causing (or is likely to cause) the adult to be harmed; **or**
- the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

Definitions of Abuse:

There are different types of abuse, some examples are:

- **physical injury** – being hit, kicked, punched
- **physical neglect** – not being properly fed, clothed, cared for or poor hygiene
- **sexual abuse** – inappropriate sexual behaviour or language by an adult towards a child or vulnerable adult
- **emotional abuse** – constantly criticised, ignored, humiliated

The person at risk may:

- have unexplained bruising or bruising in an unusual place
- appear afraid, quiet or withdrawn
- be afraid to go home or return to a service
- appear hungry, tired or unkempt
- be left unattended or unsupported
- have too much responsibility for their age/ability
- be acting out in a sexually inappropriate way
- be misusing drugs or alcohol

Procedure if a child/vulnerable adult discloses abuse

It is important that all interpreters and staff communicate concerns accurately. To this end, interpreters and staff will follow the procedures below:

If a child or vulnerable adult tells you something has happened:

Do

- stay calm and explain you cannot guarantee confidentiality
- listen to the child/ vulnerable adult
- keep any questions to a minimum and if necessary use open questions such as what happened? When did it happen? Where did it happen? Who was there? Never ask why they thought it happened or use closed questions like did he hit you?
- reassure them they were right to tell
- tell the person what you're going to do next
- record in the person's own words what has been said

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- act promptly and immediately report to your line manager (where appropriate) or Designated Person at SRLPDC

Don't

- ask too many questions
- make any false promises (including confidentiality)
- express shock or anger at what is being said to you
- elaborate on what the person is saying to you - just record and report
- delay listening to the person or passing on your concerns
- carry out an investigation into the allegation

The practitioner/ staff member/ volunteer's responsibility in this situation is to observe, record and report their concerns immediately to their line manager (where appropriate) or SRLPDC's Designated Person. The concern should be signed and dated by the recipient of the disclosure.

Interaction with Vulnerable Service Users – A Code of Practice

The following principles should be adopted by all interpreters and staff:

- Do not rely on your "good name" to protect you.
- Do not believe "it could never happen to me".
- Treat everyone with respect.
- All physical contact with vulnerable service users should be kept to a minimum and should happen only within the context of supporting their well-being.
- A situation may occur whereby you are alone with a vulnerable service user. In these circumstances, try to ensure that others are within earshot (where appropriate) and preferably within vision. Never have the door locked. Where possible maintain and respect personal space by having a gap.
- If a vulnerable service user makes a complaint directly to you about your own conduct, under no circumstances should you attempt to question them further but the information must be passed immediately to either your line manager (where appropriate) or the SRLPDC Designated Person.
- If you suspect that a vulnerable service user is becoming inappropriate, over familiar or too fond of you, you must share your concerns with either your line manager (where appropriate) or the SRLPDC Designated Person.
- From time to time, personal circumstances may arise which adversely affect your professional relationships (e.g. bereavement, health or relationship breakdown). Should this be the case, you are advised to seek advice and support from either your line manager (where appropriate) or the SRLPDC Designated Person.
- It is acknowledged that practitioners may come across sensitive information in the course of their work – they are reminded that they are expected to keep confidential any information pertaining to, or arising from, an assignment. However, there may be circumstances where disclosure is acceptable, such as where failure to do so could result in prosecution, or if required to do so by law to protect the welfare of an individual or the community at large.

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Allegations of Abuse against practitioners/staff members/ volunteers – Procedures

In the event that an allegation of abuse is made against a practitioner/ staff member/ volunteer operating under the auspices of SRLPDC , all colleagues have an absolute responsibility to follow SRLPDC's Child and Adult Protection Guidelines and inform SRLPDC's Designated Person immediately. They will in turn inform the relevant authorities. Similarly, anyone observing another colleague behaving in an abusive way must report that matter immediately to SRLPDC's Designated Person.

The Designated Person and the Board of Trustees then have responsibility to pass all information on to the appropriate authorities for advice and a decision about action to be taken.

Photographing, videoing and filming

As BSL is a visual language, film is rapidly becoming the first and preferred mode of electronic communication for Deaf people. Publications, websites and social media are increasingly recognised as pivotal to providing the Deaf community with information and guidance as well as providing a valid source of social interaction. However, there is evidence that some people have used activities as an opportunity to take inappropriate photographs or film footage. Some children and protected adults may also be subject to statutory protection measures – to reveal their whereabouts may place them at risk.

The following measures are recommended as good practice:

- Consent will always be obtained from the parent/carer of any child/any adult whose picture may be taken or used and, in the case of adults who lack capacity to consent, the guardian.
- Anyone wishing to photograph or film children/adults who lack capacity to consent must obtain permission from the Designated Person for SRLPDC.
- No unsupervised access or one-to-one sessions will be permitted unless this is absolutely necessary and has been approved in advance by the child, parent/adult, guardian and Designated Person.
- SRLPDC reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- People are made aware where they can report concerns about the use of photographs and films, i.e. the Designated Person for SRLPDC and/or the Police.
- The use of personal equipment to capture digital images is prohibited, including mobile phones, tablets, iPads, cameras or digital camera.

Publications, Websites and Social Media

- SRLPDC will always obtain consent before displaying pictures or information either in

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- publications or on their website/ social media.
- SRLPDC strives never to include personal information in any publication or on their website/through social media that could identify a child/adult or place them at risk e.g. full name, home address, e-mail address, telephone number, dates, place and times activities take place.
 - The retention of photographs or video will be as per data storage guidance and only used for the purpose it was taken.

SRLPDC Designated Person: Mags Greig, Chair of the Board of Trustees
07869 489 833

Further Advice and Guidance;

Child Protection Guidance:

<http://www.glasgow.gov.uk/CHttpHandler.ashx?id=5954&p=0>

Adult Protection Guidance:

<http://www.glasgow.gov.uk/CHttpHandler.ashx?id=4090&p=0>

Scottish Government Adult Protection information:

<http://www.legislation.gov.uk/asp/2003/13/contents>

<http://www.legislation.gov.uk/asp/2000/4/contents>

<http://www.actagainstharm.org/>

<http://www.legislation.gov.uk/asp/2007/10/contents>

Scottish Government Child Protection information:

