

2.1 Safeguarding and Child Protection Policy

Children's rights and entitlements

Policy statement

At the Park Nursery we promote children's right to be strong, resilient and listened to by creating an environment in our setting that encourages children to develop a positive self-image, which includes their heritage arising from their colour and ethnicity, their languages spoken at home, their religious beliefs, cultural traditions and home background. (Promoting British Values Policy 3.2)

Safeguarding children and child protection

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

Policy statement

At The Park Nursery, we fully recognise the responsibility to have arrangements in place to safeguard and promote the welfare of all children.

Through their day-to-day contact with children and direct work with families, all staff, students and volunteers at The Park Nursery have a crucial role to play in noticing indicators of possible abuse or neglect and in referring them to the Designated Person for Child Protection. This policy sets out how The Park Nursery complies with statutory responsibilities relating to safeguarding and promoting the welfare of children who attend the setting.

There are four main elements to our policy:

1. **Prevention** through the support offered to children and the creation and maintenance of a whole-setting protective ethos.
2. **Procedures** for identifying and reporting cases, or suspected cases of abuse.
3. **Supporting** children who may have been abused or witnessed violence towards others.
4. **Promoting a protective ethos.** Our policy applies to all staff, paid and unpaid, working in Park Nursery, including volunteers. Concerned parents may also contact the Nursery's

Designated Person/s for Child Protection.

Prevention

We recognise that high self-esteem, confidence, supportive friends, and good lines of communication with a trusted adult help to protect children. At The Park Nursery, we will therefore:

- ☐ Establish and maintain an ethos where children feel secure, are encouraged to talk, and are actively listened to.
- ☐ Ensure children know that there are adults in Nursery whom they can approach if they are worried or in difficulty.

Procedures

We will follow Essex Local Safeguarding Children Board (ESCB)* procedures, which can be accessed online: escb@essex.gov.uk The setting has regard for Working Together to Safeguard Children 2015 and What to Do if You are Worried a Child is Being Abused 2015 (Department for Education).

The Designated Persons for Child Protection at The Park Nursery are:

Heidi Kennedy, Denise Thurgood and Rebecca Kennedy

The Park Nursery will:

- ☐ Ensure a Designated Person for Child Protection is on site or contactable at every session, who has undertaken, as a minimum, the two-day child protection training course.
- ☐ Ensure this training is updated every three years.
- ☐ Recognise the importance of the role of the Designated Person and ensure she has the time and training to undertake her duties.
- ☐ Ensure that the Designated Person has access to Social Care at the Local Authority for 'what if' conversations. The Emergency Duty Team (out of hours) is also available
- ☐ Ensure that the Designated Person has access to the Early Years Safeguarding Advice Line

The roles of staff and management

The Park Nursery will ensure every member of staff knows:

- ☐ The name of the Designated Person and her role.
- ☐ How to pass on and record concerns about a child.
- ☐ That they have an individual responsibility for referring child protection concerns to relevant agencies and within the timescales set out in ESCB procedures.

* ESCB bring together representatives of each of the main agencies and professionals responsible for helping to protect children from abuse and neglect in a given area. The ESCB is a multi-agency forum set up to agree how the different services and professional groups should cooperate to safeguard children in that area, and for making sure that arrangements work effectively to bring about good outcomes for children.

Training will be provided for all staff from the point of their induction, and Park Nursery will ensure that it is updated every three years at a minimum. Training made available must enable staff to identify signs of possible abuse and neglect at the earliest opportunity and to respond to these in a timely and appropriate way. These may include:

- ☐ Significant changes in children's behaviour
- ☐ Deterioration in children's general well-being
- ☐ Unexplained bruising, marks or signs of abuse or neglect
- ☐ Children's comments which give cause for concern
- ☐ Pattern of absences or frequent absences
- ☐ Any reasons to suspect neglect or abuse outside the setting for example in the child's home
- ☐ Inappropriate behaviour displayed by other members of staff or any other person working with the children.

Liaison with other agencies

The Park Nursery will work to develop effective links with relevant agencies and cooperate as required with their enquiries regarding child protection matters, including attendance and written reports at child in need, Team Around the Family (TAF) meetings and child

protection conferences and core groups.

Record keeping

The Park Nursery will keep clear, detailed written records of concern about children's welfare (noting the date, event and action taken). Park Nursery will ensure all records are kept secure and in locked location. Parents do not have an automatic right to access child welfare records and consideration will be given as to what the consequences of information sharing might be. Unless it would place the child at risk of significant harm, parents will be informed that a Record has been completed, where it will be stored and what will happen to it when the child leaves The Park Nursery.

When the child about whom there have been child welfare concerns (whether subject to a child protection plan or not) leaves The Park Nursery or transfers to school, the child's child welfare file will be transferred to the receiving school or setting using the following protocol:

- ☐ The file will be marked 'confidential, addressee only' and sent to the Designated Person, if known, of the receiving setting or school. The file will be delivered by hand if possible; otherwise sent by delivery that can be tracked and signed for.
- ☐ The Park Nursery will contact the receiving setting/school by telephone to make them aware that there is a child welfare file and, once sent, ask them to confirm as soon as possible that they have received the file. We will keep a record that the file has been received in order to be able to identify its location.
- ☐ Parents will be made aware that child welfare records will be transferred, unless this would place the child at risk of acute harm.
- ☐ The Park Nursery will not keep a copy of transferred records but will keep a record of the current file location and date the file was transferred.
- ☐ If individual child welfare files cannot be transferred for any reason, The Park Nursery will archive them for 25 years from the child's date of birth.

Confidentiality and information sharing

Staff will ensure confidentiality and that relevant and proportionate information is shared appropriately. The Park Nursery works within the guidelines set out in Information Sharing

Advice for Safeguarding Practitioners 2015 (Department for Education).

- ☐ The Designated Person may disclose any information about a child to other members of staff on a 'need to know' basis only.
- ☐ All staff must be aware that they have a professional responsibility to share relevant and proportionate information with other agencies in order to safeguard children.
- ☐ If a child discloses information that may indicate that they are at risk of abuse or neglect, the staff member will be clear that they cannot promise to keep the information a secret. The staff member will be honest to the child and explain that it will be necessary to tell someone else in order to help them and keep them safe.

Communication with parents

The Park Nursery will:

- ☐ Undertake appropriate discussion with parents prior to involvement of another agency, unless the circumstances may put the child at further risk of harm. If in any doubt, staff will seek advice from Social Care as required.
- ☐ Ensure that all parents/carers have an understanding of the responsibility placed on the setting and staff for safeguarding and child protection by ensuring that they receive a copy of this policy when registering their child at Park Nursery.
- ☐ Record on the log of concern form what discussions have taken place with parents and if a decision was made not to discuss the matter with parents, the reason why not.

Supporting children

We recognise that children who are abused or witness abuse may find it difficult to develop a sense of self-worth and trust those around them.

We recognise that some children may adopt inappropriate or abusive behaviours and that these children may be referred on for appropriate support and intervention.

Park Nursery will endeavour to support the child through:

- ☐ Activities to encourage self-esteem and self-motivation.

- ☐ An ethos that actively promotes a positive, supportive, and secure environment that values people.
- ☐ A behaviour policy aimed at supporting all children. All staff will agree on a consistent approach, which focuses on the behaviour of the child but does not damage the child's sense of self-worth. Park Nursery will ensure that the child knows that some behaviour is unacceptable but she/he is valued and not to be blamed for any abuse which has occurred.
- ☐ Liaison with other agencies which support the child and family such as Social Care and Locality Teams.
- ☐ A commitment to develop partnerships with parents.
- ☐ Recognition that children living in a home environment where there is domestic abuse/violence, mental ill-health or substance misuse may be vulnerable and in need of support and protection.
- ☐ Monitoring children's welfare, keeping records and seeking advice or making a referral to other agencies, e.g. Social Care, when necessary.

Children with Disabilities

We recognise that, statistically, children with behavioural difficulties and disabilities are most vulnerable to abuse. The Park Nursery staff who deal with children with complex and multiple disabilities and/or emotional and behavioural problems should be particularly sensitive to signs of abuse.

Prevention of Radicalisation

The Government Prevent Strategy, has raised awareness of the specific need to safeguard children, young people and families from violent extremism. The Counter-terrorism and Security Act, 2015 places a duty on professionals have due regard to the need to prevent people from being drawn into terrorism.

If a member of staff has concerns that a child, parent or staff member may be at risk of radicalisation or involvement in terrorism, they will speak with the Child Protection Designated Person. (Prevent Duty 2.5)

Peer on Peer Abuse

There are incidents that should be regarded as abuse and incidents that are more properly dealt with as bullying. This is a matter of professional judgement.

If one child causes harm to another, this should not necessarily be dealt with as abuse.

Bullying, fighting and harassment between children are not generally seen as child protection issues.

However, it may be appropriate to regard a child's behaviour as abusive if the evidence suggests that there was an intention to cause severe harm to the victim, this should be regarded as abusive whether or no severe harm was actually caused.

Our staff, parents and children will work together to create a happy, caring and safe environment. We will try to reduce incidents of bullying and watch for early signs of distress and marked change in behaviour. Bullying whether verbal, physical, sexual or indirect, will not be tolerated. It is the responsibility of everyone to report and deal with any incidents quickly. (Behaviour Policy 6.1)

Child Sexual Exploitation (CSE)

Child Sexual Exploitation involves exploitative situations, contexts and relationships where young people receive something, (for example food, drugs, alcohol, gifts or in some cases simply affection) as a result of engaging in sexual activities.

Exploitation is marked out by an imbalance of power in the relationship and involves varying degrees of coercion, intimidation and sexual bullying including cyberbullying and grooming.

If CSE is suspected, The Park Nursery will complete a Log of Concern form and make a referral to Social Care.

Female Genital Mutilation (FGM)

Female genital mutilation includes procedures that intentionally alter or injure the female genital organs for non-medical reasons. It is carried out on children between the ages of 0-15, depending on the community in which they live. FGM is extremely harmful and has short and long term effects on physical and psychological health.

FGM is internationally recognized as a violation of the human rights of girls and women, and is illegal in most countries, including the UK.

Park Nursery takes these concerns seriously and staff will be made aware of the possible signs and indicators that may alert them to the possibility of FGM. Any indication that FGM is a risk, is imminent, or has already taken place will be dealt with under the child protection procedures outlined in this policy.

Promoting a protective ethos

The Park Nursery will create an ethos in which children feel secure, their viewpoints are valued, they are encouraged to talk, and they are listened to. This will be achieved in the following ways:

- ☐ All staff, including the Designated Persons, are trained regularly to ensure skills and knowledge are up to date.
- ☐ Staff know how to respond to child protection concerns.
- ☐ Contribution to an inter-agency approach to child protection by working effectively and supportively with other agencies.
- ☐ Raising children's awareness and actively promoting self-esteem building, so that children have a range of strategies and contacts to ensure their safety.
- ☐ Working with parents to build an understanding of the settings responsibility to the welfare of the children.
- ☐ Ensuring the relevant policies are in place, i.e. the use of mobile phones and cameras, behaviour management, whistle-blowing, social networking.
- ☐ Being vigilant to the inappropriate behaviour of staff or adults working with children and ensuring that all staff and volunteers know the allegations procedure and relevant contacts.
- ☐ Staff acting as positive role models to children and young people.
- ☐ Ensuring staff are aware of the need to maintain appropriate and professional boundaries in their relationships with children and parents/carers.

Preventing unsuitable people from working with children

The Park Nursery has a duty to ensure that people looking after children are suitable to fulfil the requirements for their role. Park Nursery will follow safer recruitment practices including verifying qualifications and ensuring appropriate DBS and reference checks are undertaken. We will not allow people whose suitability has not been checked, to have unsupervised contact with children.

Staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the setting).

The following members of staff have undertaken Safer Recruitment training:

Heidi Kennedy and Denise Thurgood

Disqualification By Association (DBA)

The Park Nursery has a responsibility to ensure staff are suitable to work with children and not disqualified. All staff will need to declare (using the setting DBA declaration form) if they live in the same household as someone who is disqualified. Staff that may be disqualified may apply to Ofsted for a "waiver" of disqualification but cannot work in the setting until a waiver is confirmed.

The Park Nursery will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full even when the member of staff is no longer employed at the setting and that notification of any concerns is made to the relevant agencies, the Disclosure and Barring Service (DBS) and included in references where applicable

For further information, refer to our safer recruitment policy.

Whistleblowing

The Park Nursery has a separate whistle-blowing policy (2.7) which aims to help and protect both staff and children by:

- ❑ Preventing a problem getting worse;

- ☐ Safeguarding children and young people;
- ☐ Reducing the potential risks to others.

The earlier a concern is raised the easier and sooner it is possible for the setting to take action.

The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers.

Allegations of abuse against adults who work or volunteer at The Park Nursery

If an allegation is made against a staff member or volunteer, the following action will be taken (as per the 'Allegations of Abuse against Adults who, Work or Volunteer in a Childcare Setting' flowchart and guidance - Appendix 5 Working Together to Safeguard Children):

- ☐ Park Nursery will ensure the immediate safety of the children.
- ☐ The setting will contact the Early Years, the Local Authority Designated Officer (LADO).
- ☐ Park Nursery will discuss the case with the LADO, who will decide if it could be a child protection case.
- ☐ If the LADO decides the matter is a child protection case, external/internal agencies (e.g. police) will be informed by the LADO and Park Nursery will act upon the advice given to ensure that any investigation is not jeopardised.
- ☐ The setting will notify Ofsted of an allegation of abuse.
- ☐ It may be necessary for the employer to suspend the alleged perpetrator.
Suspension is a neutral act to allow a thorough and fair investigation.
- ☐ If it is agreed that the matter is not a child protection case, the setting will investigate the matter and feed-back the outcome of the investigation to Ofsted.

Management child protection responsibilities

The Nursery fully recognise their responsibilities with regard to, child protection and safeguarding and promoting the welfare of children. They will:

- ☐ Designate staff member for child protection will monitor the setting's child protection policy and practice and champion good practice in relation to child protection and safeguarding.
- ☐ Ensure that this policy is annually reviewed in conjunction with the setting's Designated Person/s.

Contact Points

Essex Safeguarding Children Board (ESCB)

Room C228

County Hall

Chelmsford CM1 1QH

General enquiries - 0333 013 8936 Concerns about a child- 0345 603 7627

Email: escb@essex.gov.uk

Social Services Braintree (Social Care)

Tabor House

5 Coggeshall Rd

Braintree CM7 9DB

08456 037630

www.essexcc.gov.uk/

NSPCC

Child Protection Line

0808 8005000

Ofsted

0300 123 1231

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)

Human Right Act (1998)

Keeping Children Safe in Education (2016)

Secondary legislation

Sexual Offences Act (2003)

Criminal Justice and Court Services Act (2000)

Equalities Act (2010)

Data Protection Act (1998) Non Statutory Guidance

Domestic Violence, Crime and Victims (amendment) Act (2012)

Further Guidance

What to do if you are Worried a Child is Being Abused (HMG 2006-updated 2015)

Every Child Matters - Green Paper (2003)

Framework for the Assessment of Children in Need and their Families (DoH 2000)

Inspecting Safeguarding in Early Years Education and Skills Setting (Aug 2016)