

## SECTION 1

### General Welfare Requirement: Safeguarding and Promoting Children's Welfare

The provider must take necessary steps to safeguard and promote the welfare of children.

# SAFEGUARDING CHILDREN

# SAFEGUARDING CHILDREN AND CHILD PROTECTION

With regard to Female Genital Mutilation Dec 2016

The Prevent duty June 2015

## POLICY STATEMENT

Our setting 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. The Wishing Well Preschool- Nursery are committed to building a 'culture of safety' in which children are protected from abuse and harm in all areas of its service delivery.

- Our designated person who co-ordinates child protection issues is:

**LYNN RUSSELL-HUBBARD**

- The manager who co-ordinates child protection issues is:

**LINDA JESSOP**

## EYFS key themes and commitments

1.3 Keeping safe	2.1 Respecting each other 2.2 Parents as partners	3.4 The wider context	4.4 Personal, social and emotional development
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## Procedures

- We ensure all staff and parents are made aware of our safeguarding policies and procedures.
- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Disclosure and Barring services (DBS) before posts can be confirmed.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We abide by Ofsted requirements in respect of references and DBS checks for staff, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- We abide by the Protection of Vulnerable Groups Act requirements in respect of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of 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.

The Wishing Well Preschool- Nursery are committed to responding promptly and appropriately to all incidents 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 March 2015).

### *Responding to suspicions of abuse*

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through the things they say (direct or indirect disclosure) or through changes in their appearance, their behaviour, or their play.
- Where such evidence is apparent, the child's key person makes a dated record of the details of the concern and discusses what to do with the setting leader or manager who is acting as the 'designated person'. The information is stored on the child's personal file.
- We refer concerns to the local authority children's social care department and co-operate fully in any subsequent investigation. NB In some cases this may mean the police or another agency identified by the Local Safeguarding Children's Board.

- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.

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

- Where a child makes comments to a member of staff that gives cause for concern (disclosure), observes signs or signals that gives cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect that member of staff.
- Listens to the child, offers reassurance and gives assurance that she or he will take action.
- Does not question the child.
- Makes a written record that forms an objective record of the observation or disclosure that includes:
  - The date and time of the observation or the disclosure
  - The exact words spoken by the child as far as possible
  - The name of the person to whom the concern was reported, with date and time
  - 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.

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

- We follow detailed procedures for making a referral to the local social care team. We keep a copy of this document and follow the detailed guidelines given.
- All members of staff are familiar with the Child Protection Record and follow the procedures for recording and reporting.

#### *Informing parents*

- Parents are normally the first point of contact.
- If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the Local Safeguarding Children Board does not allow this.
- This will usually be the case where the parent is the likely abuser. In these cases the investigating officers will inform parents.

### *Liaison with other agencies*

- We work within the Local Safeguarding Children Board guidelines.
- We have a copy of 'What to do if you're worried a child is being abused' for parents and staff and all staff are familiar with what to do if they have concerns.
- We have procedures for contacting the local authority on child protection issues, including maintaining a list of names, addresses and telephone numbers of social workers, to ensure that it is easy, in any emergency, for the setting and social services to work well together.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which may affect the wellbeing of children.
- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.
- If a referral is to be made to the local authority social care department, we act within the area's Safeguarding Children and Child Protection guidance in deciding whether we must inform the child's parents at the same time.

### *Allegations against staff*

- 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.
- We follow the guidance of the Local Safeguarding Children Board when responding to any complaint that a member of staff has abused a child.
- We respond to any disclosure by children or staff that abuse by a member of staff within 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 the local authority's social care department to investigate. We also report any such alleged incident to Ofsted and 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 and children's social care agree it is appropriate in the circumstances, the Owner will suspend the member of staff on full pay, 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.

### *Disciplinary action*

- Where a member of staff or a volunteer is dismissed from the setting because of misconduct relating to a child, we notify the Independent Barring Board administrators so that the name may be included on the Protection of Children and Vulnerable Adults Barred List.

The Wishing Well Preschool-Nursery is committed to promoting awareness of child abuse issues throughout its training and learning programmes for adults. It is also committed to empowering young children, through its early childhood curriculum, promoting their right to be strong, resilient and listened to.

### *Training*

- We seek out training opportunities 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 and neglect and that they are aware of the local authority guidelines for making referrals.
- We ensure that all staff know the procedures for reporting and recording their concerns in the setting.

### *Planning*

- The layout of the rooms allows for constant supervision.

### *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 Local Safeguarding Children Board.

### *Support to families*

- We believe in building trusting and supportive relationships with families and staff in the group.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, providing information, monitoring of the child, and liaising at all times with the local children's social care team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social care worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- 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.

### Child sexual exploitation (CSE) updated 2016

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 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. (DCSF 2009)

#### Key facts about CSE

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities.
- Any person can be targeted but there are some particularly vulnerable groups: Looked After Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.
- Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

#### Good practice - Individuals

- Recognise the symptoms and distinguish them from other forms of abuse
- Treat the child/young person as a victim of abuse
- Understand the perspective / behaviour of the child/young person and be patient with them
- Help the child/young person to recognise that they are being exploited
- Collate as much information as possible
- Share information with other agencies and seek advice / refer to Social Care Good practice - Organisations

- Ensure robust safeguarding policies and procedures are in place which cover CSE
- Promote and engage in effective multi-agency working to prevent abuse
- Work to help victims move out of exploitation
- Cooperate to enable successful investigations and prosecutions of perpetrators

Link to guidance

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278849/Safeguarding\\_Children\\_and\\_Young\\_People\\_from\\_Sexual\\_Exploitation.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278849/Safeguarding_Children_and_Young_People_from_Sexual_Exploitation.pdf)

Forced marriages (FM)

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)

Link to the guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf)

Female Genital Mutilation (FGM)

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures.

FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for any person (regardless of their nationality or residence status) to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident (section 3 of the Act).

Link to the guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf)

## **The Prevent Duty & Promoting British Values**

From 1<sup>st</sup> July 2015 all schools, registered early years childcare providers are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015, in the exercise of their functions, to have "due regard to the need to prevent people from being drawn into terrorism". This duty is known as the Prevent duty.

### **Indicators**

We are committed to providing a secure environment, where children feel safe and are kept safe. All adults in our nursery recognise that safeguarding is everyone's responsibility irrespective of the role they undertake or whether their role has direct contact or responsibility for children or not. Staff will be alert to issues including:

- Disclosures by children of their exposure to the extremist actions, views or materials of others outside of the nursery, such as in their homes or community groups
- Graffiti symbols, writing or art work promoting extremist messages or images
- Parental reports of changes in behaviour, friendship or actions and requests of assistance
- Use of extremist or 'hate' terms to exclude others or incite violence
- Intolerance of difference, whether secular or religious or, in line with our equalities policy, views based on, but not exclusive to gender, disability, homophobia, race, colour or culture

## **Actions**

In order to ensure that we adhere to and achieve the Prevent duty we will:

- Provide appropriate training for staff. Part of the training will enable staff to identify children who may be at risk of radicalisation
- We will build the children's resilience to radicalisation by promoting fundamental British values and enabling them to challenge extremist views ( for early years providers the Statutory framework for the EYFS sets standards for learning, development and care for children from 0-5, thereby assisting their personal, social and emotional development and understanding of the world)
- We will assess the risk, by means of a risk assessment, of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology
- We will be aware of the online risk of radicalisation through the use of social media and the internet
- As with managing other safeguarding risks, our staff will be alert to changes in children's behaviour which could indicate that they may be in need of help or protection (Children at risk of radicalisation may display different signs or seek to hide their views). Our Key Person approach means we already know our key children well so we will notice any changes in behaviour, demeanour or personality quickly
- We will not carry out unnecessary intrusion into family life but we will take action when we observe behaviour of concern. Our Key person approach means that we already have a rapport with our families so we will notice any changes in behaviour, demeanour or personality quickly
- We will work in partnership with our LSCB of guidance and support
- We will assist and advise families who raise concerns with us. It is important to assist and advise families who raise concerns and be able to point them to the right support mechanisms
- We will ensure that staff will undertake Prevent awareness training which includes guidance on how to identify those who may be vulnerable to being drawn into terrorism and how to refer them into the channel process
- We will ensure that any resources used in the nursery are age appropriate for the children in our care and that staff have the knowledge and confidence to use the resources effectively

## **Legal framework**

### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (1998)
- The Children Act (Every Child Matters) (2004)
- Safeguarding Vulnerable Groups Act (2006)
- Mandatory reporting of Female Genital Mutilation (2016)



- The Prevent duty (2015)

#### *Secondary Legislation*

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Human Rights Act (2000)
- Race Relations (Amendment) Act (2000)
- Race Relations (Amendment) Act (1976) Regulations
- Equalities Act (2006,2010, Amendment order 2012)
- Data Protection Act (1998) Non Statutory Guidance, Data Protection (Amendment) Act (2003)

**Policy updated April 2017**

Policy no: 2 Safeguarding children and child protection