



Child Protection Policy

1.2 Safeguarding children and child protection

(Including managing allegations of abuse against a member of staff)

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 of the Pre-school Learning Alliance Safeguarding Children Policy. Reference should also be made to our in-depth Devon County Council (DCC) document in the Safeguarding folder.

Procedures

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

Key commitment 1

The Alliance is committed to building a 'culture of safety' in which children are protected from abuse and harm in all areas of its service delivery.

Staff and volunteers

- Our designated person (a member of staff) who co-ordinates child protection issues is:
Sandra Zab

- Our designated officer (member of the management team) who oversees this work is:
Beth Fenton

- When the setting is open but the designated person is not on site, a suitably trained deputy is available at other times for staff to discuss safeguarding concerns.
- We ensure all staff are trained to understand our safeguarding policies and procedures and parents are made aware of them too.
- All staff understand that safeguarding is their responsibility.
- All staff have an up-to-date knowledge of safeguarding issues are alert to potential indicators and signs of abuse, neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported MASH (multi agency safeguarding hub).
- 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 (as directed in *Working Together to Safeguard Children 2018*) and are able to identify those children and families who are or may be in need of early help and enable them to access it.
- All staff understand how to use the threshold tool for significant harm and understand how to access services for families, including those families who are below the threshold for significant harm.

- All staff understand their responsibilities under the General Data Protection Regulations (GDPR Act 2018) 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 local authority and/or their own organisation has not acted adequately to safeguard.
- All staff understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures on positive behaviour, online safety (including use of mobile phones), whistleblowing and dignity at work.
- Children have a key person to build 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 the children.
- Applicants for posts within the provision are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- DBS 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 because information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We record information about staff qualifications, and the identity checks and vetting processes that have been completed including:
 - the criminal records disclosure reference number;
 - certificate of good conduct or equivalent where a UK DBS check is not appropriate.
 - the date the disclosure was obtained; and
 - details of who obtained it.
- We inform all staff 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).
- From 21/8/18 staff and volunteers in a childcare setting that are not based on a domestic premises are NOT required to notify their line manager if anyone in their household (including family members, lodgers, partners etc.) have any relevant convictions, cautions, court orders, reprimands or warning 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.
- Staff receive regular supervision, which includes discussion of any safeguarding issues, and their performance and learning needs are reviewed regularly.
- We notify the DBS of any persons who is dismissed from our employment, or resigns in circumstances that would otherwise have led to a dismissal for reasons of a child protection concern.
- Volunteers must:
 - Be aged 27 or over;
 - Be considered competent and responsible;

- Receive a robust induction and regular supervisory meetings;
- Be familiar with all the settings policies and procedures;
- Be fully checked for suitability if they are to have unsupervised access to the children at any time
- Volunteers do not work unsupervised.
- We have procedures for recording the details of visitors to the setting.
- We take security steps to ensure that we have control over who comes into the provision so that no unauthorised person has unsupervised access to the children.
- We take steps 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. Signs are clearly displayed on the garden fence in full view of members of the public. Parents sign a consent form and have access to records holding visual images of their child.
- The designated person in the setting has responsibility for ensuring that there is an adequate online 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 undertake their role adequately and offer advice, guidance, supervision and support.
- The designated person will inform the designated officer at the first opportunity of every significant safeguarding concern, however this should not delay any referrals being made to MASH, LADO, Ofsted or RIDDOR.

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 education needs and/or disabilities, plus inequalities or 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:
 - 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 understand to identify children who may be in need of early help, how to access services for them.
- We understand that we should refer a child who meets the s17 Children Act 1998 child in need definitions to a local authority (MASH).
- 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 MASH.
- .We are prepared to take action if we have concerns about the welfare of a child who fails to arrive at a session when expected. The designated person will take immediate action to contact the child's parent to seek an explanation for the child's absence and be assured that the child is safe and well. If no contact is made with the child's parents or carers, and the designated person has reason to believe the child is at risk of significant harm, the relevant professionals are contacted immediately and MASH procedures are followed. If the child has current involvement with social care the social worker is notified on the day of the unexplained absence.
- We are aware of other factors that affect children's vulnerability that may affect, or may have affected children and young people using out 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 follow the Prevent Duty guidance for England and Wales published by the home office and MASH procedures on responding to radicalisation.
- We are aware of the mandatory duty that applies to teachers, including early years practitioners, and health workers to report cases of FGM to the police.
- If we become concerned that a child may be a victim of modern slavery or human trafficking we will refer to the National Referral Mechanism, as soon as possible and refer and/or seek help from MASH or the police.
- We will be alert to the threats children may face from outside their families, such as that posed by organised crime groups such as county lines and child exploitation, online use and from within peer group and the wider community.
- 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 a child in our care or known to us may be affected by any of these factors we follow the procedure 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 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 MASH department and co-operate fully in any subsequent investigation.
NB In some cases this may mean the police or another agency notified by MASH
- 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. Confidential information is kept secure and should only be accessed by staff when needed and when it is accessed, this should be made known to the 'designated person'.

Recording suspicions of abuse and disclosures

- Where a child makes comments to a member of staff that gives cause for concern (disclosure), observes signs or signals that gives 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 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 and should only be accessed by staff and the Designated Person – these files should not be viewed by volunteers or committee members.
- The manager acting as the Designated Person is informed of the issue at the earliest opportunity.
- Where MASH stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow the steps set down by MASH.

Making a referral to the local authority social care team

- The Early Years 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. This is based on 'What to do if you are worried a child is being abused' (HMG 2015).
- We keep a copy of this document alongside procedures 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 MASH escalation process.
- We will ensure that staff are aware of how to escalate concerns.

Informing parents

- Parents are normally the first point of contact. We discuss concerns with parents to gain their view of events unless we feel this may put the child in greater danger.
- We inform parents 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 MASH 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 (or interfere with a police response) the designated person should seek advice from MASH, about whether or not to advise parents beforehand, and should record and follow the advice given.

Liaison with other agencies

- We work within the MASH guidelines.
- We have the current version 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, to ensure that it is easy, in any emergency, for the setting and social services to work well together. This list is kept in the Safeguarding folder.
- We notify the registration authority (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 provision, 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, 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 MASH when responding to any complaint that a member of staff, or volunteer within the provision, or anyone living or working on the premises occupied by the setting, 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. We respond to any concerns raised by staff and 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 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 and/or offer advice:
Devon LADO - 01392 384964
- 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. We are aware that it is an offence not to do this.
- We co-operate entirely with any investigation carried out by MASH in conjunction with the police.
- Where the management team and children's social care agree it is appropriate in the circumstances, the chair 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 volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children or vulnerable adults, we will notify the Independent Safeguarding Authority (ISA) 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

The Alliance is committed to promoting awareness of child abuse issues throughout its training and learning programmes for adults. It is also committed to empowering young children, through its 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 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.
- We ensure that 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 their concerns in the setting.

Planning

- The layout of the rooms allows for constant supervision. No child is left alone with non-DBS checked staff or volunteers in a one-to-one situation without being visible to others. Toileting and nappy changes follow strict procedures laid out in separate policies.
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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 setting 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 MASH. See MASH booklet in the front of Policies folder, and inline with the GDPR, Data Protection Act 2018, and Working together 2018.

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 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 MASH.

Legal framework

Primary legislation

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (2018)
- The Children Act 2004 s11
- Safeguarding Vulnerable Groups Act (2006)
- Children and Social Work Act 2017
- Childcare Act 2006
- Child Safeguarding Practice Review and Relevant Agency (England) regulations 2018

Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- General Data Protection Regulations (GDPR) (2018)
- Equalities Act (2010)
- 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 (2018)
- What to do if you are 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)
- Information Sharing: Advice for Practitioners (DFE 2018)
- Independent Safeguarding Authority: www.isa.gov.org.uk

This policy was adopted at a meeting of _____ (name of provider)

Held on _____ (date)

Date to be reviewed _____ (date)

Signed on behalf of the management committee

Name of signatory _____

Role of signatory (e.g. chair/owner) _____

Other useful Information

- Hidden Harm – Responding to the needs of children problem drug users ACMD 2003
- Disclosure and Barring Service – www.gov.uk/disclosure
- Revised Prevent Duty guidance for England and Wales HMG 2015
- Inspecting Safeguarding in Early Years, Education and Skills setting OFSTED 2016
- Safeguarding children (Early Years Alliance 2013)
- Safeguarding through effective supervision(EYA 2013)