

Southville Day Nursery Safeguarding Child Protection & Safeguarding Policy Updated June 2022

“Safeguarding children is everybody’s business” (Lord Laming)

At Southville Day Nursery we recognise our moral and statutory responsibility to safeguard and promote the welfare of all children. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure children receive effective support, protection and justice.

Terminology

Safeguarding and promoting the welfare of children refers to the process of protecting all children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

Child protection refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

Staff refers to all those working for or on behalf of the nurseries, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

Child includes everyone under the age of 18.

Parent refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

This policy applies to all staff and Volunteers working in Southville Day Nursery
Southville Day nursery are part of the wider organisation Elim Foursquare Gospel Alliance.

Key guidance used to write this policy:

- Children Act 1989 and 2004
- The Early Years Foundation Stage – Section 3 – The Safeguarding and Welfare Requirements
- Effective Support for Children and Families in Somerset – Thresholds for assessment and services 2021
- Working Together to Safeguard Children 2018
- Keeping Children Safe in Education 2021 (Updated guidance is from Sep 2022)
- Somerset Safeguarding Children Board website for information, guidance and protocols
- Safeguarding Vulnerable Groups Act 2007
- The Prevent Duty 2015
- Prevent Duty <https://www.gov.uk/government/publications/prevent-duty-guidance> and Prevent Resources www.somerset.gov.uk/prevent and www.somerset.gov.uk/channel
- Early years inspection handbook 2019
- Early Years Compliance Handbook 2019

The Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) is a **senior** member of staff designated to take the lead responsibility for safeguarding within the setting.

Our DSL is: **Claire Jessop**

Our Deputy DSL is **Natasha Pittendrigh**

Elim National Safeguarding Coordinator is **Sarah Bale 01684 588913 or 07814 783855**

Assistant National Safeguarding Coordinator is **Grace Saalmans 07718479086**

The DSL responsibilities are:

- Managing all child protection issues.
- Take responsibility as the setting liaison between services for children attending that have a CP (Child Protection) or CIN (Child in Need) plan in place. To write the appropriate records and reports as requested and ensure confidentiality and security of all records and plans.
- To take the lead on safeguarding and child protection inductions for all new members of staff, students or volunteers.
- To provide support and advice to other members of staff following the correct protocols and procedures.
- To ensure all staff have current and relevant safeguarding and child protection training in place.
- To provide regular updates to staff with reference child protection and safeguarding, but at least annually.
- To lead on early help assessments within the setting, liaising with the appropriate services as required.
- Work with staff to ensure there is a culture of listening to and taking account of each child within the setting.
- Instil the message that safeguarding and child protection are everyone's responsibility.

1. Safer recruitment

Recruitment is very important to us; please refer to the Safer Recruitment Policy for more information.

2. Induction and staff training

We have an induction for all staff, volunteers and work experience students on their initial day in the setting. This covers safeguarding and child protection, evacuation procedures, health and safety issues and equality. This is recorded in their staff file.

We offer online CPD opportunities as well as face to face courses that include Child protection and First Aid.

The DSL and deputy DSL ensure their training is up to date, following the guidelines as stipulated by the Somerset Safeguarding Children Board (SSCB). This is documented in the staff training file.

3. Supervision

Supervision of all staff is implemented by the manager or line manager at least termly, in some instances it is more often. This is recorded in their staff file.

Supervision offers opportunities for discussion, particularly concerning children's development, safeguarding and well-being.

4. Managing allegations against staff and volunteers

If it is alleged that a member of staff or a volunteer has:

- 1) behaved in a way that has harmed a child, or may have harmed a child;
- 2) possibly committed a criminal offence against or related to a child; or
- 3) behaved towards a child or children in a way that indicates they may pose a risk of harm to children,

The criteria has been met for the DSL to **contact the LADO within 1 working day**. The referral should be made via Somerset Direct. We also inform Grace Saalmans on Grace.Saalmans@elim.org.uk and Sarah Bale at Elim's head office on sarah.bale@elim.org.uk

The setting **should not start any investigation** prior to speaking with the LADO who will advise them as to the correct process to follow.

The LADO's role is to provide advice and guidance, to liaise with the police and other agencies, and to monitor the progress of the case to ensure it is dealt with as quickly as possible, following a consistent, thorough and fair process.

As per the guide lines on the SWCPP website we follow these procedures:

Persons to be notified

The employer must inform the local authority designated officer within **one working day** when an allegation is made and prior to any further investigation taking place.

The LADO will advise the employer 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).

The parent/s and the child, if sufficiently mature, should be helped to understand the processes involved and be kept informed about the progress of the case and of the outcome where there is no criminal prosecution. This will include the outcome of any disciplinary process, but not the deliberations of, or the information used in, a hearing.

The employer 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 employer 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.

Ofsted should be informed of any allegation or concern made against a member of staff in any day care establishment for children under 8 or against a registered child minder. They should also be invited to take part in any subsequent strategy meeting/discussion.

Children's social care should inform Ofsted of all allegations made against a foster carer, prospective adopter, or member of staff in a residential childcare facility.

Confidentiality

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person (where this would not place the child at further risk) up to date with progress of the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.

The police should not provide identifying information to the press or media, unless and until a person is charged, except in exceptional circumstances (e.g. an appeal to trace a suspect). In such cases, the reasons should be documented and partner agencies consulted beforehand.

Section 13 of the Education Act 2011 introduced restrictions implemented in September 2012 on the publication of any information that would identify a teacher who is the subject of an allegation of misconduct that would constitute a criminal offence, where the alleged victim of the offence is a registered pupil at the school.

Such restrictions remain in place unless or until the teacher is charged with a criminal offence, though they may be dispensed with on the application to the Magistrates' Court by any person, if the court is satisfied that it is in the interests of justice to do so, having regard to the welfare of:

- a. The person who is the subject of the allegation; and
 - b. The victim of the offence to which the allegation relates
- There is a right of appeal to the Crown Court.

This restriction will apply to allegations made against any teacher who works at a school, including supply and peripatetic teachers. 'School' includes academies, Free Schools, independent schools and all types of maintained schools.

There is a new offence of publishing any information in breach of these restrictions. Publication includes any communication, in whatever form, which is addressed to the public at large or any section of the public.

It is a defence to show that the person publishing was not aware of the allegation having been made as set out in section 141H 'Defences' of the Act.

Support

The organisation, together with Children's social care and / or police, where they are involved, should consider the impact on the child concerned and provide support as appropriate. Liaison between the agencies should take place in order to ensure that the child's needs are addressed.

As soon as possible after an allegation has been received, the accused member of staff should be advised to contact their union or professional association. Human resources should be consulted at the earliest opportunity in order that appropriate support can be provided via the organisation's occupational health or employee welfare arrangements.

Suspension

Suspension is a neutral act and it should not be automatic. It should be considered in any case where:

- There is cause to suspect a child is at risk of harm; or
- The allegation warrants investigation by the police; or
- The allegation is so serious that it might be grounds for dismissal.

The possible risk of harm to children should be evaluated and managed in respect of the child/ren involved and any other children in the accused member of staff's home, work or community life.

If a strategy meeting / discussion is to be held or if Children's social care or the police are to make enquiries, the LADO should canvass their views on suspension and inform the employer. Only the employer, however, has the power to suspend an accused employee and they cannot be required to do so by a local authority or police.

If a suspended person is to return to work, the employer should consider what help and support might be appropriate (e.g. a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.

Resignations and 'compromise agreements'

Every effort should be made to reach a conclusion in all cases even if:

- The individual refuses to cooperate, having been given a full opportunity to answer the allegation and make representations;
- It may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete.

Compromise agreements' must **not** be used (i.e. where a member of staff agrees to resign provided that disciplinary action is not taken and that a future reference is agreed). A settlement/compromise agreement which prevents the employer from making a DBS referral when the criteria are met for so doing would likely result in a criminal offence being committed for failure to comply with the duty to refer.

<http://www.proceduresonline.com/swcpp/somerset/contents.html>

5. Mobile phones, cameras and digital devices.

Parent's permission is sought in the registration pack that includes photographs for observations. We do not use identifiable photographs of children on the internet or social media and mobile phone use is not permitted in the setting. Children only have supervised access to computers or tablets.

We do not allow parents into the children's toilet facilities. If there are celebration services nursery parents and carers are able to take their own photographs as it is a public building.

6. Child protection

Our Basic Safeguarding course is delivered in house and covers the following types of abuse: Physical, Emotional, Sexual and Neglect. Provisions should also reference that they are aware of and would recognise other specific safeguarding issues, including:

- Child Sexual Exploitation – CSE
- Contextual Safeguarding
- Female Genital Mutilation – FGM – teachers understand their mandatory duty to report to police
- Bullying – including cyber bullying
- Breast Ironing
- Up-skirting
- Domestic Violence
- Drugs inc county lines and Cuckooing
- Fabricated or induced illness
- Faith abuse
- Forced marriage
- Gangs and youth violence
- Gender based violence/violence against women and girls – VAWG
- Home Education
- Mental health
- Private fostering
- Preventing radicalisation
- Trafficking
- Upskirting

Staff training and supervision ensures practitioners have up to date knowledge and the Standard Operating procedures for concerns are displayed in the rooms.

7. Responding to Disclosures – Guidance for Staff

If a child makes a disclosure or allegation at the setting, it is very important that you:

- Stay calm and listen carefully.
- Use TED questioning techniques; Tell, Explain, Describe

- Reassure the child that they have done the right thing in telling you and that you believe them
- Reinforce that this is not their fault
- Do not make promises that you cannot keep
- Explain that you will need to tell other people in order to stop this happening
- DO NOT investigate or ask leading questions, encourage the child to use their own words
- Inform the DSL within the setting immediately / as soon as possible
- Only tell the people that it is necessary to inform

- Record on the appropriate form the child's
 - name, address and date of birth
 - time and date of the incident
 - what the child said
 - what you said
 - your observations of the child's behaviour and emotional state

It is the DSL's responsibility to follow the appropriate procedures when considering the next steps. The paperwork is then filed in the 5point file separate to the children's personal file. Stored in a separate safeguarding locked filing cabinet.

8. Reporting Concerns

The DSL considers the level of need through use of the Effective Support for Children and Families in Somerset Threshold document. The DSL contacts the First Response Team (CSC) through the Designated Leads Consultation Line to ask for advice if they are not sure the level of need is at Level 3 Complex or Level 4 Acute. DSL Consultation line is 0300 123 3078.

An EHA referral form is completed for a child that requires support following the threshold document.

<http://www.somerset.gov.uk/childrens-services/safeguarding-children/report-a-child-at-risk/>

Attendance at Child Protection Conferences and Other Professional Meetings

When any child becomes the subject of a conference, local procedures require all other children in the family are considered. It may well be that staff will be required to provide information on children with whom there appear to be no direct concerns.

Staff may contribute to the process of risk assessment and the decision about the child being in receipt of a child protection plan.

9. Early Help

Support that parents have been provided with from the nurseries are recorded in the 5point file and with reference to the Early Help referral process. This is in line with the Effective Support for Children and Families in Somerset document and the Early Help Assessment (EHA).

All guidance and documentation can be found on the Professional Choices webpage :<http://professionalchoices.org.uk/eha/>

To inform their policy and understand the process, providers should access this information on the Early Help Assessment. Further help and support can be provided through the Early Help Advice Hub on 01823 355803 or EHACoordinator@somerset.gov.uk.

10. Prevent

All staff have an awareness of radicalisation and the Prevent duty, should they raise a concern the DSL or deputy DSL will make a report to the Prevent Referral Team on 01179 455 536 or by emailing channelsw@avonandsomerset.pnn.police.uk.

All staff complete the free on-line training available at: <https://www.elearning.prevent.homeoffice.gov.uk/>

11. FGM

All staff are aware of the signs and symptoms and the DSL has completed FGM training.

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act 2003. It is a form of child abuse and violence against women. FGM comprises all procedures involving partial or total removal of the external female genitalia for non-medical reasons.

12. Accidents and Incidents

The setting ensure risk assessments are carried out regularly and that staff are trained to be able to identify risk and the difference between risky play and reckless behaviour. Staff are trained within the setting to meet the requirements of the EYFS with paediatric First Aid.

The manager informs Ofsted and the NI of a serious accident, illness, injury or death of any child in their care and the action taken within the appropriate time scales. In the event of a serious injury or death of a child we also inform the Somerset Safeguarding Board.

The nursery has up to date first aid boxes on site as well as a travel first aid pack for outings. Accidents are recorded on accident forms within the setting and parents are asked to sign once they have read the information. Accidents at home are also recorded and stored with the child's personal file. Setting accidents are regularly audited.

13. Staff Behaviour

See our Staff Code of Conduct Policy.

14. Site security

Visitors to the setting, including contractors, are asked to sign in. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the nurseries safeguarding and health and safety regulations to ensure children in nursery are kept safe. The Manager will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

15. Other relevant Policies

- Confidentiality policy
- Information and records – including sharing information with parents / carers
- Nappy Changing and Intimate care policy
- Sickness & Medication policy
- Missing child policy
- Non-collection policy
- Safer recruitment policy
- Staff behaviour policy
- Whistleblowing policy

Useful Information

Useful Websites/guidance www.somerset safeguarding children board.org.uk

Somerset Direct; 0300 123 2224 LADO can be contacted on this number

Consultation line for DSLs 0300 123 3078

Early Years Safeguarding Advisor, (Support Services for Education 01823 355492.)

Children's Social Care & the Police are the only agencies that can investigate allegations of abuse.

Appendix:

Forms of abuse are:

Physical abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Where your concern is about physical abuse, make sure you note where on the body the injury is and describe shape and size. Be careful to record the factual evidence – i.e. what you can actually see, not your opinion of how the injury may have been sustained.

Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

Emotional abuse is hard to evidence so detail a number of events that have led to your concerns.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

If the child or young person discloses to you any such incident record in as much detail as possible what was said, who was there and the child or young person's emotional state throughout the disclosure. Make sure your notes are contemporaneous, **dated** and kept securely.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

provide adequate food, clothing and shelter (including exclusion from home or abandonment);

protect a child from physical and emotional harm or danger;

Ensure adequate supervision (including the use of inadequate care-givers); or

Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to a child's basic emotional needs.

If you are to refer a child or young person because of possible neglect, always check back to see if there have been any previous concerns. The Children Act 1989 talks about how the persistent neglect of very basic needs is likely to cause impairment in the child or young person's development.

Domestic abuse

Domestic abuse may take many forms. Witnessing the physical and emotional suffering of a parent may cause considerable distress to children and both the physical assaults and psychological abuse suffered by adult victims who experience domestic abuse can have a negative impact on their ability to look after their children.

Children can still suffer the effects of domestic abuse, even if they do not witness the incidents directly. However, in up to 90% of incidents involving domestic violence where children reside in the home, the children are in the same or the next room.

Children's exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress among children. Children can see provision as a safe retreat from problems at home or alternatively not attend provision through a perceived need to be at home to protect abused parents or siblings.

Domestic abuse can therefore have a damaging effect on a child's health, educational attainment and emotional well-being and development. The potential scale of the impact on children is not always easy to assess but may manifest itself as behavioural, emotional or social difficulties, including poor self-esteem, withdrawal, absenteeism, adult-child conflict. Children sometimes disclose what is happening or may be reluctant to do so hoping that someone will realise something is wrong.

Always think through whether the case in question fits more appropriately within a 'Child in Need' framework than within a Child Protection framework. (For example, mucky children may simply come from mucky families; clearly the family needs to do something about the child's cleanliness and appearance, and may need some support in this, but it might not be the case that the child or young person is being abused and in need of protection.)

Child Sexual Exploitation (CSE)

There will be other circumstances which give cause for serious concern about the welfare of pupils; such as Child Sexual Exploitation (CSE).

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive something (e.g. food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities.

Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain.

In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

While professional judgement may lead you to refer this matter to Somerset Direct a screening tool has been developed that may help an SSE employee in their judgement.

There are fuller details around this subject including access to the screening tool at <http://sscb.safeguardingsomerset.org.uk/>

Forced Marriage

The UK Government describe this as taking someone, usually overseas, to force them to marry (whether or not the **forced marriage** takes place) or marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

But the choice of whether or not to accept the arrangement remains with the prospective spouses. Children may be married at a very young age and well below the age of consent in England. Staff members should be particularly alert to suspicions or concerns raised by child or vulnerable young parent. Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the Anti-Social

Behaviour, Crime and Policing Act 2014. *(Please refer to Somerset Support Services for Education, Education Safeguarding for further information.)*