

## Safeguarding children and child protection

### Policy statement

Our setting 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:

#### **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.

- Our designated person(s) (a member of staff) who co-ordinates child protection issues is always available:
  - Amy Mobey – Manager (Maternity leave)
  - Jodie Clatworthy – Acting Manager
  - Sian Sutton – Acting Deputy Manager

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- The designated officers (member of the management team) who oversees this work are:  
Rachel Cornah – Chair  
Izzy Crispin- Treasurer

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- We ensure all staff are trained to understand our safeguarding policies and procedures and that parents are made aware of them too.
- All staff have an up-to-date knowledge of safeguarding issues, are alert to the signs and symptoms of abuse, and understand their professional duty to ensure safeguarding concerns are reported to the local authority children's social work team or the NSPCC.
- 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.
- Adequate and appropriate staffing resources are provided to meet the needs of children.
- Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Enhanced criminal records and barred lists checks 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 setting or has access to the children.
- Where applications are rejected based on information disclosed, applicants have the right to know and to challenge incorrect information.
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed including:

- the criminal records disclosure reference number;
  - the date the disclosure was obtained; and
  - details of who obtained it.
- Volunteers do not work unsupervised.
  - All staff and volunteers are informed that they are expected to disclose any 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).
  - Where visitors (including activity program leaders, contractors, parents, carers and other relatives) attend the setting the children will not be left unsupervised with those visitors.
  - If any potential visitors to the setting are known to have a conviction of physical, neglectful, sexual or psychological abuse they will not be permitted to attend the setting whilst children are present without a full risk assessment and prior agreement from the Trustees and Pre-School management team.
  - No member of the public, regardless of their relationship or connection to Pre-School, who is on the sex offenders register or who has been convicted of a violent crime will be permitted to attend the Pre-School setting. Any appeals against this policy will be considered at the discretion of the Pre-School Trustees.
  - Security steps are taken to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children.
  - Procedures are in place to record the details of visitors to the setting.
  - We notify the Disclosure and Barring Service of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
  - Steps are taken to ensure children are not photographed or filmed on video for any other purpose than to record their development or their participation in events organised by us. Parents sign a consent form and have access to records holding visual images of their child.
  - Any personal information is held securely and in line with data protection requirements and guidance from the ICO.
  - The designated person in the setting has responsibility for ensuring that there is an adequate e-safety policy in place.
  - 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, that they are seen and signed by all relevant staff and that they are regularly reviewed and updated, in line with our health and safety policy.
  - The designated person will inform the other designated persons at the first opportunity of every significant safeguarding concern, however this should not delay any referrals being made to the children's social worker services, the LADO, Ofsted or Riddor.

### ***Key commitment 2***

We are committed to responding promptly and appropriately to all incidents, allegations 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).

### Responding to suspicions of abuse

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- When children are suffering from physical, sexual or emotional abuse, or experiencing neglect, this may be demonstrated through:
  - significant changes in their behaviour;
  - deterioration in their general well-being;
  - their comments which may give cause for concern, or the things they say (direct or indirect disclosure);
  - changes in their appearance, their behaviour, or their play;
  - unexplained bruising, marks or signs of possible abuse or neglect; and
  - any reason to suspect neglect or abuse outside the setting.
- We consider factors affecting parental capacity and risk, 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 children's vulnerability is potentially increased when they are privately fostered and when we know that a child is being cared for under a private fostering arrangement, we inform our local authority children's social care department.
- 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 spirit possession; sexual exploitation of children, such as through internet abuse; and Female Genital Mutilation and radicalisation; that may affect, or may have affected, children and young people using our provision.
- 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 procedures below for reporting child protection concerns and follow the LSCB procedures.
- 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 member of staff who is acting as the 'designated person'. The information is stored on the child's personal file.
- In the event that a staff member or volunteer is unhappy with the decision made of the designated person in relation to whether to make a safeguarding referral they must follow escalation procedures.
- 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 Board.
- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.

We take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

- We have a whistle blowing policy in place.

#### Recording suspicions of abuse and disclosures

- Where a child makes comments to a member of staff that give cause for concern (disclosure), or a member of staff observes 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:
  - listens to the child, offers reassurance and gives assurance that she or he will take action;
  - 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 the date and time; and the names of any other person present at the time.
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- These records are signed and dated and kept in the child's personal file, which is kept securely and confidentially.
- The member of staff acting as the 'designated person' is informed of the issue at the earliest opportunity, and within 1 working day.

#### Making a referral to the local authority children's social care team

- The procedure for making a referral to the Multi-agency safeguarding hub (MASH) is detailed on the staff notice board within the preschool office. This has detailed step by step instructions and important telephone numbers.

#### 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 contact the MASH and request an update and express our concerns.

#### Informing parents

- Parents are normally the first point of contact. Concerns are discussed with parents to gain their view of events, unless it is felt that this may put the child in greater danger.

- We will make a note in a child's file as a record of concerns and we will also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to MASH, parents are informed at the same time that the referral will be made, except where the guidance of the Local Safeguarding Children Board does not allow this, for example, where it is believed that the child may be placed in greater danger.
- This will usually be the case where the parent is the likely abuser
- If there is a possibility that advising a parent beforehand may place a child at greater risk the designated person should seek advice from MASH, about whether or not to advise parents beforehand, and should record and follow the advice given.

### Allegations against staff

- We notify Ofsted of any incident or accident and any changes in our arrangements which may affect the well-being 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 allegations being made.
- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone living or working on the premises occupied by the setting, which may include an allegation of abuse.
- We respond to any inappropriate behaviour displayed by members of staff, volunteer or any other person living or working on the premises, 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 when responding to any complaint that a member of staff or volunteer within the setting, or anyone living or working on the premises occupied by the setting, has abused a child.

### Whistle blowing

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so. All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice will be sought from the LADO or Safeguarding Team where necessary.

- We ensure that all staff or volunteer know how to raise concerns about a member of staff or volunteer within the setting. We respond to any concerns raised by staff and volunteers who know how to escalate their concerns if they are not satisfied with my/our response
- We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, or anyone living or working on the premises occupied by the setting, 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 Designated Officer (LADO) to investigate. This number is located on the staff notice board in the office

- We also report any such alleged incident to Ofsted, as well as what measures we have taken. We are aware that it is an offence not to do this.
- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
- Where the management team and children's social care agree it is appropriate in the circumstances, the member of staff or volunteer will be suspended 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 volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children or vulnerable adults, we will notify the Disclosure and Barring Service of relevant information, so that individuals who pose a threat to children and 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 our 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

- Training opportunities are sought for all adults involved in the setting 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.
- Designated persons receive training in accordance with that recommended by the Local Safeguarding Children Board.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.

### 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 so that they develop an understanding of why and how to keep safe.
- We create within the setting a culture of value and respect for individuals, 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.

- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, 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 setting'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.

### **Key commitment 4:**

We are committed that our staff have high knowledge of all forms of potential abuse regardless of the age of the children we work directly with. All staff are aware of the following potential safeguarding concerns and the knowledge of how to report them.

### *Categories of Abuse*

The table below outlines the four main categories of abuse as defined by the Department of Health 'Working Together to Safeguard Children' document 2010. (Full definitions can be found in this document) Staff should be aware that the possible indicators are not definitive and that some children may present these behaviours for reasons other than abuse.

Type of Abuse Possible Indicators	Possible Indicators
<b>Neglect</b> The persistent failure to meet a child's basic physical and psychological needs, likely to result in the serious impairments of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide food, clothing and shelter; protect a child from physical and emotional harm or danger; ensure adequate supervision; ensure access to appropriate medical care or treatment.	Obvious signs of lack of care including: Problems with personal hygiene; Constant hunger; Inadequate clothing; Emaciation; Lateness or non attendance at the setting; Poor relationship with peers; Untreated medical problems; Compulsive stealing and scavenging; Rocking, hair twisting, thumb sucking; Running away; Low self esteem.

<p><b>Physical Abuse</b></p> <p>May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child</p>	<p>Physical signs that do not tally with the given account of occurrence conflicting or unrealistic explanations of cause repeated injuries delay in reporting or seeking medical advice.</p>
<p><b>Sexual Abuse</b></p> <p>Forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, penetrative or non penetrative acts and also includes involving children in watching pornographic material or watching sexual acts. e.g.</p>	<p>Sudden changes in behaviour Displays of affection which are sexual and age inappropriate Tendency to cling or need constant reassurance Tendency to cry easily Regression to younger behaviour – e.g thumb sucking, acting like a baby Unexplained gifts or money Depression and withdrawal Wetting/soiling day or night Fear of undressing.</p>
<p><b>Emotional Abuse</b></p> <p>The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.</p>	<p>Rejection Isolation child being blamed for actions of adults child being used as carer for younger siblings affection and basic emotional care giving/warmth, persistently absent or withheld.</p>

*Physical Intervention/Positive Handling*

Our policy on physical intervention/positive handling by staff is set out separately, as part of our positive behaviour Policy. Such events should be recorded and signed by a witness. We recommend that staff who are likely to need to use physical intervention should be appropriately trained. We understand that physical intervention of a nature which is both unreasonable and disproportionate to the circumstances and or causes injury or distress to a child, may be considered under child protection or disciplinary procedures.

*Female Genital Mutilation (FGM)*

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures. FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Other than in the excepted circumstances, it is an offence for any person (regardless of their nationality or residence status) to:

- Perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- Assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and

- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident (section 3 of the Act).

### Child sexual exploitation (CSE)

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people, (or a third person or persons) receive something, (e.g. food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009)

### Child criminal exploitation

"Criminal Exploitation involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them completing a task on behalf of another individual or group of individuals; this is often of a criminal nature. Child criminal exploitation often occurs without the child's immediate recognition, with the child believing that they are in control of the situation. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability."

### Forced marriages (FM)

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014. A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent. FM is illegal in England and Wales.

This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not).

### Prevent

Our prevent policy and procedure is set out in a separate document and reflects the responsibility, training and procedure we undertake in regards to our prevent duty. A summary of that information is below:

The Counter Terrorism & Security Act 2015 places a 'Prevent' duty on settings to have "due regard to the need to prevent people from being drawn into terrorism". Settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas:

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in the setting

#### Anti-Bullying and peer on peer abuse

Our policy and procedure regarding bullying is stated as part of our achieving positive behaviour policy. Children can be vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.

#### Health and Safety

Our Health & Safety policy, (See H&S folder) reflects the consideration we give to the protection of our children both physically within the setting environment and when away from the setting when undertaking trips and visits.

#### Acceptable ICT user policy and online safety

Our settings policy and procedure on acceptable ICT use and online safety are set out in a separate policy.

### **Legal framework consider in this policy:**

#### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (1998)
- The Children Act (Every Child Matters) (2004)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act 2006

#### *Secondary legislation*

- Sexual Offences Act (2003)

