

Safeguarding Children Policy

It is the Nursery's aim to ensure that all the children who come here receive the highest level of care, provision and education. This is only achievable if children are kept safe from harm. Therefore, safeguarding the welfare of children is part of our core business.

What is Safeguarding?

The Nursery adopts the definition used in the Children Act 2004¹ and the Department for Education (DfE) guidance document *Working together to safeguard children* (2015)², which focuses on safeguarding and promoting children and young people's welfare. This can be summarised as protecting children from harm by others and providing them with safe and effective care.

Aims and Objectives

- Ensure that appropriate measures and practices are in place to safeguard and promote the welfare of children, and respond to immediate concerns, bringing matter requiring attention to the relevant authorities.
- All Early Years Educators are required to complete a Safeguarding Training Course, supplemented by regular refreshers in house. Early Years Educators are therefore expected to have a good understanding of safeguarding concerns, including potential abuse and neglect of children. At whatever level we identify risks, we will highlight them and seek to ensure that appropriate steps are taken to safeguard the children concerned.
- We will ensure that all Nursery employees maintain a proper focus on safeguarding children and that this is reflected both in sound individual practice and in our internal policies and guidance.
- Create an environment that encourages children to develop a positive self image regardless of race, religion, culture, sexuality, disability, gender or background, where everyone feels valued.
- Help children establish and sustain satisfying relationships within their families, with peers and other adults.
- We hope to support children in developing a sense of autonomy and independence as well as community.

The Nursery's Responsibilities

The Nursery does not investigate individual child protection cases or referrals, therefore all Early Years Educators need to follow the procedures to ensure that all allegations or suspicions of abuse

¹ The Children Act 2004; www.dcsf.gov.uk/childrenactreport/

² *Working together to safeguard children*, DfE, 2015;
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

³ 'Radicalisation' refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.

or significant harm to any child are reported to WSCC Multi Agency Safeguarding Hub (MASH). We will share all relevant information with the respective statutory child protection agencies (children's services and/or police) without delay and within agreed protocols.

The Nursery will ensure that it fulfils its responsibilities to work jointly with others to safeguard and promote the welfare of children.

Methods

The nursery aims to safeguard child in a variety of ways.

- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within the nursery are clearly informed that positions are exempt from the Rehabilitation of Offenders Act 1974 and all job offers are subject to enhanced Disclosure and Barring Service (DBS) applications.
- We abide by Ofsted requirements with regard to references and DBS checks, to ensure that no disqualified or unfit person works at the nursery or has access to children.
- All Early Years Educators and volunteers are required to read and sign in agreement to the policies and procedures of the nursery, including the Safeguarding Children Policy and Data Protection and Confidentiality Policy.
- Volunteers never work unsupervised.
- We have procedures for recording the details of visitors to the Nursery. Visitors are never left unsupervised.
- Any marks on children in suspicious places will be recorded and the LSCB will be notified to seek advice on the suitable next step.
- We have enhanced security on our entrances and exits, as well as CCTV throughout the building. We ensure that no unauthorised person has unsupervised access to any children.
- We seek out regular training opportunities for all Early Years Educators and volunteers in the nursery to ensure that they are up to date with safeguarding and child protection procedures.
- The free flow nature and physical layout of the nursery permits constant adult supervision.
- We introduce key elements of child protection into the Early Years Foundation Stage curriculum, so that children can develop an understanding of how and why they need to keep safe.
- We handle complaints as a first priority and ensure that parents and carers are aware of the complaints procedures within the nursery.
- The Nursery works hard to build trusting and supportive relationships with the families of our children. With the proviso that the care and safety of the child are paramount, we do all in our power to support and work with the child's family at all times.

- Staff are trained to be alert and to report any changes in children's behaviour which could indicate that they may be in need of help or protection to the MASH.
- We provide in-house training to equip staff to identify children at risk of being drawn into terrorism and to challenge extremist ideas.

The Legislative Context

Working together to safeguard children (2015) sets out how organisations and individuals should work together to safeguard and promote the welfare of children and young people, in accordance with the Children Act 1989³ and the Children Act 2004. These Acts are the primary legislation from which *Working together to safeguard children* derives its legislative basis. Guidance can also be sought from the document '*What to do if you're worried a child is being abused*⁴', which is particularly helpful for Early Years Practitioners and volunteers. The Nursery also has regard to the Prevent Duty 2015, which aims to stop people becoming terrorists or supporting terrorism and to keep children safe from associated dangers. The Safeguarding Representative has oversight of the Prevent Duty at the Nursery.

The Nursery upholds the West Sussex *Children's Learning and Well-Being Audit document (CLAWBA)*, which is a requirement for all agencies as stated by *Working Together to Safeguard Children (2015)*. The guidance covers expectations and statutory duties upon all agencies to work together to safeguard and protect children and to take measures to ensure that all agencies are working to offer Early Help to prevent matters from getting worse for a child or their family. It provides a guidance to help identify the child's and family's level of need.

The Children's Learning and Well-Being indicators should be read alongside West Sussex Children's Learning and Well-Being Audit document.

¹ The Children Act 1989; www.legislation.gov.uk/ukpga/1989/41/contents.

² <https://www.education.gov.uk/publications/standard/publicationdetail/page1/dfes-04320-2006>

³ <https://www.westsussex.gov.uk/media/11245/clawba.pdf>

Disqualification by Association

The childcare disqualification requirements set out in the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 places an obligation for The Nursery to check that staff members are not disqualified from working with children. A staff member can be disqualified directly, on the basis of their own acts, but also by association if someone who lives or works in their household is disqualified from working with children.

If a member of staff is disqualified or disqualified by association it is our duty to notify Ofsted within 14 days. We will consider whether the staff member's work can be managed in a way to prevent them working within the Early Year provision or management, if this is not possible then a suspension will be used as a last resort. The staff member must personally apply for a waiver from Ofsted and if the waiver is refused the staff member will be dismissed from service.

From 31st August 2018, the amendment of regulation 9 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ("the 2018 Regulations") states we will no longer have to establish whether a member of staff providing, or employed to work in, childcare is disqualified by association within non-domestic settings, this in turn will come into effect for The Nursery.

Safeguarding Representative

The appointed Safeguarding Representative for each Nursery is the Manager in charge of said nursery, and in absence of the first representative the Area Manager is the second acting safeguarding representative. The Nursery has a regularly updated Representative Sheet that shows the representative for each role throughout each Nursery, one of the roles being the appointed Safeguarding Representative. The Representative Sheets are displayed within each Nursery and are referred to throughout in-house training. All lead practitioners complete the *Safeguarding for Lead Practitioners* Training and regular refresher in-house training for safeguarding and whistle blowing. The Safeguarding Representatives are responsible for:

- Coordinating the implementation of the Safeguarding Policy and Procedures and associated staff training/briefings.
- Monitoring compliance with the policy.
- Ensuring that procedures, advice and guidance work effectively and are revised as needed.
- Giving highest priority to children's welfare.

- Recognising, identifying and responding to signs of abuse, neglect and other safeguarding concerns relating to children.
- Responding appropriately to allegations against staff, other adults and themselves.
- Being alert to the risks which abusers, or potential abusers, may pose.
- Contributing as necessary to all stages of the Nursery's safeguarding and protection processes.
- Recognising, identifying and responding to behaviour relating to radicalism and suspicions of supporting terrorist groups.

Procedures for responding to specific child protection concerns about children at risk of significant harm

Early Years Educators at The Nursery may encounter child protection concerns. Such concerns may be brought to our attention by:

- The child themselves,
- Alleged by others,
- Through direct activity and observation.

Concern may be about the behaviour of a:

- Early Years Educator,
- Peer,
- Family member,
- Child, young person or adult in the community.

The concern could relate to action or inaction, be about a current situation or past events and may be about allegations or disclosures of physical abuse, sexual abuse, emotional abuse, neglect or a combination of one or more of these categories.

Private Fostering

A private fostering arrangement is essentially one that is made without the involvement of a Local Authority for the care of a child under the age of 16 (under 18 if disabled) by someone other than a parent or close relative for 28 days or more. Privately fostered children are a diverse and sometimes vulnerable group which includes:

- Children sent from abroad to stay with another family, usually to improve their educational opportunities;
- Asylum-seeking and refugee children;

- Language students living with host families.

It is a statutory duty for us to inform the Local Authority via MASH when we are made aware of a child who may be subject to private fostering arrangements and where we are not satisfied that the arrangement has been or will be notified.

Safeguarding Disabled Children

Disabled children have the same rights to be safe from abuse and neglect, to be protected from harm and achieve the Every Child Matters outcomes as non-disabled children.

The Equality Act 2010 says that someone is disabled if they:

- have a physical or mental impairment;
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

Any child with a disability is by definition a 'Child in Need' under Section 17 of the Children Act 1989.

A disabled child, if abused, suffers the same consequences as any other. There are many reasons why disabled children may be more vulnerable to abuse and require additional vigilance. Where a child is unable to tell someone of her/his abuse, (s)he may convey anxiety or distress in some other way, e.g. behaviour or symptoms and carers and staff must be alert to this.

Each child should be assessed carefully and supported where relevant to participate in the child protection and criminal justice system. It should never be assumed that a disabled child cannot communicate and appropriate communication methods and professionals with the appropriate skills must always be considered.

We will ensure that children with disabilities are listened to and responded to appropriately where there are concerns. We will ensure that all staff and volunteers receive the relevant training to raise awareness and have access to specialist staff in the event they have concerns regarding abuse of a child.

Fabricated or induced illness

Fabricated or induced illness in a child is a condition whereby a child suffers harm through the deliberate action of her/his main carer and which is duplicitously attributed by the adult to another cause.

The carer may seek out unnecessary medical treatment or investigation. The signs may include a carer exaggerating a real illness or symptoms; complete fabrication of symptoms or inducing physical illness, e.g. through poisoning, starvation, inappropriate diet; falsification of documents, letters, hospital charts and bodily fluids. This may also be presented through false allegations of abuse or encouraging the child to appear disabled or ill to obtain unnecessary treatment or specialist support.

There are a number of factors that staff are aware of that can indicate a child may be at risk of harm. Some of these factors can be:

- Regular absences to keep doctor or hospital appointment; or
- Repeated claims by parent that a child is frequently unwell and that he/she requires medical attention for symptoms which when described are vague in nature, difficult to diagnose and which professionals have not themselves noticed e.g. headaches, tummy aches, dizzy spells, frequent contact with opticians and or dentists or referrals for second opinions;
- Frequent and unexplained absence from school.

Fabricated illness is a form of physical and emotional abuse, as well as neglect. We will respond in accordance with our procedure.

Female genital mutilation

Female Genital Mutilation (FGM) is a form of physical abuse against children, also known as female circumcision or female genital cutting. FGM is defined by the World Health Organisation as “all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons”. FGM has no health benefits for females and procedures can cause severe bleeding and problems urinating, cysts, infections, infertility as well as complications in childbirth. Females are at a higher risk to undergo FGM procedures between the ages of 5-14; if they are from a culture where FGM is practised; parents request an extended holiday to the country of origin.

Female circumcision, excision or infibulation (female genital mutilation) is illegal in the UK by the Female Genital Mutilation Act 2003. It is an offence to take girls who are British nationals or permanent residents of the UK abroad for FGM whether or not it is lawful in that country; and to aid, abet, counsel or procure the carrying out of FGM in the UK or abroad.

If staff are concerned of intended or actual FGM, they must tell the safeguarding representative who will deal with the concern according to policy. It is a duty to report the concern to FDfF.

Monitoring attendance of children

Although it is not compulsory for children to attend the early years setting, under our safeguarding responsibilities we are required to monitor children's attendance and patterns of absence. If a child is not going to attend a session, we ask parents/carers to share the length and reason for the absence. This information will enable us to monitor illnesses that may occur across the setting.

The management of the setting is required to monitor all absences in order to safeguard children, and demonstrate this during inspections, to help our team by letting us know of any planned or unplanned absences as soon as possible.

Absence is either authorised, such as in the case of illness or of religious/cultural observance, holidays or unauthorised, when there is no reason given for such absence or when it is considered that the explanation is unjustified or unreasonable. Monitoring of these records will take place regularly and letters and/or meetings will be arranged by the setting, including a referral to the MASH, where necessary.

Child Sexual Exploitation (CSE)

CSE is where a young person (or a third person or persons) receives "something" (food, gifts, money, affection) as a result of them performing, and /or another or others performing on them, sexual activities.

"Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology." (DfE, Feb 2017).

Under Section 17 of the Children Act 1989 young people under the age of 18 would be considered Children in Need if being sexually exploited. If a member of staff feels any children, older siblings or young parents are at risk of CSE then child protection procedures should be followed and a referral made to MASH.

If you have reason for concern, all members of staff must respond in accordance with the following procedure:

Immediate action to take if you observe abuse taking place

An observation of abuse can take on a number of forms and should always give cause for concern.

If you witness an inappropriate interaction, you should proceed to intervene, so long as it does not put the child or yourself at undue risk. Inform the perpetrator of your concerns and ask them to stop what they are doing immediately and ensure they move to an area that is away from children. You shouldn't leave the child alone, so ask another responsible adult to care for the child and then proceed to inform the Manager of your concerns immediately.

It is vital that you take notes of what you have seen or heard as soon as possible. This note should be dated, signed and given to the Safeguarding Representative. On the note you should write:

- What you saw.
- Who said what.
- What action you took.
- The date, time and place.
- Your name, the name of the child and the perpetrator

Immediate action to take if you receive an allegation of possible significant harm to a child

- Focus on what you are being told or have just seen. Responding to suspicion of abuse takes immediately priority.
- Do not promise confidentiality or agree to 'keep it a secret'. Express support and reassurance to the child that you will take action.
- Don't ask leading questions e.g. How did they hurt you? But ask open questions like 'Can you tell me what happened?'
- Ask only what you need to know for you to decide whether abuse may have taken place.
- Inform the Manager immediately.

Next Steps

Once the Manager has been informed of the situation, it is unlikely that you will hear anything further about the matter, but rest assured that your actions may have protected a child from suffering or continuing to suffer. It falls to the Manager and/or Safeguarding Representative to proceed with matter.

It is now the role of the Manager/Safeguarding Representative to decide whether the allegation or suspicion indicates that a child or young person may be suffering, or is at risk of suffering, significant harm ('significant harm' is the trigger for children's social care services and/or subsequent police enquiries). In most instances, the Manager will contact the child's parents and inform them of the situation and if a subsequent referral has been made, unless they strongly feel that the child will be put at additional risk by doing this. The Manager will then proceed to contact the relevant authorities as required.

Remember, whether or not you personally believe what is said, the benefit of the doubt must always be in favour of making the report. You do not personally have to believe the concern to be true to make a referral. This assessment is for children's services and/or the police to make.

If you are unsatisfied with how you feel that Manager/Safeguarding Representative has handled the situation, you are entitled to contact the WSCC Local Safeguarding Children's Board directly and express your concerns. Their contact details appear at the close of this document.

Allegations about an Early Years Practitioner

Where concerns are reported about any Early Years Practitioners, they will be immediately passed to the MASH and Local Authority Designated Officer (LADO). The responsible officer will liaise with the setting management in all cases in which it is alleged that a person who works with children has:

- Behaved in a way that has harmed, or may have harmed a child.
- Possibly committed a criminal offence against children,
- Behaved towards a child or children in a way that indicates she/he is unsuitable to work with children.

These nominated persons will coordinate a decision and any actions to be taken, including a referral to children's social care services/police and any subsequent action by Ofsted. It also falls to them to inform Ofsted as soon as is reasonably practicable but at the latest within 14 days of the allegations being made. If allegation or concerns are regarding the manager, contact should be made with the assistant manager who will approach the LADO. If the allegations or concerns are affirmed or if the staff member leaves employment before the end of the investigation we will make a referral to the DBS.

Liaison with other bodies

- We work within the WSCC Multi Agency Safeguarding Hub (MASH) guidelines which are available for Early Years Educators and parents to see.
- We notify our registration authority Ofsted of any incidents, accidents or changes in our arrangements which affect the wellbeing of children.
- We have an up to date list of names, addresses and telephone numbers of relevant authorities to ensure that it is easy for the nursery and social services to work well together.
- We notify the Prevent Co-ordinator for any concerns about extremism or radicalist behaviour.

Emergency Contact Details

If you are concerned about a child's welfare, please contact:

MASH (Multi Agency Safeguarding Hub)

Email: mash@westsussex.gcsx.gov.uk

When emailing, please ensure your email contains the details of:

- The child's full name
- Date of birth
- Parents names
- Address
- Contact Number
- Start date at the nursery, and which sessions they attend.

WSSC Multi Agency Safeguarding Hub (MASH):

Multi Agency Safeguarding Hub
4th Floor, County Hall County Hall North (Parkside)
Chart Way
Horsham
West Sussex
RH12 1XH
Email: mash@westsussex.gcsx.gov.uk

During office hours on the number below:
Telephone: 01403 229900

The out of office hours (5pm – 8am weekdays) and 24-hour emergency number on weekends and bank holidays number is 0330 222 6664

West Sussex County Council LADO Team is also based in MASH. This means that all calls to LADO will go via MASH co-ordinators.

Please inform MASH when you have a concern to raise with LADO. You can call LADO on either:
0330 222 3339 or 01403 229900

West Sussex Safeguarding Children Board Call: 0330 222 4908 Email: lscb@westsussex.gov.uk

Ofsted

The contact details for Ofsted (our registration body) are:

Ofsted National Business
Piccadilly Gate,
Store Street,
Manchester, M1 2WD
0300 123 1231

Anytime you make a referral to the MASH, you must also contact **Ofsted** within 14 days, giving details of your concerns and any actions taken.

enquiries@ofsted.gov.uk

Ofsted has a dedicated hotline for **whistle blowing**; those working with young children to report concerns about practices and procedures for the safeguarding of children when they feel they cannot approach management. The contact details for this are:

0300 123 1231
whistleblowing@ofsted.gov.uk

Emergency Out of Hours Services:

GP: 03000 242424
Dentist:03000 242548