



## **Policy: Safeguarding children and child protection**

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

### **Policy statement**

Carousel Day Nursery & Pre-School 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.

### **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.

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.

### **Staff and volunteers**

- Our designated person who co-ordinates child protection issues is:  
Charlie Morgan (Nursery Manager), Jacqui Taylor (Nursery Principal), Jade Easterford (Deputy Manager) and Abigail Ferry (Deputy Manager).

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- Our designated officers who oversees this work is:  
Jacqui Taylor (Nursery Principal) & Charlie Morgan (Nursery Manager)

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- When the setting opens but the designated person is not on site, a suitably trained deputy is available at all times for staff to discuss safeguarding concerns.
- 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, including an annual refresher for staff with safeguarding level 1, a two yearly refresher for staff with safeguarding level 2 & designated safeguarding officer level 3.

- The designated persons understand ESCB safeguarding procedures and attend relevant training where required.
- 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 and neglect and understand their professional duty is to ensure safeguarding and child protection concerns are reported to the designated person who will report concerns to the ESCB. Staff are required to complete a yearly refresher.
- All staff are to be 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 working together to safeguard children, 2018 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 the thresholds of significant harm and understand how to access services for families who are below the threshold for significant harm, according to arrangements published by the ESCB (Essex Safeguarding children's board) or safeguarding partners in areas where the safeguarding partners have replaced the ESCB.
- All staff understand responsibilities under the General Data Protection Regulation and the Data Protection Act 2018, and understand relevant safeguarding legislation, statutory requirements and local safeguarding partner requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
- We will support families to receive appropriate early help by sharing information with other agencies in accordance with statutory requirements and legislation.
- We will be transparent about how we lawfully process data.
- All staff understand how to escalate their concerns in the event that they feel either the local authority and/or Carousel Day Nursery has not acted adequately to safeguard and know how to follow local safeguarding procedures to resolve professional disputes between staff and organisations.
- All staff understand what Carousel Day Nursery 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 cameras and mobile phones) and whistleblowing.
- 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 achieving 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 the children.

- Applicants for posts within Carousel Day Nursery 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, We abide by Ofsted requirements in respect of references and Disclosure Barring Service checks for staff and volunteers, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- Volunteers must be aged 16 or over, be considered competent and responsible, receive a robust induction and regular supervisory meetings, be familiar with Carousel'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, 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.
- 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).
- From 31<sup>st</sup> August 2018, staff and volunteers in childcare settings that are not based on domestic premises are not required to notify the Manager or Nursery Principals 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 are of their children.
- Staff receive regular supervision, which includes discussion of any safeguarding issues, and their performance and learning needs are reviewed.
- In addition to induction and supervision, staff are provided with clear expectations in relation to their behaviour. (See *code of conduct/staff rules*).
- 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.
- 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 setting so that no unauthorised person has unsupervised access to the children.

- 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. Staff do not use personal cameras or filming equipment to record images.
- Personal mobile phones are not to be used where children are present.
- The designated persons in the setting are responsible 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 are regularly reviewed and updated, in line with our health and safety policy.
- The designated officers will support the designated persons and all staff to undertake their safeguarding role adequately and offer advice, guidance, supervision and support.
- The designated person and all staff 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, or where appropriate the LADO, Ofsted or RIDDOR.

#### **Responding to suspicions of abuse**

Carousel Day Nursery 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.

- 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 the child.
- 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 of the setting.
- We understand how 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 section 17 Children’s Act 1989 “child in need definition to local authority children’s social work services”.
- We understand that we should refer any child who may be at risk of significant harm to local authority children’s social work services.
- We are aware of any “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 prepare to take action if we have concerns about the welfare of a child who fails to arrive at a session when expected. Staff will take action to contact the child’s parents/carers 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 and staff have reason to believe that the child is at risk of significant harm, the relevant professionals are contacted immediately by the designated person and LSCB 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 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 or extremism, we follow the prevent duty guidance for England and Wales published by the home office and ESCB procedures on responding to radicalisation.
- All staff are to complete Channel General Awareness training and online Prevent training to ensure we are familiar with 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 are also aware that Early Years practitioners should follow local authority published safeguarding procedures to respond to FGM and other safeguarding issues, which involves contacting the police if a crime of FGM has been or may be about to be committed.
- We 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.

- 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 (via form, located in safeguarding folder), as soon as possible and refer and/or seek advice to the local authority children's social work service and/or police.
- We will be alert to threats to children may face from outside their families, such as that posed by organised crime groups such as county lines and child sexual exploitation, online use and from within peer groups and the wider community.
- 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 and child in need concerns and follow the ESCB procedures, or when they come into force replacing the ESCB, we will follow the local procedures as published by the local safeguarding partners.
- Where such indicators are 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 of volunteer is unhappy with the decision made of the designated person in relation to make a safeguarding referral they must follow escalation procedures.
- We refer concerns about children's welfare 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 Essex Safeguarding Children Board (or the local safeguarding partners when their published safeguarding arrangements take over from the ESCB).
- We respond to any disclosure sensitively and appropriately and take care not to influence the outcome either through the way. We speak to children or by asking questions of children (although we may check out/clarify the details of what we think they have told us with them).
- We take into account 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 or neglect 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 in an age appropriate way, 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 a 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 know that they can contact the NSPCC Whistleblowing helpline (0800 0280285) if they feel that or organisation and the local authority have not taken appropriate action to safeguard a

child and this has not been addressed satisfactorily through organisational and professional challenge procedures.

- We have a whistleblowing policy in place.
- Staff/Volunteers know they can contact the organisation Public Concern at Work for advice relating to whistleblowing dilemmas. (020 3117 2520)

#### **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 reassurance that she or he will take action.
  - Does not question the child, no leading questions, although it is OK to ask questions for the purposes of clarification;
  - Makes a written record (Cause for concern log) 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 in a locked cabinet
  - All copies of the reports go into our "Concerns Log" which is kept securely and confidentially in our locked filing cabinet
  - The member of staff acting as the designated person is informed of the issue at the earliest opportunity, and always within one working day.
  - Where the Essex Safeguarding Children's Board or local safeguarding partners safeguarding procedures 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 Boards.

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

- The Designated Safeguarding Team would call the "Children's Social Care" and ask for advice or immediate help or referral, they would call : 0345 603 7627
- In suspected cases of FGM the Designated Safeguarding Team can call the FGM helpline and ask for advice on: 0800 028 3550 and we understand our duty to report to police any case where an act of female genital mutilation appears to have been carried out.

- All members of staff are familiar with the procedures for recording and reporting.

### **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 ESCB escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- We will follow local procedures published by the ESCB or safeguarding partners to resolve professional disputes.

### **Informing parents**

- Parents are normally the first. Concerns are normally discussed with parents to gain their view of events, unless it is felt that this may put the child or other person at risk, or may interfere with the course of a police investigation, or may unduly delay the referral, or unless it is otherwise unreasonable to seek consent. Advice will be sought from social care, or in some circumstances police, where 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 is made, except where the procedures of the Essex Safeguarding Children's Board, Local Safeguarding Partners does not allow this, for example, where it is believed that the child may be placed at risk.
- This will usually be the case where the parent is the likely abuser or where sexual abuse may have occurred. In these cases the investigating officers will inform parents.
- 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 consider seeking 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 and multi-agency working**

- We work within the Local Safeguarding Children Board (ESCB)/Local Safeguarding Partners 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 to do if they have concerns.
- We have procedures for contacting the local authority regarding child protection issues and concerns about children's welfare, including maintaining a list of names and telephone numbers of



safeguarding professionals and help lines to ensure that it is easy, in any emergency, for our setting and social services to work well together.

- We notify 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 another 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 reasonable 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 and persons in a position of trust**

- 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.
- Call LADO for guidance on: 03330 139 797
- We ensure all staff, volunteers and anyone else working within the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.
- We differentiate between allegations, and concerns about the quality of care or practice and complaints and have a separate process for responding to complaints.
- 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 will recognise and respond to allegations that a person who works with children has:
  - Behaved in a way that has harmed a child, or may have harmed a child.
  - Possibly committed a criminal offence against or related to a child.
  - Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- 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 follow the guidance of the LADO 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.

- 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 a senior manager within the organisation and to the Local Authority Designated Officer (LADO) as necessary to investigate and/or offer advice:

**LADO DESIGNATED OFFICER: Mechelle de Kock-0333 013 9797**

- 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 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 nursery principals 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. Where it is appropriate and practical and agreed with LADO, we will seek to offer an alternative to suspension for the duration of the investigation, if an alternative is available that will safeguard children and not place the affected staff or volunteer at risk.

### **Disciplinary action**

- Where a member of staff or a volunteer is dismissed from the setting due to engaging in activities that caused concern for the safeguarding of children, we will notify the Disclosure Barring Service of relevant information, so that the individuals who pose a threat to children can be identified and barred from working with these groups.

### **Training**

We are committed to promoting awareness of child abuse issues throughout our training and learning programmes for adults. We are also committed to empowering children through our Early Childhood curriculum, promoting their right to be strong, resilient and listened to.

- 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 (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals. Training opportunities should also cover extra familiar threats such as online risks, radicalisation, and grooming, and how to identify and respond to families who may be in need of early help, and organisational safeguarding procedures.

- The designated persons receive appropriate training, as recommended by the Essex Safeguarding Children’s 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 online training and discussions 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 in sight or hearing of other 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 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 the Essex Safeguarding Children Board/Local Safeguarding Partners and in line 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.

- 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 (ESCB).
- 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/Child in need 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.
- We will engage with any child in need plan or early help plan as agreed.
- 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 (ESCB).

### **Legal framework**

#### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (S11) (Every Child Matters) (2004)
- Children and Social Work Act (2017)
- Safeguarding Vulnerable Groups Act (2006)
- 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)
- Equality Act (2010)
- General Data Protection Regulation (GDPR) (2018)
- 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're Worried a Child is Being Abused (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: Advice for Practitioners providing Safeguarding Services (DFE 2018)
- Disclosure and Barring Service: [www.gov.uk/disclosure-barring-service-check](http://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, 2019)

This policy was adapted by	Nursery Manager Charlie Morgan
	<u>CAROUSEL DAY NURSERY</u>
Date Reviewed	<u>13<sup>th</sup> January 2019</u>
Date to be reviewed	<u>13<sup>th</sup> January 2020</u>
Manager's Signature	<u>C.Morgan</u>
Deputy Manager signature	<u>J.Easterford                      A.Ferry</u>