

# Children & Vulnerable Adult Protection Policies

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*Kongolese Centre for Information & Advice*  
Caring for the Community

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**KONGOLESE CENTRE**  
for Information & Advice

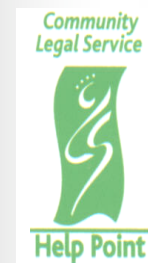
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Principal Office:  
Bangladesh Centre  
19 Samford Street  
London NW8 8ER

Tel: 020 38445858  
Fax: 020 89645351  
[Kongolesecentre@hotmail.com](mailto:Kongolesecentre@hotmail.com)  
[www.KCIA.org.uk](http://www.KCIA.org.uk)

## SAFE GUARDING POLICY

- IMMIGRATION
- HEALTH
- EDUCATION
- CHILDCARE
- FAMILY MATTER
- WELFARE BENEFITS
- EMPLOYMENT
- HOUSING



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K.C.I.A is a Charitable Organisation registered under Charity No. 1090079



## CHILD AND VULNERABLE ADULT PROTECTION POLICY

### 1. Introduction

1.1 This policy is based on our responsibilities under the Children Act 2004, specifically Section 11 which places a duty on key people and public bodies, including district councils, to make arrangements to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children and vulnerable adults.

1.2 The Policy also incorporates guidance from the **Kongolese Centre for Information & Advice (KCIA)** Code of Practice for the Protection of Vulnerable Adults from Abuse.

### 2. KCIA's Policy commitment

2.1 KCIA believes that all children, young people and vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse. The organisation is committed to safeguarding from harm all children, young people and vulnerable adults using any of its services and involved in any of its activities, and to treat them with respect during their dealings with the Centre.

### 3. Aim of the Policy

3.1 The aims of the policy are to:

- Clarify the roles and responsibilities of all parties within scope of the policy
- Support the promotion of a safe working environment and a culture of care in which the rights of all children, young people and vulnerable adults are protected and respected
- Promote best practice in how employees and associated workers interact with children, young people and vulnerable adults while providing Welfare services.
- Develop clear guidance and procedures for those employees working with children, young people and vulnerable adults and ensure through training and support that they are aware of these and able to implement them
- Provide a framework for developing partnerships with appropriate external bodies e.g. Westminster City Council Children Board, to ensure that the policy continues to reflect legal and best practice requirements in respect of the responsibility of care of children, young people and vulnerable adults

### 4. Scope of the Policy

4.1 The policy is in respect of the KCIA's responsibility towards:

- Children and young people, legally defined as any person under the age of 18. From this point the terms child or children will be used to refer to this group.

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- Vulnerable adults defined, for the purposes of this policy, as anyone who because of a disability or illness may be in need of community care services and who may be unable to take care of themselves or protect themselves from significant harm or exploitation.
- The employees of the organisation who have dealings with children, young people and vulnerable adults and who are required to act in a position of trust and to act responsibly and within the law.
- The employees and Members of the organisation who, while not required to act in a position of trust, will come into contact with members of these groups on a regular basis during the course of their work.
- Volunteers and other workers involved in the provision of organisation's services but not employed by the Centre, including workers in organisations with whom the Kongolese Centre has contracts for the delivery of services.

4.2 It covers all the functions and services of the Kongolese Centre, its elected members, staff and contractors.

4.3 The policy does not cover health and safety issues related to safeguarding children such as use of play equipment or provision of food at events. Separate guidance on this and appropriate behaviours when dealing with children and vulnerable adults which has been developed for Sport and Leisure should be read in conjunction with this policy.

4.4 This policy should also be used in conjunction with:

- Disciplinary Procedure, Grievance Procedure and Whistle Blowing Policy
- Data Protection Policy
- IT Acceptable Use Policy
- Equalities Policy
- Corporate Complaints procedure
- Harassment and Bullying Policy
- Health & Safety at Work guidance

## 5. Review

5.1 This policy and the guidance will be reviewed annually or whenever there is a change in the related legislation or when an incident occurs. This will help us ensure that these documents are up to date and fit for purpose.

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## 6. Guidance for Staff and Members

### What is abuse?

A person may abuse a child or vulnerable adult by inflicting harm, or by failing to act to prevent harm. Children and vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger.

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm, including by fabricating the symptoms of, or deliberately causing, ill health.

**Emotional abuse** is the persistent emotional ill-treatment of a child or vulnerable adult such as to cause severe and persistent adverse effects on the victim's emotional development or self-esteem. It may involve conveying to the victim that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may involve age or developmentally inappropriate expectations being imposed, causing the victim frequently to feel frightened, or the exploitation or corruption of children or vulnerable adults. It may involve deprivation of contact, control, coercion, intimidation or harassment.

**Sexual abuse** involves forcing or enticing a child or vulnerable adult to take part in sexual activities, whether or not the victim is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving the victim in looking at, or in the production of, pornographic material, or encouraging them to behave in sexually inappropriate ways.

**Neglect** is the persistent failure to meet a child's or vulnerable adult's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to basic emotional needs.<sup>1</sup>  
In vulnerable adults this may appear to be as a result of self-neglect but still requires action.

**Financial abuse** is particularly relevant to vulnerable adults and may include theft, fraud, exploitation and pressure in connection with wills, property or inheritance or financial transactions. It may include the misuse or misappropriation of property, possessions or benefits by someone who has been trusted to handle their finances or who has assumed control of their finances by default.

### Who is responsible for protecting children and vulnerable adults?

Responsibility for the implementation of this policy lies at all levels of the Kongolese Centre for Information & Advice (KCIA).

KCIA Members, Trustees and Staffs are responsible for ensuring that the organisation has a policy, which adequately provides protection for children and vulnerable adults in receipt of its services and

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for the regular review of this policy in the light of changes to legislation e.g. Data Protection Act, or new legislation or regulation.

Where the guidance states the employees should report any concerns to their Head of Service, Members should report any concerns to the Project Coordinator and to the Designated Officer (**Anamarie Espaine**).

Heads of Service are responsible for:

- Identifying those services and posts that are likely to have an involvement with children and vulnerable adults.
- Ensuring that those people appointed by them to the Kongolese Centre, whose normal duties involve caring for, training, supervising or being in sole charge of children or vulnerable adults are screened via the Disclosure and Barring Service (**DBS**) process at the appropriate level and are appropriately qualified and/or trained in working with these groups.
- Ensuring that all necessary procedures and practices are in place to provide adequate protection both for the individuals in these groups but also protection for the employees involved with them.
- Ensuring that employees, volunteers and other workers dealing with these groups are adequately trained and aware of their responsibilities in this area.
- Ensuring that external contractors delivering KCIA Services are aware of the Centre's expectation that workers are aware of and abide by the standards of behaviour expected of Kongolese Centre's employees.
- Ensuring that carers and/or parents of the children and vulnerable adults are aware that, in providing services, KCIA's employees are not acting in loco parentis.
- Ensuring that this policy is made available to carers and/or parents of the children and vulnerable adults to whom the Centre is providing services.
- Ensuring that any evidence or complaint of abuse or lack of care is reported to the appropriate body e.g. Westminster Social Services Child Protection or Adult Protection Referral Co-ordinator, Westminster Safeguarding Children Board or the Police, and to Human Resources where members of staff are involved.
- Ensuring that employees and others do not work with children or vulnerable adults without a **DBS** check unless accompanied at all times by an employee who has received a clear check.
- Ensuring that proper records are kept of any incidents occurring within their service and that these are held securely and/or passed on to Human Resources if the incident involves a member of staff.

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- Working with other associated agencies to ensure the proper transfer of information relating to dealings with children and vulnerable adults, where necessary.

Human Resources Service are responsible for:

- Working with Heads of Service in maintaining a record of those posts that are likely to work with children and vulnerable adults and identifying the level of involvement and the appropriate level of screening required.
- Ensuring that recruitment procedures are robust and that information pertinent to working with these groups is obtained during the recruitment procedure.
- Ensuring that all **DBS** police checks are carried out at the level required in respect of every job identified as working with children and vulnerable adults.
- Supporting Heads of Service in dealing with allegations of abuse or lack of care by staff.

Employees:

All employees and particularly those working with children and vulnerable adults are responsible for:

- Ensuring that they are familiar with and understand the policies and procedures relating to their work with or in the vicinity of children and vulnerable adults.
- Ensuring that they feel confident in working within this environment and working with their managers to ensure that they have the knowledge and skills to carry out their tasks in this context.
- Treating all those children and vulnerable adults with whom they come into contact while carrying out their work equally and with respect.
- Reporting to their line manager any concerns they may have about abuse or a lack of care of children and vulnerable adults either from other staff, from carers, parents or those in loco parentis or between members of the group.

Volunteers, contractors and other workers are responsible for:

- Working with employees of the Centre, to the same standard, in ensuring the safety and well-being of children and vulnerable adults within their scope.
- Participating in any training or development opportunities offered to them to improve their knowledge of skills in this area.

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## What do I do if I think a child or vulnerable adult is in danger?

If you think a child or vulnerable adult is in immediate danger or a crime has been committed then always contact the police on 999. Report your action to your Head of Service afterwards (Heads of Service should report to Project Coordinator/Directors).

Otherwise discuss your concerns with your Head of Service. If you still have concerns, contact Westminster Social Services **Child Protection Referral and Threshold Consultation Services on 0207 7386961/ 7388725** or **Adult Protection on 0207 7382339** as soon as possible.

If your Head of Service does not agree with you that anything further needs to be done but you still have strong concerns that a child or vulnerable adult is in danger you should still contact Social Services.

Kongolese Centre for Information & Advice believes that all children and vulnerable adults have the right to be safe, happy and healthy and deserve protection from abuse and will fully support and protect anyone, who in good faith, reports a concern about abuse.

## What do I do if a child or vulnerable adult discloses to me that they are being abused?

### Do:

- Stay calm.
- Listen carefully
- Find an appropriate, early opportunity to explain that it is likely that the information will need to be shared.
- Allow the victim to continue at their own pace
- Ask questions for clarification only and at all times avoid asking questions that suggest a particular answer.
- Reassure the victim that they have done nothing wrong in telling you
- Tell them what you will do next and with whom the information will be shared
- Record in writing what was said using the victim's own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure the record is signed and dated.
- Relay this information as soon as possible to the Head of Service and/or Human Resources if the incident involves a member of staff.

### Do not:

- Dismiss the concern
- Panic
- Allow your shock or distaste to show
- Probe for more information than is offered
- Make promises you cannot keep: such as agreeing not to tell someone else, keeping secrets
- Speculate or make assumptions
- Approach or contact the alleged abuser

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- Make negative comments about the accused person
- Pass on the information to anyone other than those with a legitimate “need to know” such as the Head of Service

Remember that you are not responsible for deciding whether or not abuse has occurred. This is the task of the police and child or adult protection agencies following referral to them.

### **What do I do if I have suspicions that a colleague may be abusing a child or vulnerable adult, or not following good practice?**

Any member of staff who suspects that a colleague may be abusing children or vulnerable adults should act on their suspicions. Action should also be taken if it is felt that colleagues are not following the Kongolese Centre codes of conduct for dealing children and vulnerable adults. This action will serve not only to protect children and vulnerable adults, but also colleagues from false accusations

- Write down the details of the incident following the guidelines in the section on recording set out in these procedures.
- Pass this report to your Head of Service and/or Human Resources at the earliest opportunity.
- The manager should then take appropriate action to ensure the safety of the child or vulnerable adult and any other people who may be at risk.
- The matter should then be discussed with Human Resources, who will then consider whether the matter is an issue relating to poor practice, or to abuse.
- If the matter relates to poor practice, procedures relating to misconduct should be followed. If the matter relates to abuse the matter should be referred to Social Services who may involve the Police, and the employee must be suspended pending the outcome of an investigation into the allegations (carried out by social services).

Kongolese Centre for Information & Advice acknowledges that this is an extremely sensitive issue for staff and assures all staff and persons working on its behalf that it will fully support and protect anyone, who in good faith, reports a concern that a colleague is, or may be, abusing a child or vulnerable adult.

### **Should I tell the parents/carers of the child or vulnerable adult about my concerns?**

There is always a commitment to work in partnership with parents/carers where there are concerns about their children or adults in their care and in most circumstances it would be important to talk to parents/carers to clarify any initial concerns. For example if a child or vulnerable adult seemed withdrawn, there may be a reasonable explanation; they may have experienced an upset in the family.



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**BUT** if you are suspicious that the parents or carer may be the abuser or you believe that the parent/carer may not be able to respond appropriately to the situation, speaking to them regarding the matter might place the child or vulnerable adult at greater risk. You should report the suspicion to your Head of Service and advice must be sought from Social Services with respect to consulting parents/carers.

## **What information should I record?**

In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

As far as possible an accurate note should be made of:

- The date and time of the incident and disclosure
- The parties who were involved
- What was said and done by whom
- Description of any visible injuries or bruising
- Any further action taken by Kongolese Centre to investigate the matter
- Any further action e.g. the suspension of a worker
- Where relevant, reasons why there was no referral to a statutory agency.
- The full name of the person/s reporting and to who reported.

The report should be stored securely and shared only with those who need to know. All referrals made to Social Services or the Police, should be confirmed in writing and followed up with a copy of the incident report within 24hrs. Social Services should acknowledge your written referral within one working day of receiving it so if you have not heard back within 3 working days, contact Social Services again.

You should also record the Social Services member of staff to whom concerns were passed and the date and time of the call and subsequent letters sent.

These procedures not only serve to protect children but also protect employees, volunteers and the council itself.

## **What do I do if I am asked for information by another organisation?**

### **If the information relates to a child:**

The legal principle that 'the welfare of the child is paramount' means that the considerations of confidentiality that might apply to other situations within the organisation should not be allowed to override the right of the child to be protected from harm.

However every effort should be made to ensure that confidentiality is maintained for all concerned both when the allegation is made and whilst it is being investigated.

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Kongolese Centre for Information & Advice has a duty to share information with other agencies if requested in connection with an assessment of a child's needs under s17 of the Children Act 1989 or an enquiry under s47 of that Act or in connection with court proceedings.

Although the Data Protection Act 1998, Human Rights Act 1998 or common law duty of confidence would need to be considered the welfare of the child would normally override the need to keep the information confidential.

If you have any concerns contact the Policy Unit on 5257 (Monday to Wednesday) or 5875 who will be able to advise you.

### **If the information relates to a vulnerable adult:**

The same principle as for child protection applies, that the safety and wellbeing of the vulnerable adult overrides considerations of confidentiality.

At present, the legal framework surrounding adult abuse is fragmented and there is no single duty to for us to provide information as there is in child protection cases. Nevertheless the organization adheres to the Westminster Social Services lead Multi-Agency Code of Practice for the Protection of Vulnerable Adults which is itself based on No Secrets, the Department of Health guidance.

### **Where can I find more information?**

Westminster Council Social Services can provide broad advice. It doesn't have to be related to a particular case.

#### Children and Young People

If you want advice on whether or not a case may need social care involvement, and do not want to disclose an individual's name or details, you can contact the Referral and Threshold consultation service on 0207 738 6961 or 7388725.

To make a formal referral, contact the Assessment Team on 0207 7384444.

Adult Protection - Ring the helpdesk on 0207 7382339 or see their website at <http://www.westminster.gov.uk/adult-protection#team> which includes more detailed guidance.

The NSPCC website provides advice on keeping children safe. Go to [www.nspcc.org.uk](http://www.nspcc.org.uk).

[www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk) is the Government website that provides information on the legislation and the wider issues of child welfare.

The Department of Health website has information on vulnerable adults

<http://www.dh.gov.uk/PolicyAndGuidance/HealthAndSocialCareTopics/SocialCare/POVA/fs/en>

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### INCIDENT RECORD FORM

<b>Organisation's Name:</b>
<b>Full Name:</b>
<b>Position:</b>
<b>Reference (if applicable):</b>
<b>Line Manager:</b>
<i>CHILD'S DETAILS</i>
<b>Child's Full Name:</b>
<b>Child's Address:</b>
<b>Parents/Cares' Name &amp; Address (if different from the above):</b>
<b>Child's Date of Birth:</b>
<b>Date and Time of the incident:</b>
<b>Location:</b>
<b>Observations:</b>
<b>Child or Staffs Comments (Continue on a separate sheet if necessary):</b>

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<b>Action Taken:</b>	
<b>Action to be taken:</b>	
<i>EXTERNAL AGENCY DETAILS</i>	
<b>Date and Time Contacted (Referred)</b>	
<b>Social Services Yes/ No</b>	<b>If Yes – Which: Name and Contact Number:</b>  <b>Details of Advice Received:</b>
<b>Police: Yes/No</b>	<b>If Yes – Which: Name and Contact Number:</b>  <b>Details of Advice Received:</b>
<b>Sport Governing Bodies: Yes/No</b>	<b>If Yes – Which: Name and Contact Number:</b>  <b>Details of Advice Received:</b>
<b>Local Authority : Yes/No</b>	<b>If Yes – Which: Name and Contact Number:</b>  <b>Details of Advice Received:</b>
<b>Other: Yes/No</b>	<b>If Yes – Which: Name and Contact Number:</b>  <b>Details of Advice Received:</b>

## APPENDIX 1

### Definitions used in this document

Child or children refers to any young person up to and including the age of 18

Vulnerable adult may include anyone who because of a disability or illness may be in need of community care services and who may be unable to take care of themselves or protect themselves from significant harm or exploitation.

### The Legal Framework

#### CHILDREN ACT 2004

**Section 10** requires each organization to make arrangements to promote co-operation between the authority, each of the authority's relevant partners (see the table below) and such other persons or bodies, working with children in the local authority's area, as the authority consider appropriate. The arrangements are to be made with a view to improving the well-being of children in the authority's area - which includes protection from harm or neglect alongside other outcomes. This Section of the Children Act 2004 is the legislative basis for children's trust arrangements.

**Section 11** requires a range of organisations including district councils to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged having regard to the need to safeguard and promote the welfare of children.

**Section 13** requires a range of organizations including district councils to take part in Local Safeguarding Children Boards.

#### CHILDREN ACT 1989

**Section 27** places a specific duty on other local authority services ie those not directly children's services, and health bodies to co-operate in the interests of children in need.

Under **s47**, the same agencies are placed under a similar duty to assist local authorities in carrying out enquiries into whether or not a child is at risk of significant harm.

Under **s17**, Councils with Social Services Responsibilities carry lead responsibility for establishing whether a child is in need and for ensuring services are provided to that child as appropriate.

### Other relevant legislation

#### DATA PROTECTION ACT 1998

The Data Protection Act 1998 regulates the handling of personal data including obtaining, recording, storing and disclosing it. The Act requires that personal data be:

- Obtained and processed fairly and lawfully

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- Processed for limited purposes and not in any manner incompatible with those purposes
- Accurate and relevant
- Held for no longer than necessary
- Kept secure
- Only disclosed if specific conditions set out in the Act are satisfied

If you are making a decision to disclose personal data you must comply with the Act. However, the Act should not be an obstacle if:

- You have particular concerns about the welfare of a child
- You disclose information to social services or to another professional; and
- The disclosure is justified under the common law duty of coincidence

Consent to disclosure is not always necessary under the Data Protection Act. The Act does allow disclosure of information without the consent of the subject in certain circumstances, e.g. where 'sensitive data' such as personal health information, needs to be disclosed to prevent or detect any unlawful act or is necessary for legal proceedings.

### **HOMELESSNESS ACT 2002**

Under **section 12**, housing authorities are required to refer homeless persons with dependent children who are ineligible for homelessness assistance or are intentionally homeless, to social services, as long as the person consents. If homelessness persists, any child in the family could be in need. In such cases, if social services decides the child's needs would be best met by helping the family to obtain accommodation, they can ask the housing authority for reasonable assistance in this and the housing authority must respond.

### **HOUSING ACT 2004**

Part 1 of the Housing Act 2004 gives local authorities powers and duties to take action against bad housing conditions, and introduces a new Housing Health and Safety Rating System under which authorities' environmental health professionals will assess the impact of health and safety hazards in the light of the occupants most vulnerable to them. Examples are damp and mould (to which the most vulnerable age group is children under 14), problems with washing facilities, sanitation and drainage (children under 5) and falls between levels (children under 5). The new system replaces the housing fitness standard and provides an objective way of assessing the seriousness of hazards and identifying the most appropriate remedial action.

### **HUMAN RIGHTS ACT 1998**

Section 6(1) places a duty on all public authorities to act in a way that is compatible with the rights and freedoms of the European Convention of Human Rights that have been incorporated by the 1998 Act. These convention rights include Article 2 - the right to life, Article 3 – "no one shall be subjected to torture or inhumane or degrading treatment or punishment" and Article 8 – "everyone has the right to respect for his private and family life, his home and his correspondence... There shall be no interference by a public authority with exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, protection of health or morals or for the protection of rights and freedom of others".

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## Appointed Child Protection Officer Role

- a) He/She is a designated (appointed) member of staff for child protection who has undertaken relevant training.
- b) He/She must recognise his/her role and responsibility within the organisation's structure and implementation of this particular policy by arranging support and training for other member of staffs.
- c) Ensure that all staff and the governing body knows:
- The name of the designated person and her/his role
  - Their own responsibility for referring child protection concerns in the correct manner
  - Where the Child Protection Procedures documents are located
- d) Ensure that members of staff are aware of the need to be alert to signs of abuse and how to respond to a client or child who may make a disclosure of abuse.
- e) Works with parents to build an understanding of the organisation's responsibility to ensure the welfare of all children. This could be by setting out its obligation in the organisation child protection policy where Parents are made aware of the organisation's child protection policy procedures.
- f) Provides child protection training regularly to all staff
- g) Notifies the local Social Services team, Police and /or the Education Welfare Services

He/she will where possible work in cooperation with other agencies to ensure that the safety and welfare of the children comes first and is paramount to our aims and objectives.

## MAIN CONTACT & DETAILS

### KONGOLESE CENTRE FOR INFORMATION & ADVICE

#### Child Protection Officer

Project Coordinator, Mr Peter Nsumbu

#### Deputy Child Protection Officer

Trustee, Anamarie Espaine

Tel: 02038445858 Fax: 02089645351 Email: kongolesecentre@hotmail.com

### FAMILY RIGHTS GROUP

Offers specialist advice for parents involved in child protection via a free service 1-30pm – 3-30pm Monday to Friday on FREEPHONE 0800 731 1696

### INTERNET WATCH FOUNDATION

([www.iwf.org.uk/hotline/](http://www.iwf.org.uk/hotline/)) acts as a focal point for removing illegal materials from the internet.

### LONDON CHILD PROTECTION COMMITTEE

59 ½ Southwark St. London [lcpc@alg.gov.uk](mailto:lcpc@alg.gov.uk)

### NSPCC

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National child protection help line 0800 800 500 / text phone 0800 056 0566  
Asian child protection help-line 0800 096 7719 provides advice in Punjabi, Hindi, Urdu, Gujarati, Bengali and Sylheti

### **PUBLIC CONCERN AT WORK**

Can give free confidential advice on how to raise a concern about malpractice at work Tel: 020 7404 6609

### **LONDON REFUGE FOR RUNAWAY CHILDREN**

PO Box 3652 London N7 9HY Tel: 020 7700 7541 FREEPHONE 0800 389 2168

### **METROPOLITAN POLICE SERVICE CHILD PORNOGRAPHY INFORMATION LINE**

0808 100 0040, has been established to enable members of the public to pass information to the police about child pornography: Information from persons who wish to remain anonymous may be passed to **CRIME-STOPPERS** on FREEPHONE 0800 555 111

### **OFSTED**

Complaints & Enforcement Help-line, London Regional Centre 0845 601 4772 Child protection Liaison Officer 0207 560 7101  
Police and Ambulance 999

**Parents' Anonymous** 02072638918  
Children's Information Services **02076417929**

**Disclosure and Barring Service (DBS)** 08081094344

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