



## Safeguarding children and child protection

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

### Policy statement

At School House Nursery we are committed to safeguarding the children in our care. We 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 reflects that every child's welfare is paramount.

At School House we are committed to respond promptly and appropriately to all incidents which maybe a concern and work with statutory agencies in accordance with the procedures set by the HM Government "What to do if you are worried a child is being abused" (DFES 2006).

The Nursery has a duty to be alert and aware that abuse in all forms occurs in society. Our fundamental responsibility is the wellbeing and welfare of the children in our care.

We appreciate that it is a sensitive issue but it is part of our duty to act quickly and responsibly in any instance. We also have a legal responsibility to report any concerns or suspicions of abuse to the local authority, under the Children Act 1989 (section 47 (1)) and 2004 and it is the authorities duty to investigate. The nursery follows the procedures laid out by the Pre-School Learning Alliance Safeguarding Children publication and Child Protection Record (guidelines for safeguarding children in early years settings).

The Nursery staff follow the in-depth child protection procedure and flow chart from 'What to do if you are worried a child is being abused' (HMG 2006) and the guidance provided by the Pre-School Learning Alliance, Safeguarding Children publication and Child Protection Record (guidelines for safeguarding children in early years settings). We ensure that these procedures are followed and staff are required to keep up to date with current legislation through training, review of publications and through liaison with outside agencies. Our child protection procedure forms part of the policy and is available for all parents/carers to read at the nursery.

### EYFS key themes and commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.3 Keeping safe	2.1 Respecting each other 2.2 Parents as partners	3.4 The wider context	4.4 Personal, social and emotional development

## **Procedures**

- We ensure all staff and parents are made aware of our safeguarding policies and procedures.
- We provide adequate and appropriate staffing resources to meet the needs of the children.
- Candidates are informed of the need to carry out 'enhanced CRB disclosure check' with the Criminal Records Bureau before posts can be confirmed.

## **Staff**

- Our designated staff member who is responsible for safeguarding practices and policies is Deborah Weatherall.
  - Our designated officer from the committee who oversees this work is Katie Goodbun.
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- We ensure all staff and parents are made aware of our safeguarding policies and procedures.
  - We provide adequate and appropriate staffing resources to meet the needs of children.
  - Applicants for posts within the Nursery are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
  - Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Criminal Records Bureau before posts can be confirmed.
  - Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
  - We abide by Ofsted requirements in respect of references and Criminal Record Bureau checks for staff and volunteers, to ensure that no disqualified person or unsuitable person works at the Nursery or has access to the children.
  - Volunteers do not work unsupervised.
  - We have procedures for recording the details of visitors to the Nursery.
  - We record any obvious physical marks or bruises that did not occur at the Nursery on our external incident record and file in the child's personnel file.
  - We take security steps to ensure that we have control over who comes into the Nursery 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. Parents sign a consent form for staff to take photographs or videos of their child for the purpose of tracking their development.

## **Responding to suspicions of abuse**

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect. We also acknowledge abuse which may occur through use of ICT and online technologies.
- 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, or their play.
- 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 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 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 maybe 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 the Nursery Manager who is the 'designated person'.

- Where the Nursery Manager is involved the key person will go directly to the Chair Person of the Management Committee. 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 authority children's social care department.
- 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 Nursery 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.

### ***Recording suspicions of abuse and disclosures***

- We follow the Pre-School Learning Alliance Child Protection Record procedures for 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.
- Where a child comes into the Nursery with a clearly visible physical injury an Incident Report is completed and signed by the Nursery Manager or Deputy Nursery Manager's and by the child's parent/carer. This is kept in the child's personal file which is kept securely and confidentially.

### ***Making a referral to the local authority social care team***

- We follow the procedures and forms set out in the Pre-School Learning Alliance, Safeguarding Children publication and Child Protection Record (guidelines for safeguarding children in early years settings) to record concerns and make a referral to the local authority children's social services care department. This is based on 'What to do if you are worried a child is being abused'(HMG 2006).

### ***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 where we make a record of concerns in their child's file and 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 social care team 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. In these cases the social workers will inform parents.

### ***Liaison with other agencies***

- We work with the local authority social care team. We follow the procedures and forms set out in the Pre-School Learning Alliance, Safeguarding Children publication and Child Protection Record (guidelines for safeguarding children in early years settings). We liaise with other agencies on the advice of the local authority social care team.
- 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, to ensure that it is easy, in any emergency, for the Nursery and social services to work well together.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which may affect the wellbeing of children or where an allegation of abuse is made against a member of staff.

### ***Allegations against staff***

- If an allegation of child abuse is made against a member of staff it must be recorded reported in the same way as any other child protection referral. This is entered on the file of the child in question.
- The Management Committee Chair Person is informed by the designated child protection officer.
- Due to the seriousness nature of the concerns, the disciplinary procedure must be instigated and the member of staff immediately suspended on full pay whilst an investigation is conducted. The member of staff will receive appropriate support from the Management Committee.
- Investigations will be carried out by the local authority children's social care team in the usual way. Managers and staff must co-operate fully with the investigation.
- No further disciplinary action is taken against a member of staff against whom allegations have been made until children's social care have concluded their investigation.
- If it appears from the result of the investigation that the allegations are justified then the Nursery Manager will instigate disciplinary procedures. This must always be done in full consultation with the Chair Person of the Management Committee and with legal advice.
- Confidential records will be kept locked away. These records will be kept in the personnel file and will only be accessible to the manager and the officers of the committee as appropriate.
- The designated person will inform Ofsted within 14 days. Ofsted may conduct a separate investigation.
- Where a member of staff is dismissed because of a proven or strong likelihood of child abuse, the Nursery Manager informs the relevant officer at the Independent Safeguarding Authority (ISA) to add the person's name to the list of people barred from working with children.

It is important to remember that allegations do not always mean that the alleged incident has taken place. The member of staff concerned must be supported and treated with concern and respect. False allegations are very upsetting and stressful and it is important that the staff member is not judged until the result of the investigation is made known.

### ***Subsequent actions***

Following such a referral, enquiries will be undertaken by social services and possibly the police. Staff may be required to provide statements and attend an initial child protection conference.

### **Confidentiality**

The Nursery has the right and the responsibility to share any information regarding child protection with other care professionals. Information will be recorded in accordance with the Pre-School Learning Alliance Safeguarding Children publication and Child Protection Record (guidelines for safeguarding children in early years settings) and shared in accordance with our Confidentiality and Information Sharing policies and procedures.

Parents will normally be consulted and their consent obtained before any referral is made about their child to any other agency. However staff cannot guarantee to consult parents first, or keep children's concerns confidential, if referral must be made to the appropriate agencies (Police or social services) in order to safeguard the child's welfare.

### **Training**

- We seek out training opportunities for all adults involved in the Nursery 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 attend basic safeguarding training every 3 years. The designated person(s) attend training every 2 years. We keep a training record to ensure that statutory requirements are met.
- We ensure that all staff know the procedures for reporting and recording their concerns in the Nursery.

### **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 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.

### **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's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- Confidential records are kept in the child's personal file which is kept securely and confidentially 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 Information Sharing policy, and only if appropriate under the guidance of the local social services care team.

### **Legal framework**

#### **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)

**Secondary legislation**

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equalities Act (2010)
- Data Protection Act (1998) Non Statutory Guidance

**Further Guidance**

- Working Together to Safeguard Children (revised HMG 2010)
- What to do if you are Worried a Child is Being Abused (HMG 2006)
- 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 2007)
- Information Sharing: Guidance for Practitioners and Managers (HMG 2008)
- Independent Safeguarding Authority: [www.isa.gov.org.uk](http://www.isa.gov.org.uk)

**Pre-school Learning Alliance publications**

- Safeguarding Children (2010)
- Child Protection Record (2005)

This policy was adopted on:

31 July 2011

Date to be reviewed by:

31 August 2012

Signed on behalf of the Management Committee:

Signatory Name:

Lisa Kennedy