

Safeguarding and Welfare Requirement: Child Protection

1.2 Safeguarding children and child protection

(Including managing allegations of abuse against a member of staff and our duty to protect children from the risk of radicalisation and FGM)

Policy statement

Our Nursery School will work with children, parents and the community to ensure the rights and safety of children and to give them the very best start in life. Our safeguarding policy is based on the three key commitments of the PLA Safeguarding Children Policy.

Procedures

We carry out the following procedures to ensure we meet the three key commitments of the Alliance Safeguarding Children Policy.

Key commitment 1

We are committed to building a 'culture of safety' in which children are protected from abuse and harm in all areas of our service delivery.

Staff and volunteers

- Our Lead Practitioner who co-ordinates child protection issues is: Kate Pritchard. If Kate is not on site Maggie will stand in.
- We attend relevant LSCB training at least every two years and refresh our knowledge of safeguarding at least annually
- We ensure all staff are trained to understand and follow our safeguarding policies and procedures and have an up-to-date knowledge of them. We ensure that parents are aware of our policies and procedures.
- All staff are alert to potential indicators and signs of abuse and neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported. They receive updates on safeguarding at least annually.
- All staff are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value but can be respectfully sceptical.
- All staff understand the principles of early help (Working together to safeguard children 2015) and are able to identify those children and families who may be in need of early help and enable them to access it.

- All staff understand LSCB thresholds of significant harm and understand how to access services for families who are below the threshold of significant harm
- All staff understand their responsibilities under the GDPR and the circumstances under which they may share information about you and your child with other agencies.
- All staff understand how to escalate their concerns in the event that they feel either the LA and / or the Nursery has not acted adequately to safeguard.
- All staff understand what the Nursery expects of them in terms of their required behaviour and conduct and follow our policies and procedures on positive behaviour, online safety (including the use of mobile phones), whistleblowing and dignity at work.
- Children have a key person to build a relationship with and are supported to articulate any worries, concerns or complaints that they may have in an age appropriate way.
- All staff understand our policy on promoting positive behaviour and follow it in relation to children showing aggression towards other children.
- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within the Nursery School are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Enhanced criminal record and barred lists check and other suitability checks are carried out for staff and volunteers prior to their post being confirmed to ensure that no disqualified person or unsuitable person works at the Nursery or has access to the children.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We record staff qualifications, disclosure reference numbers and date of disclosure.
- We inform staff that they must disclose and convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children whether received before or during their employment with us.
- All staff and volunteers are required to notify us if anyone in their household has any relevant convictions, cautions, court orders, reprimands or warnings or has been barred from, or had registration refused or cancelled in relation to any childcare provision or had had orders made in relation to the care of their children.
- I notify the Disclosure and Barring Service of any person who is dismissed from my employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of children protection concern
- Volunteers are aged 17 years or over and are considered competent and responsible. They receive induction and supervisory meetings and are familiar with our policies and procedures. They do not work unsupervised.
- We have procedures for recording the details of visitors to the Nursery School.
- We take security steps to ensure that we have control over who comes into the Nursery School so that no unauthorised person has unsupervised access to the children.

- Children are only photographed or filmed to record their development or participation in an event organised by us. Parents sign a consent form and have access to any visual images we have taken of their child.
- Any personal information is held securely and in line with data protection requirements.
- We keep a written record of all complaints and concerns including details of how they were responded to.
- We ensure that robust risk assessments are completed and that they are regularly reviewed and updated in line with our health and safety policy.

Key commitment 2

We are committed to responding promptly and appropriately to all incidents or concerns of abuse that may occur and to work with statutory agencies in accordance with the procedures that are set down in 'What to do if you're worried a child is being abused' (HMG 2015) and the Care Act 2014

Responding to suspicions of abuse

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture and that these receive full consideration in relation to child, young person or vulnerable adult protection.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through the things they say (direct or indirect disclosure) or through changes in their appearance, their behaviour, their play, unexplained bruising or marks
- We take into account factors affecting parental capacity, such as social exclusion, domestic violence, parent's drug or alcohol abuse, mental or physical illness or parent's learning disability.
- We are aware that very young children may be vulnerable to radicalisation by others and actively work to build children's resilience to radicalisation by promoting "Fundamental British Values" in our daily provision. (See separate document)
- We are aware of other factors that affect children's vulnerability such as, abuse of disabled children; fabricated or induced illness; child abuse linked to beliefs in spiritual possession; sexual exploitation of children, such as through internet abuse; and female genital mutilation; that may affect, or may have affected, children and young people using our provision.
- If we are concerned that a child has experienced or is at risk of FGM, a Child Protection referral will be made to MASH in accordance with interagency procedures produced by the LSCB (Safeguarding Partnership). In addition, we will follow mandatory reporting duties and report a disclosure or evidence to the police.

- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with.
- Where we believe that a child in our care or that is known to us may be affected by any of these factors we follow the procedure below for reporting child protection concerns.
- Where such evidence is apparent, the child's key person makes a dated record of the details of the concern and discusses what to do with the Nursery School Head who is acting as the 'Lead Practitioner'. The information is stored on the child's personal file.
- We refer concerns to the local authority children's social care department and co-operate fully in any subsequent investigation.

NB In some cases this may mean the police or another agency identified by the Local Safeguarding Children's Board. (Safeguarding Partnership)

- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.
- We use the detailed procedures and reporting format contained in the PLA's publication 'Child Protection Record for use in Early Years Nursery Schools when making a referral to children's social care or other appropriate agencies.

Recording suspicions of abuse and disclosures

- Where a child makes comments to a member of staff that gives cause for concern (disclosure), or there are signs or signals that give cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect that member of staff informs Kate (or Maggie) and
 - listens to the child, offer reassurance and give assurance that action will be taken;
 - does not question the child;
 - makes a written record that forms an objective record of the observation or disclosure that includes:
 - the date and time of the observation or the disclosure;
 - the exact words spoken by the child as far as possible;
 - the name of the person to whom the concern was reported, with date and time; and
 - the names of any other person present at the time.
 - These records are signed and dated and kept in the child's personal file, which is kept securely and confidentially.

- Where the Local Safeguarding Children's Board (Safeguarding Partnership) stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow steps set down by the LSCB.

Making a referral to the local authority social care team

- The PLA's publication 'Safeguarding Children' contains detailed procedures for making a referral to the local children's social care team, as well as a template form for recording concerns and making a referral. This is based on 'What to do if you're worried a child is being abused' (HMG 2015).
- We keep a copy of this document and follow the detailed guidelines given.
- All members of staff are familiar with the Alliance's Safeguarding Children Record and follow the procedures for recording and reporting.

Escalation process

- If we feel that a referral made has not been dealt with properly or that concerns are not being addressed or responded to, we will follow the LSCB escalation process.

Informing parents

- Parents are normally the first point of contact unless we feel that this may put the child in greater danger.
- If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the Local Safeguarding Children Board does not allow this.
- This will usually be the case where the parent is the likely abuser. In these cases, the investigating officers will inform parents.

Liaison with other agencies

- We work within the Local Safeguarding Children Board (Safeguarding Partnership) guidelines.
- We have a copy of 'What to do if you're worried a child is being abused' for parents and staff and all staff are familiar with what to do if they have concerns.
- We have procedures for contacting the local authority on child protection issues, including maintaining a list of names, addresses and telephone numbers of social workers if applicable, to ensure that it is easy, in any emergency, for the Nursery School and children's social care services to work well together.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements that may affect the wellbeing of children or where an allegation of abuse is made against a member of staff (whether the allegations relate to harm or abuse committed on

our premises or elsewhere). Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegation being made.

- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.
- If a referral is to be made to the local authority social care department, we act within the area's Safeguarding Children and Child Protection guidance in deciding whether we must inform the child's parents at the same time.

Allegations against staff

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the Nursery School, or anyone working on the premises occupied by the Nursery School, which may include an allegation of abuse.
- We respond to any inappropriate behaviour displayed by members of staff or any other person working with the children, which includes:
 - inappropriate sexual comments
 - excessive one-to-one attention beyond the requirements of their usual role and responsibilities, or inappropriate sharing of images.
- We follow the guidance of the Local Safeguarding Children Board (Safeguarding Partnership) when responding to any complaint that a member of staff, or volunteer within the Nursery School, or anyone living or working on the premises occupied by the Nursery School, has abused a child.
- We ensure that all staff and volunteers know how to raise concerns about a member of staff or volunteer within the Nursery. We respond to any concerns raised by staff or volunteers who know how to escalate their concerns if they are not satisfied with our response
- We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the Nursery School, or anyone working on the premises occupied by the Nursery School, may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to the local authority's social care department to investigate. We also report any such alleged incident to Ofsted and what measures we have taken. We are aware that it is an offence not to do this. (01962 876364 Barbara Piddington or Mark Blackwell)
- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.

- Where the management and children's social care agree it is appropriate in the circumstances, the Head will suspend the member of staff on full pay, or the volunteer, for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process.

Disciplinary action

- Where a member of staff or a volunteer is dismissed from the Nursery School because of misconduct relating to a child, we notify the Disclosure and Barring Service of relevant information so that individuals who pose a threat to children or vulnerable groups, can be identified and barred from working with these groups.

Key commitment 3

We are committed to promoting awareness of child abuse issues throughout its training and learning programmes for adults. We are also committed to empowering young children, through our early childhood curriculum, promoting their right to be strong, resilient and listened to.

Training

- We seek out training opportunities for all adults involved in the Nursery School to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse and neglect and that they are aware of the local authority guidelines for making referrals. All staff undertake Prevent and FGM awareness training.
- Designated staff receive appropriate training, as recommended by the LSCB every two years and refresh their knowledge and skills at least annually.
- We ensure that all staff know the procedures for reporting and recording their concerns in the Nursery School.
- We ensure that all staff receive updates on safeguarding via emails, newsletters, online training and discussion at staff meetings.

Planning

- The layout of the rooms allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being visible to others.

Curriculum

- We introduce key elements of keeping children safe into our programme to promote the personal, social and emotional development of all children, so that they may grow to be *strong, resilient and listened to* and that they develop an understanding of why and how to keep safe.

- We create within the Nursery School a culture of value and respect for the individual, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.
- We ensure that this is carried out in a way that is developmentally appropriate for the children.

Confidentiality

- All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the Local Safeguarding Children Board.

Support to families

- We believe in building trusting and supportive relationships with families, staff and volunteers in the group.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, providing information, monitoring of the child, and liaising at all times with the local children's social care team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social care worker in relation to the Nursery School's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the Confidentiality and Client Access to Records procedure and only if appropriate under the guidance of the Local Safeguarding Children Board.

Legal framework

Primary legislation

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (1998)
- The Children Act (Every Child Matters) (2004 s11)
- Safeguarding Vulnerable Groups Act (2006)
- The Prevent Duty departmental advice for schools and childcare providers (June 2015)
- Prevent Duty Guidance for England and Wales 2015
- Childcare Act (2006)

Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equality Act (2010)
- GDPR (2018)
- Childcare (Disqualifications) Regulations (2009)
- Children and Families Act (2014)
- Care Act 2014
- Serious Crime Act (2015)
- Counter-Terrorism and Security Act (2015)

Further Guidance

- Working Together to Safeguard Children (revised HMG 2015, 2018)
- What to do if you're Worried a Child is Being Abused (HMG 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
- Hidden Harm – Responding to the Needs of Children of Problem Drug users (ACMD, 2003)
- Information Sharing: Practitioners' Guide (DfE 2015)
- Disclosure and Barring Service: www.gov.uk/disclosure-barring-service-check
- Revised Prevent Duty Guidance for England and Wales (HMG 2015)
- Inspecting Safeguarding in Early year, Education and Skills Settings (Ofsted 2016)
- Female Genital Mutilation Act 2003
- Adoption and Children's Act 2002

Other useful PLA publications:

- Safeguarding Children (2013)
- Safeguarding through effective Supervisions (2013)
- The New Early Years Employee Handbook (2016)
- People Management in the Early Years (2016)

