

Safeguarding and Welfare Requirement: Child Protection

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



1.1 Safeguarding children, young people and vulnerable adults

(including managing allegations against a member of staff)

Policy statement

Our setting works with children, parents and the community to ensure the rights and safety of children, young people* and vulnerable adults. We empower children through our early childhood curriculum, promoting their right to be strong, resilient and listened to. 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.

Procedures

DESIGNATED LEAD PRACTITIONER AND DEPUTIES

- Our Designated Lead Practitioner (DLP) is Sally Bowd, Centre Manager.
- We have a suitably trained Deputy Designated Lead Practitioner; Julie-anne Dyer (Preschool Leader) who is available for staff to discuss safeguarding concerns in the absence of Sally.
- The Committee Officer who supports the DLP and Deputy DLPs to undertake their roles adequately, and offer advice, guidance and supervision is the Chairperson of our Committee.

SAFEGUARDING TRAINING

- The Designated Lead Practitioner and deputies are trained to an advanced level of child protection, following the South Gloucestershire Local Safeguarding Child Board (SGLSCB) approved training pathway outlined below:
 - Completion of the one day Interagency Child Protection training course
 - Followed, at least 3 months later, by completion of the one day Advanced Inter-agency Child Protection training course
 - To maintain up to date knowledge the DLP and deputies attend the CP update training course every two years. If this lapses then the Advanced Inter-agency training should be attended again.
- As part of their initial induction, all staff complete the 'Awareness of Child Abuse and Neglect' e-learning module, which is facilitated by the Centre Administrator emailing HRworkforcedevelopment@southglos.gov.uk with the new staff members name and email address.
- Staff are provided with a copy of this policy on day one of their induction.
- All staff receive updates on safeguarding (for example, via emails, e-bulletins and newsletters) at least annually, facilitated by the Centre Manager.

- Also as part of the initial induction process staff complete online prevent training (accessed here: http://course.ncalt.com/Channel_General_Awareness/01/index.html) and online Female Genital Mutilation (FGM) awareness training (accessed here: <https://www.fgmelearning.co.uk/>).
- Our Centre Manager and Centre Administrator are trained in 'Safer Recruitment' through completion of the e-learning module accessed by emailing their names and email addresses to: HRworkforcedevelopment@southglos.gov.uk.
- Further subject specific training, whilst not seen as mandatory by the LSCB, it is recommended that some awareness and expertise is built within settings proportionate to the needs of the locality. This training may include:
 - Forced Marriage and Honour Based Violence;
 - Parenting Capacity;
 - Child Sexual Exploitation (CSE);
 - Domestic Abuse;
 - The neglect toolkit; and
 - Child Protection and Disability

RECRUITMENT

- All vacancies clearly state our commitment to safeguarding children and 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, identify checks and references 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 about staff qualifications, and the identity checks and vetting processes that have been completed are kept in the staff member's personal file. This includes:
 - the Disclosure and Barring Service disclosure reference number;
 - the date the disclosure was obtained; and
 - details of who obtained it.
- Volunteers must:
 - be aged 17 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.
- 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.

GENERAL

- Enhanced criminal records and barred lists checks are carried out on anyone regularly working on the premises who may have contact with the children e.g. caretaker, Parish Council Clerks, cleaner.
- Parents are given a copy of this policy and encouraged to read it as part of their registration with the setting.
- The current version of 'What to do if you're worried a child is being abused' is available in the Centre office and also at the St Michael's preschool site.
- 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.
- 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 staff or volunteers.

IDENTIFICATION OF ABUSE

- In everyday practice, staff are mindful of the different forms that abuse of children can take - physical, emotional, sexual, and neglect.
- Staff monitor children's well-being and behaviour in order to identify any concern that a child may be suffering from physical, sexual or emotional abuse, or experiencing neglect, 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;
- Staff are vigilant to the additional vulnerabilities that can arise from private fostering arrangements, children who have special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture, and that these receive full consideration in relation to child, young person or vulnerable adult protection.
- Key persons are supported by their room leaders and the Centre Manager to develop strong and supportive relationships with families, to identify and support those parents who may have drug and alcohol problems and other factors affecting parental capacity and risk, such as social exclusion, domestic violence, radicalisation, mental or physical illness and parent's learning disability.
- Staff are aware 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.

RECORDING SUSPICIONS OF ABUSE AND DISCLOSURES

Procedures for staff

- 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:

1. listens to the child, offers reassurance and gives assurance that she or he will take action;
2. does not question the child, although it is OK to ask questions for the purposes of clarification of what has been said;
3. makes an objectively written 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.
4. These records are signed and dated and kept in the child's personal file, which is kept securely and confidentially.
5. The member of staff informs the Designated Lead Practitioner or deputy (if the DLP is absent) of the disclosure or observation at the earliest opportunity, and within one working day.

- Staff can also refer to the document 'What to do if you're worried a child is being abused' either by following this link

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf or via the hard copies which are kept in the Greenfield Centre office, and at the St Michael's preschool site.

Procedures for the Designated Lead Practitioner

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

- If the DLP considers a child;
 - Is suffering significant harm through abuse or neglect;
 - Is likely to suffer significant harm in the future

Then they must take action within no longer than one working day. However if the child is perceived to be in immediate risk of harm then action should be taken immediately and without delay, following the South Gloucestershire Safeguarding Child Board procedure outlined below:

- If you are concerned about a child's welfare or worried they are being abused, you can make a referral to South Gloucestershire Social Care:

Tel. **01454 866000**.

- For **Out of hours or at Weekends** please call **01454 615165**.
- **In an emergency please ring 999**.

- The Interagency Referral Form (found here:

http://www.proceduresonline.com/swcpp/southglos/files/referral_form.docx) can also be used to share information with your local office.

- Information requested during a referral may include:
 - Full names (including aliases and spelling variations), date of birth and gender of all child/ren in the household;
 - Family address and (where relevant) school / nursery attended;
 - Identity of those with parental responsibility and any other significant adults who may be involved in caring for the child such as grandparents;
 - Names and date of birth of all household members, if available;
 - Where available, the child's NHS number and education UPN number;
 - Ethnicity, first language and religion of children and parents;
 - Any special needs of children or parents;
 - Any significant/important recent or historical events/incidents in child or family's life;
 - Cause for concern including details of any allegations, their sources, timing and location;
 - Child's current location and emotional and physical condition;
 - Whether the child needs immediate protection;
 - Details of alleged perpetrator, if relevant;
 - Referrer's relationship and knowledge of child and parents;
 - Known involvement of other agencies / professionals (e.g. GP);
- Information regarding parental knowledge of, and agreement to, the referral;
- The child's views and wishes, if known.

The parents' permission should be sought before discussing a referral about them with other agencies, unless permission-seeking may itself place a child at risk of significant harm.

- If the DLP is unsure as to whether to share information then advice should be sought from children's social care before a disclosure is made. All advice given should be recorded with the name of the person giving the advice, and the date and time.
- Where our DLP decides not to seek parental permission before making a referral to Children's social care, the decision must be recorded in the child's file with reasons, dated and signed and confirmed in the referral to Children's social care.
- All referrals from professionals should be confirmed in writing, by the DLP, within 48 hours.
- If the DLP has not received an acknowledgement within three working days, they should contact Children's social care again.
- 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 children's social care, the LADO, Ofsted or Riddor.

- For guidance about the criteria for making referrals for early help, the DLP may find the Local Threshold Matrix helpful. This can be found here: <http://edocs.southglos.gov.uk/journeyofneed/>.
- Further guidance and support on a range of topics can be found on the South Gloucestershire Safeguarding Children Board website: <http://sites.southglos.gov.uk/safeguarding/children/>.
- ChildLine can also provide advice on 0800 1111 or via email by visiting www.childline.org.uk.

INTERNAL ESCALATION PROCESS

- If a staff member or volunteer is unhappy with the decision made by the Designated Lead Practitioner in relation to whether to make a safeguarding referral they should refer to the South Gloucestershire Local Safeguarding Children Board Resolution of professional differences (Escalation) policy which can be found here: http://www.proceduresonline.com/swcpp/southglos/p_escalation.html. The procedure is outlined in appendix 1.
- Staff may also wish to refer to our confidential reporting (whistle blowing policy) and/or contact the NSPCC whistleblowing helpline on 0800 028 0285 or email help@nspcc.org.uk.

EXTERNAL ESCALATION PROCESS

- If the DLP is unhappy with a decision made by the Local Authority Social Care team they should also refer to the South Gloucestershire Local Safeguarding Children Board Resolution of professional differences (Escalation) policy via the link stated above.

ALLEGATIONS AGAINST A MEMBER OF STAFF

Procedures for allegations

- We have complaints procedure which parents can follow if they have concerns about a member of our staff team. This procedure is included as part of our welcome pack.
- Staff and volunteers follow our reporting structure or our confidential reporting (whistle blowing) procedure if they have concerns about a member of staff or volunteer within the setting.
- If a child at the setting makes an allegation against a member of staff when in the preschool then the staff member to whom the child makes the allegation follows the procedure for a disclosure (see recording suspicions of abuse and disclosures – procedure for staff).
- In all instances of allegations, the DLP should be informed immediately, unless the allegation is against the DLP in which case the Committee Officer (Chairperson) should be informed immediately to manage the situation. Contact details of the Committee Officer (Chairperson) can be found on the contact list in the centre office (Greenfield site).

The following procedures are part of the LSCB Allegations against staff or volunteers, which can be found here: http://www.proceduresonline.com/swcpp/southglos/p_alleg_against_staff.html#intro

Procedures for staff receiving or identifying an allegation or concern

- The person to whom an allegation or concern is first reported should treat the matter seriously and keep an open mind.

They should not:

- Investigate or ask leading questions if seeking clarification;
- Make assumptions or offer alternative explanations;

- Promise confidentiality, but give assurance that the information will only be shared on a 'need to know' basis.

They should:

- Make a written record of the information (where possible in the child / adult's own words), including the time, date and place of incident/s, persons present and what was said;
- Sign and date the written record;
- Immediately report the matter to the designated lead practitioner, or the deputy in their absence or; where the designated lead practitioner is the subject of the allegation report to the Committee Officer (Chairperson).

Procedures for the Designated Lead Practitioner and/or Committee Officer

- When informed of a concern or allegation, the Designated Lead Practitioner or Committee Officer should **not** investigate the matter or interview the member of staff, child concerned or potential witnesses.

They should:

- Obtain written details of the concern / allegation, signed and dated by the person receiving (not the child / adult making the allegation);
- Approve and date the written details;
- Record any information about times, dates and location of incident/s and names of any potential witnesses.
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

Persons to be notified

All allegations against a member of staff should be reported to

- **the Local Authority Designated Officer (LADO)** by calling **01454 866000**, immediately (and no later than in one working day) and discuss the decision in relation to the agreed threshold criteria in Section 1, 'Introduction and Criteria' (http://www.proceduresonline.com/swcpp/southglos/p_alleg_against_staff.html#intro). Referrals should not be delayed in order to gather information and a failure to report an allegation or concern in accordance with procedures is a potential disciplinary matter.
- **the Committee Officer** (if not already involved), immediately (and no later than in one working day)
- **OFSTED**, as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. It is an offence not to do this.
- The Local Authority Designated Officer's (LADO) role is to:
 - Receive reports about allegations and to be involved in the management and oversight of individual cases;
 - Provide advice and guidance to employers and voluntary organisations;
 - Liaise with the police and other agencies;

- Monitor the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process;
 - Provide advice and guidance to employers in relation to making referrals to the Disclosure and Barring Service (DBS) and regulatory bodies such as Ofsted, the GMC etc.
- The DLP and Committee Officer should seek advice from the LADO, the police and/or Children's social care about how much information should be disclosed to the accused person.
- Subject to restrictions on the information that can be shared, the DLP and Committee Officer should, as soon as possible, inform the accused person about the nature of the allegation, how enquiries will be conducted and the possible outcome (e.g. disciplinary action, and dismissal or referral to the DBS or regulatory body).
- The accused member of staff should:
 - Be treated fairly and honestly and helped to understand the concerns expressed and processes involved;
 - Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary or related process;
 - If suspended, be kept up to date about events in the workplace.
- Where the DLP, Committee Officer and children's social care agree it is appropriate, the member of staff or volunteer will be suspended for the duration of the investigation. However, this is a neutral act and is not automatic. Should the staff member be suspended, 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.
- The LADO will advise the DLP and Committee Officer whether or not informing the parents of the child/ren involved will impede the disciplinary or investigative processes. Acting on this advice, if it is agreed that the information can be fully or partially shared, the employer should inform the parent/s. In some circumstances, however, the parent/s may need to be told straight away (e.g. if a child is injured and requires medical treatment).
- 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 LADO.
- The DLP and Committee Officer will work collaboratively and co-operatively with the LADO and any other agencies that may become involved, following the LSCB guidance, to determine an outcome to the allegation.
- If an allegation is substantiated and the person is dismissed or the employer ceases to use the person's service or the person resigns or otherwise ceases to provide his/her services, the LADO should discuss with the DLP and Committee Officer whether a referral should be made to the Disclosure and Barring Service (DBS). If a referral is to be made; it should be submitted within one month of the allegation being substantiated.

Working with families

- The DLP and deputies understand the principles of early help and how to facilitate the Local Authority SAFeh process in order to assist families in identify their early help and support needs. Professionals leaflet can be accessed here:
http://edocs.southglos.gov.uk/download/singleassessmentforearlyhelp_81.pdf

- 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.
- 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.

Supporting children to keep themselves safe

- We introduce key elements of how children can keep themselves safe into our curriculum 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 each family's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.

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)
- General Data Protection Regulations (GDPR) (2018)
- Childcare (Disqualification) Regulations (2009)
- Children and Families Act (2014)
- Care Act (2014)
- Serious Crime Act (2015)
- Counter-Terrorism and Security Act (2015)

This Policy was adopted by the Committee of the Preschool in July 2018

*A 'young person' is defined as 16 to 19 years old – in our setting they may be a student, worker, volunteer or parent.

Appendix 1 Flowchart: Guidance for Resolution of Professional Differences

Worker to worker -Identify the Concern – the worker is unhappy with a decision or response from any agency, at any stage. Professional differences with any agency (local authority, police, health services, etc.)

Note:

At all stages decisions must be recorded in

Stage 1

Has the concern been resolved to both parties satisfaction?
No

Stage 2

Manager to manager -Discussing concern between managers – the manager should discuss with their counterpart to try to resolve issue (recognising differences in status/experience).

Has the concern been resolved to both parties satisfaction?
No

Stage 3
Complete Monitoring Form

Senior manager to senior manager – if unresolved the workers line manager to discuss with opposite or appropriate counterpart

Has the concern been resolved to both parties satisfaction?
..

Stage 4

Refer concern to SGCSB representatives and Strategic Safeguarding Service Manager, with monitoring form. If the problem is still not resolved, the matter should be referred to the agency's nominated Board representative. They should discuss with their colleagues at Board level, convening a meeting where necessary.

Some matters may be resolved very quickly, and this will be determined locally by the complexity of the issues. In all cases, the matter should be resolved as speedily as possible, and the primary focus will be on ensuring that the safety and welfare of the child concerned is assured whilst discussions take place.

Concerned worker advised of outcome.
Exit Process.
(And monitoring form passed to ..)