

Safeguarding and Welfare Requirement: Child Protection

Providers must have and implement a policy, and procedures, to safeguard children.

1.2 Safeguarding children and child protection (January 2018)

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. This policy is based on the three key commitments of the Pre-school Learning Alliance Safeguarding Children Policy.

Procedures

We carry out the following procedures to ensure we meet the three key commitments of the Pre-school Learning Alliance Safeguarding Children Policy, which incorporates responding to child protection concerns.

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.

- The Team Leader, Julia Brown is the designated member of staff who co-ordinates child protection issues and she is seconded by the two deputies – Catherine King and Su Parsons.
- The designated person and the deputies ensure they have relevant links with statutory and voluntary organisations with regard to safeguarding.
- The designated person and the deputies understand LSCB safeguarding procedures, attend relevant LSCB training at least every two years and refresh their knowledge of safeguarding at least annually.
- We ensure all staff are trained to understand our safeguarding policies and procedures and that parents, volunteers and students are made aware of them too.
- All staff have an up-to-date knowledge of safeguarding issues, 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 to the local authority children's social care team or the NSPCC. 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.
- All staff understand the principles of early help (as defined in *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, including for those families who are below the threshold for significant harm.
- All staff understand how to escalate their concerns in the event that they feel either the local authority and/or the pre-school has not acted adequately to safeguard.
- All staff understand what the pre-school expects of them in terms of their required behaviour and conduct.
- 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.
- Adequate and appropriate staffing resources are provided to meet the needs of children.
- Applicants for posts within the pre-school 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 pre-school 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.
- Volunteers must:
 - be aged 17 or over
 - be considered competent and responsible
 - receive a robust induction and regular supervisory meetings
 - be familiar with the pre-school's policies and procedures
 - be fully checked for suitability if they are to have unsupervised access to the children at any time.
- 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
 - details of who obtained it.
- 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).
- All staff and volunteers are required to notify us if anyone in their household (including family members, lodgers, partners etc.) 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 have had orders made in relation to care of their children.

- 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.
- Procedures are in place to record the details of visitors to the setting.
- 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.
- Steps are taken to ensure children are not photographed for any other purpose than to record their development or their participation in events organised by us – all 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 Manager 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 General Safety Standards policy.
- The Manager will support the designated person to undertake their role adequately and offer advice, guidance, supervision and support.
- The designated person will inform the Manager at the first opportunity of every significant safeguarding concern, however this should not delay any referrals being made to children's social care, 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) 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 protection.
- 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
 - any reason to suspect neglect or abuse outside the setting.
- We are aware of the ‘hidden harm’ agenda concerning parents with drug and alcohol problems and consider other factors affecting parental capacity and risk, such as social exclusion, domestic violence, radicalisation, mental or physical illness and 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 team.
- We are aware of other factors that affect children’s vulnerability that may affect, or may have affected, children and young people using our provision, such as abuse of children who have special educational needs and/or disabilities, fabricated or induced illness, child abuse linked to beliefs in spirit possession, sexual exploitation of children (including through internet abuse), Female Genital Mutilation and radicalisation or extremism.
- In relation to radicalisation and extremism, we will follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB procedures on responding to radicalisation.
- The designated person completes online Channel training, online Prevent training and attends local WRAP training where available to ensure they are familiar with the local protocol and procedures for responding to concerns about radicalisation.
- We are aware of the mandatory duty that applies to teachers and health workers to report cases of Female Genital Mutilation 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 will 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 designated person.
- In the event that a staff member or volunteer is unhappy with the decision regarding whether to make a safeguarding referral, they must follow escalation procedures.

- We refer concerns to the local authority children's social care team and co-operate fully in any subsequent investigation - 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 will 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.
- All staff are aware that adults can also be vulnerable and know how to refer adults who are in need of community care services.
- We have a Child Protection - Whistleblowing policy in place.
- Staff and volunteers know they can contact the organisation Public Concern at Work for advice relating to whistleblowing - if they feel that the pre-school has not acted adequately in relation to safeguarding, they can contact the NSPCC whistleblowing helpline.

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 action will be taken
- does not question the child, although it is OK to ask questions for the purposes of clarification
- 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
 - 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.
- The designated person is informed of the issue at the earliest opportunity, and within one working day.

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

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

- The Pre-school Learning Alliance's publication *Safeguarding Children* contains 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.
- We keep a copy of this document alongside the procedures for recording and reporting set down by our Local Safeguarding Children Board, which we follow where local procedures differ from those of the Pre-school Learning Alliance.

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.
- We will ensure that staff are aware of how to escalate concerns.

Informing parents

- Parents are normally the first point of contact and any concerns are discussed with parents to gain their view of events, unless it is felt that this may put the child at risk, or interfere with the course of a police investigation - advice will be sought from social care if necessary.
- Parents are informed when we make a record of concerns in their child's file and that we also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to social care, 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 at risk (usually 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 (or interfere with a police response), the designated person will seek advice from children's social care about whether or not to advise parents beforehand and should record and follow the advice given.

Liaison with other agencies

- We work within the Local Safeguarding Children Board guidelines.
- The current version of 'What to do if you're worried a child is being abused' is available for parents and staff and all staff are familiar with what they need to do if they have concerns.
- We have procedures for contacting the local authority regarding child protection issues.
- 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.

- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.

Allegations against staff

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the pre-school, which may include an allegation of abuse.
- We respond to any inappropriate behaviour displayed by members of staff or volunteers, which includes:
 - inappropriate sexual comments
 - excessive one-to-one attention beyond the requirements of their usual role and responsibilities
 - 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 pre-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 setting and we respond to any 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 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 and/or offer advice:

LADO for Early Years:

Lorrissa Webber - 0208 461 7669 or by e-mail to

lorissa.webber@bromley.gov.uk

- We also report any such alleged incident to OFSTED unless advised by LADO that this is unnecessary due to the incident not meeting the threshold, as well as what measures we have taken and 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 Manager 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, 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 and we are also committed to empowering children through our early childhood curriculum, promoting their right to be **strong, resilient and listened to**.

Training

- Training opportunities are sought for all staff involved in the setting to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals.
- Designated persons receive appropriate training, as recommended by the Local Safeguarding Children Board, every two years and refresh their knowledge and skills at least annually.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.
- We ensure that all staff receive updates on safeguarding via emails, newsletters, online training and/or discussion at staff meetings at least once a year.

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 within sight and/or hearing of other permanent staff.

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 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 will follow the Child Protection Plan as set by the child's social 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 policy, but 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)
- The Children Act (2004 s11)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)

Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equality Act (2010)
- Data Protection Act (1998)
- Childcare (Disqualification) 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 (HMG, 2015)
- 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: Guidance for Practitioners providing Safeguarding Services (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 Years, Education and Skills Settings, (Ofsted, 2016)