



# Eastlea Community Centre

Stockton Road, Seaham, County Durham, SR7 8DX

Children, Young People & Family Services



## Tots 'R' Us Nursery

### Safeguarding & Child Protection Policy

Last Updated: 13<sup>th</sup> January 2020

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Ofsted Registered Nursery: EY489173

# Safeguarding and Child Protection Policy

Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them. They have the right to be protected from abuse and harm at all times and in all situations. This policy shows that we protect these rights and that safeguarding and child protection is the responsibility of every adult who is involved with children.

## Legal framework

The Children Acts 1989 and 2004 respectively state a child is anyone who has not yet reached their 18th birthday. The Children Act 1989 states that each child has the right to protection from all forms of abuse, neglect or exploitation. It also states that children should have the right to express their views on any issues or decisions affecting them.

Children Act 1989 and 2004

Childcare Act 2006

The Statutory Framework for the Early Years Foundation Stage (EYFS) 2017

Working together to safeguard children – Department for Education 2018

What to do if you're worried a child is being abused – Department for Education 2015

Counter-Terrorism and Security Act 2015

## Definition of Safeguarding and Child Protection

*(Definition taken from the HM Government document 'Working together to safeguard children 2018)*

### Safeguarding and promoting the welfare of children:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes

**Child protection** is part of safeguarding and promoting welfare and refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

### Links to other policies

- Equality, Diversity & Inclusion Policy
- Positive Behaviour and Promoting British Values
- E-Safety Policy
- Employment & Recruitment Policy
- Staff Behaviour Policy
- Staff Sickness and Absence Policy
- Special Educational Needs & Disabilities Policy (SEND)
- Looked After Children Policy
- Confidentiality, Data Protection and Sharing Information Policy
- Prevent Policy
- Safeguarding and Child Protection Procedure and Contact Details
- Missing Child Policy
- Personal Care Policy
- Visitors Policy
- Late and Uncollected Child Policy
- Health and Safety Policy
- Accident/Incident Reporting & Emergency procedure

- Sick Child Policy
- Medication Policy
- Alcohol and Substance Misuse Policy

We all have a responsibility to be aware of child protection issues; however, it is important to have one or more persons who have agreed to monitor child protection.

**The Designated Safeguarding Lead (DSL) for the Nursery is Michelle Todd**, who together with **Margaret Blackwell, the Nominated Registered Person for the Nursery (Chair of Trustees)**, are responsible for and work collaboratively to ensure:

- The Nursery's Safeguarding and Child Protection policy, procedures and implementation are updated and reviewed annually and work with Trustees regarding this
- The Safeguarding and Child Protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the Nursery in this
- The Safeguarding and Child Protection policy is known, understood and used appropriately by Trustees, staff, students and volunteers and that they each have a copy
- Trustees, staff, students and volunteers know who the Safeguarding and Specialist Services contacts are - (Eastlea Community Centre and Tots 'R' Us Nursery Safeguarding, Prevent and Child Protection Procedure and Contact Details poster)
- Relevant contact numbers are at hand and staff and volunteers are aware of procedures to follow (Flowchart)
- An up to date designated Safeguarding and Child Protection notice board
- Ensure the safe recruitment of staff
- Ensure regular supervision for all staff

The Designated Safeguarding Lead should undergo formal training every two years. In addition to this training, their knowledge and skills should be refreshed (for example via e-bulletins, e learning, Durham Safeguarding Children's Partnership training, or by taking time to read and digest safeguarding developments) at least annually to:

- Be alert to the specific needs of children in need and those with special educational needs
- Ensure each member of staff has access to and understands the Nursery's Safeguarding and Child Protection policy and procedures, especially new and part time staff
- Link with the Durham Safeguarding Children's Partnership to make sure staff and volunteers are aware of training opportunities and the latest local policies on safeguarding
- Be able to keep detailed, accurate, secure written records of concerns and referrals
- Obtain access to resources and attend any relevant or refresher training courses
- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff and volunteers, in any measures the Nursery may put in place to protect them
- Understand and support the Nursery with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation
- Act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies
- Understand the assessment process for providing early help, intervention and prevention, for example through locally agreed common and shared assessment processes such as early help assessments (Single Assessment Framework (SAF)) and Families First Team and (Team around the Family (TAF))
- Have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- Refer all cases of suspected abuse or neglect to the Local Authority Children's Services – (First Contact 03000 26 79 79), Police (cases where a crime may have been committed) and to the Prevent/Channel programme where there is a radicalisation concern

- Manage on-going enquiries under Section 47 of the Children Act 1989 and police investigations
- Where children leave the Nursery ensure the file for safeguarding and any child protection information is shared appropriately with any new provision as soon as possible
- The Nursery should obtain proof that the new provision has received the safeguarding file for any child transferring and then destroy any information held on the child in line with data protection guidelines

During term time the DSL will always be contactable or available (during Nursery hours) for staff, volunteers or students in the Nursery to discuss any safeguarding concerns. Alternatively, a member of staff, volunteer or student can make a referral directly to First Contact 03000 26 79 79 or the Police if they believe a child is at risk of harm or in immediate danger.

**The Trustees of Eastlea Community Centre** must ensure that they comply with their safeguarding duties under legislation and the responsibilities placed on them by Ofsted – Inspecting safeguarding in early years, education and skills settings – updated September 2019.

They must ensure that the policies, procedures and training in the Nursery are effective and comply with the law at all times. The Nominated Registered Person representing the Trustees is Margaret Blackwell.

Our Trustees are required to have DBS checks done every three years and complete the Charities Commission ‘Trustee eligibility declaration’, which states: If your organisation works with vulnerable people (including children) and you declare that you have:

- Read and understood the Charity Commission’s safeguarding guidance
- Carried out all trustee eligibility checks the law requires and on the basis of those checks are satisfied that the people acting as trustees are both eligible and suitable to act as Trustees of this charity

### **Why Do We Need To Monitor For Child Protection Issues?**

We have a duty to ensure that all Trustees, staff and volunteers are equipped with the necessary information and knowledge to give the appropriate support, guidance and help needed at the time. We are committed to ensuring that all those associated with the Nursery have positive enjoyable experiences, in a welcoming, safe and stimulating environment, where children are able to enjoy learning and grow in confidence. Children will be encouraged to develop a sense of autonomy and independence through adult support in making choices and in finding names for their own feelings and acceptable ways to express them. This will enable children to have the self-confidence and the vocabulary to resist inappropriate approaches. We extend this policy across all of the activities we deliver within the Centre and Tots ‘R’ Us Nursery. Consequently, we are committed to ensuring that we will take all necessary steps to ensure that all children and young people who take part in our activities are kept free from harm by:

- All staff and parents are made aware of our safeguarding policies and procedures
- Children feel valued and respected and their self-esteem is promoted
- Activities take place in a safe and secure environment
- Children are encouraged to respect and care for others
- There is respect for diversity and sensitivity to race, culture, religion, gender, sexuality and disability
- Staff recognises the importance of ascertaining the wishes and feelings of children and understands how individual children communicate by verbal or non-verbal means
- Bullying is effectively countered
- A child’s right to personal privacy is respected
- Action is taken to stop any inappropriate verbal or physical behaviour
- Opportunities exist for children and parents/primary carers to talk to us about any concerns they may have

- Children and parents/primary carers feel comfortable and confident enough to discuss attitudes and behaviours they do not like
- Staff and volunteers are trained in aspects of safeguarding children, alert to children's vulnerabilities and risks of harm and knowledgeable about how to implement safeguarding children procedures
- There are clear procedures for referring safeguarding concerns about a child to the relevant local authority and safeguarding specialists
- Complaints procedures are clear, effective, and user-friendly and are readily accessible
- Recruitment and selection procedures are rigorous and create a high threshold of entry to deter abusers
- There is effective supervision and support that extends to temporary staff and volunteers
- Visitors and contract staff are effectively checked and supervised when on site or in contact with children
- Clear procedures and support systems are in place for dealing with expressions of concern by staff and carers about other staff or carers
- Whistleblowing instructing staff, volunteers, trustees and students of their duty and professional obligation to the Nursery to raise legitimate concerns about the conduct of colleagues or managers. A guarantee that procedures can be invoked in ways that do not prejudice the 'whistle-blower's' own position and prospects
- Ensure that whenever children are on the premises at least two adults are present
- Ensure that no child is left alone with staff in a one-to-one situation without being visible and/or audible to others
- An up to date register is kept of every child involved with the Nursery, consent form including relevant medical details, photograph consent, contact name and number in case of emergencies
- That some issues are confidential
- Any suspicions or allegations of abuse are referred and not investigated
- Concerns and support are sought from those identified in the Nursery's Safeguarding and Child Protection policy.

## **What is Child abuse?**

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger for example, via the internet. They may be abused by an adult or adults, or another child or children.

## **There are four types of child abuse, namely:**

### **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.

### **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.

### **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.

### **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 because 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 caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

The maltreatment of children – physically, emotionally, sexually or through neglect – can have major long-term effects on all aspects of a child's health, development and wellbeing. Maltreatment is likely to have a deep impact on the child's self-image and self-esteem, and on his or her future life. Difficulties may extend into adulthood: the experience of long-term abuse may lead to difficulties in forming or sustaining close relationships, establishing oneself in work, and to extra difficulties in developing the attitudes and skills necessary to be an effective parent. The immediate and longer-term impact can include anxiety, depression, substance misuse, eating disorders and self-destructive behaviours, offending and anti-social behaviour.

### **Possible signs of Child abuse**

All staff will be alert to the following possible signs of child abuse. However, it is understood that not all children and young people manifesting these symptoms will necessarily be suffering abuse. Caution, sensitivity and common sense will shape precisely how adults respond to these symptoms.

#### **If a child:**

- Becomes withdrawn or isolated
- Becomes aggressive or starts seeking attention
- Becomes afraid of certain people
- Develops chronic medical problems such as stomach pains or headaches
- Acts in sexually inappropriate ways toward adults or peers
- Becomes anorexic or bulimic
- Fails to thrive
- Is often hungry
- Has regular accidents
- Has poor personal hygiene
- Is regularly tired
- Is reluctant to go home
- Wears inappropriate clothing

- Develops poor social relationships
- Exhibits inappropriate emotional responses
- Exhibits dramatic changes in mood or behaviour
- Engages in drug or alcohol abuse
- Runs away
- Feels depressed
- Has bumps, bruises or wounds
- Has unconvincing explanations for bumps, bruises or wounds
- Tells of a friend with a problem of abuse

In addition to definitions provided above, the following terms are some important to note in the wider context of safeguarding and child protection and need to be recognised by the Nursery (this is not a definitive list) – specific safeguarding issues and vulnerabilities:

### **Domestic Abuse**

It is important to recognise that many children will be living (or may have lived) in families where domestic abuse is a factor, and that these situations have a harmful impact on children emotionally, as well as placing them at risk of physical harm.

The definition of Domestic Abuse is '*Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those **aged 16 or over** who are or have been intimate partners or family members regardless of gender or sexuality*'.

Domestic abuse is any type of controlling, bullying, threatening or violent behaviour between people in a relationship. However, it is not just physical violence – domestic abuse includes emotional, physical, sexual, financial or psychological abuse. It can happen in any relationship, and even after the relationship has ended. Both men and women can be abused or abusers. Domestic abuse can seriously harm children and young people. Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships. It is often difficult to tell if domestic abuse is happening, because it usually takes place in the family home and abusers can act very differently when other people are around. Children who witness domestic abuse may:

- Become aggressive
- Display anti-social behaviour
- Suffer from depression or anxiety
- Not do as well at nursery/school - due to difficulties at home or disruption of moving to and from refuges

Where there is a concern about a child in relation to domestic violence, the Nursery will follow child protection procedures, and a referral made to First Contact.

### **Child Sexual Exploitation (CSE)**

Child sexual exploitation involves exploitative situations, contexts and relationships where children and young people receive something (for example food, accommodation, drugs, alcohol, gifts, money or in some cases simply affection) because of engaging in sexual activities. CSE can take many forms ranging from the seemingly 'consensual' relationship where sex is exchanged for affection or gifts, to serious organised crime by gangs and groups. What marks out exploitation is an imbalance of power in the relationship. The perpetrator always holds some kind of power over the victim, which increases as the exploitative relationship, develops. Sexual exploitation involves varying degrees of coercion, intimidation or enticement, including unwanted pressure from peers to have sex, sexual bullying including cyber bullying and grooming. However, it also important to recognise that some young people who are being sexually exploited do not exhibit any external signs of this abuse. Risk indicators include:

- Disclosure of older boyfriends

- Gang affiliation
- Receiving gifts/drugs/money
- Missing and truanting
- Coercive relationships
- Trafficking
- Chatting to strangers on line
- Found in risky locations

If a member of staff/volunteer or student 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 First Contact.

## **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. The age at which girls undergo FGM varies enormously according to the community. The procedure may be carried out when the girl is new-born, during childhood, adolescence, at marriage or during the first pregnancy. However, in the majority of cases, FGM takes place between the ages of 5-14 and therefore girls within that age bracket are at a higher risk. FGM is extremely harmful and has short and long-term effects on physical and psychological health.

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

The 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. <https://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/female-genital-mutilation-fgm/signs-symptoms-and-effects/>  
There is statutory duty for professionals in England and Wales to report 'known' cases of FGM in under-18s, which they identify in the course of their professional work to the police.

Where there is a concern about a child in relation to FGM the Nursery will follow child protection procedures and a referral made to First Contact.

## **Children of Substance Misusing Parents/Carers**

Misuse of drugs and/or alcohol is strongly associated with Significant Harm to children, especially when combined with other features such as domestic violence.

Where there is a concern about a child in relation to drug/alcohol abuse, the Nursery will follow appropriate safeguarding and child protection. This is particularly important if the following factors are present:

- Use of the family resources to finance the parent's dependency, characterised by inadequate food, heat and clothing for the child
- Child exposed to unsuitable caregivers or visitors, e.g. customers or dealers
- The effects of alcohol leading to an inappropriate display of sexual and/or aggressive behaviour
- Chaotic drug and alcohol use leading to emotional unavailability, irrational behaviour and reduced parental vigilance
- Disturbed moods as a result of withdrawal symptoms or dependency
- Unsafe storage of drugs and/or alcohol or injecting equipment
- Drugs and/or alcohol having an adverse impact on the growth and development of the unborn child / child



## **Children who abuse other children**

It is important to be conscious that any child who is engaging in abusive behaviour towards others may have been subject to abuse from other children or from adults. Abusive behaviour can be displayed in a variety of ways and can consist of sexual abuse/activity; physical harm; emotional abuse, verbal abuse. Children who abuse others should be held responsible for their abusive behaviour, whilst being identified and responded to in a way, which meets their needs as well as protecting others. In such incidences, the Nursery will follow guidance issued in relation to children who abuse others and local procedures.

Any indication that a child has suffered from peer abuse will be dealt with under the child protection procedures outlined in this policy.

## **Protecting Children from Extremism and Radicalisation**

Safeguarding children and young people from being drawn into or supporting terrorism. The Nursery has a vital role to play in protecting children and young people from the risks of extremism and radicalisation. This role is underpinned by the Counter Terrorism and Security Act (2015) to have due regard to the need to prevent people from being drawn into terrorism. The Prevent Strategy, published by the Government in 2011 is part of an overall counter-terrorism strategy, CONTEST. The aim of the Prevent Strategy is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism activity.

At Tots 'R' Us Nursery, all staff are expected to set an example by upholding the fundamental principles of British values, and promoting them to the children at the Nursery. These include democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs. (Please refer to our Prevent Policy for further details)

## **Children with Special Educational Needs and/or Disabilities (SEND)**

Staff need to be sensitive to signs of abuse, particularly in children with limited or non-verbal communication. Statistically, children with special educational needs and/or disabilities (SEND) are most vulnerable to abuse. Staff who supports children with SEND will use their knowledge of the individual child to ensure that signs and indicators of abuse are recognised and acted upon quickly and sensitively. Children who have difficulty with expressive language may be particularly vulnerable to abuse so practitioners will be alert to changes in behaviour and other possible signs of abuse. Staff should be especially vigilant regarding signs relating to disabled children and not automatically assume that any of the above relates to their impairment. Staff supervision will be vigilant to create a protective ethos around the child. (Please see our Special Educational Needs & Disabilities Policy (SEND)).

Child abuse is not a new problem and, although it still occurs, there is evidence to suggest that its occurrence can be significantly reduced by learning more about the problem. The Nursery supports this by:

- Giving children and young people self-protection strategies
- Knowing how to listen carefully
- Knowing what action to take when allegations of child abuse are made
- Understand the assessment process for providing early help and intervention, for example, through locally agreed common and shared assessment processes such as early help assessments (Single Assessment Framework (SAF)) and Families First Teams

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

We believe that every child regardless of age, race, religion, home language, family background, gender, disability and/or learning difficulty, has at all times and in all situations, a right to feel safe

and protected from any situation or practice that results in a child being physically or psychologically damaged.

If we have suspicions about a child's physical, sexual or emotional well-being, we will take all necessary action. All trustees, staff and volunteers are encouraged to share concerns with the Designated Safeguarding Lead who has agreed to monitor child protection issues. If the situation is clearly an urgent case, the child is too frightened to go home or we have very serious doubts about the child's safety, we will contact the Safeguarding and Specialist Services (First Contact) or Police immediately. All staff/volunteers have a copy of and understand the written procedures for managing allegations of harm to a child. They know how to make a complaint and understand policies on Whistleblowing and how to manage other concerns about the practice of adults in respect of the safety and protection of children.

All concerns are to be shared with the DSL, who will make the decision if a referral is to be made to the Safeguarding and Specialist Services (First Contact). In all instances, the information will be recorded. Where there is any doubt whether a referral should be made, the First Contact service is available to offer support. It is extremely important that all volunteers and staff communicate concerns accurately.

If a child starts to talk to an adult about potential abuse it is important not to promise the child complete confidentiality as this promise cannot be kept. It is vital that the child is allowed to talk openly and that the disclosure is not forced or words put into the child's mouth. Do not examine the child or ask leading questions. Remain calm and do not allow your own feelings (such as anger, pity or shock) to surface.

Staff should make a written record that forms an objective record of the observation or disclosure on the 'Record of Concern' paperwork (supported by the DSL) that will include:

- Child's name, address, age and date of birth
- Date and time of the observation or the disclosure
- Exact words spoken by the child
- Exact position and type of injuries or marks seen marked on a body map
- Exact observation of an incident including any other witnesses
- Name of the person to whom the concern was reported, with date and time
- Any discussion held with parent (where deemed appropriate)
- Any action taken including steps taken to support the child
- Details of any resulting changes to be made in the Nursery's policies / procedures / practices
- These records should be dated and signed by the person reporting this and the DSL and kept in the child's individual file, which is kept securely and confidentially

Following discussions with all concerned, it may be necessary to refer to the local authority, First Contact and / or that, a Single Assessment Framework (SAF) referral needs to be initiated. If a referral is needed, the Manager (DSL) / Deputy Manager complete the relevant local authority referral form and phones First Contact. This must be followed up in writing within 24 hours. We will keep a copy of this document and will follow the detailed guidelines given. If a SAF is deemed the appropriate means of support, the form will be completed with informed consent from the parent/carer.

When a referral is made, it is vital that when sharing any information it is done so with the utmost care, moreover, is shared for the purpose necessary and with those who need to have it. Using the DSCB's chronology form, a brief account of events is documented, which provides cumulative evidence of emerging needs and risks, which is kept on the child's individual file. It assists in charting a child or young person's journey from early intervention through to statutory intervention. A key purpose of the chronology is to provide an early indication of an emerging pattern of progress or concern.

## **Allegations against Centre and Nursery Personnel**

In the event of any person observing inappropriate behaviour towards a child by any other members of staff, or any person working with children, for example, inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images then that person should follow the **'Whistle Blowing'** procedure.

We follow the guidance of the Durham Safeguarding Children Partnership when responding to any complaint that a member of staff, volunteer or any person living, working or looking after children within the Centre or Nursery has abused a child. The Designated Safeguarding Lead on all such occasions will notify Ofsted of any allegations, whether the allegation relates to the Nursery or elsewhere within 14 days. If the allegation made to a member of staff concerns the Designated Safeguarding Lead, the member of staff will inform the Chair who will notify Ofsted.

We will respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the Nursery, may have taken, or is taking place, by first recording the details of any such alleged incident. We will refer any such complaint immediately to the local authority's First Contact to investigate. We will also report any such alleged incident to the Durham Safeguarding Children's Partnership Local Authority Designated Officer (LADO). We will co-operate entirely with any investigation carried out by children's social care in conjunction with the police and LADO.

Where the Trustees, First Contact and the Local Authority Designated Officer (LADO) agree it is appropriate in the circumstances, the Chair will suspend the member of staff on full pay, or the volunteer, for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process.

## **Whistle Blowing**

It is our intention that any member of staff, volunteer or any person living, working or looking after children within the Centre or Nursery feel confident about coming forward and reporting any issues/concerns that they may have regarding the areas below, whilst remaining protected from any subsequent discrimination.

### **Aim**

- Ensure all personnel understand their responsibilities and feel confident in raising and reporting a serious concern at the earliest opportunity
- Provide avenues for all personnel to raise concerns and receive feedback on any action taken
- Ensure that all personnel receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure personnel that they will be protected from possible reprisals or victimisation if they have made any disclosures in good faith

Any concerns can be reported without this leading to any harassment or victimisation, and every effort will be made to keep both the concern and the member of staff's identity confidential

The following signs and symptoms may mean that staff, volunteers or students are involved in abuse:

- Paying an excessive amount of attention to a child or groups of children
- Providing presents, money or having favourites
- Seeking out vulnerable children, e.g.: disabled children
- Trying to spend time alone with a particular child or group of children on a regular basis
- Making inappropriate sexual comments
- Sharing inappropriate images
- Being vague about where they have worked or when they have been employed

- Encouraging secretiveness

### **Methods of reporting**

- A concern can initially be raised by any member of staff, volunteer or student to the Designated Safeguarding Lead (DSL). In the event that the concern is about the DSL the Chair should be contacted
- Discuss the nature of the concern together with the background, history of the concerns and provide relevant dates of incidents
- There is no expectation that staff prove beyond doubt the truth of their suspicion, however they will need to demonstrate that they are acting in good faith and there are reasonable grounds for their concern
- All employees will be treated fairly

### **Concerns will be dealt with in the following way:**

- Initial enquiries will be made to decide whether an investigation is appropriate and if so what form it should take
- The incident will be investigated by the Manager (DSL) /Trustees/or Ofsted
- If appropriate it will be referred and put through established Safeguarding procedures and may form the subject of an independent inquiry
- Within ten working days of the concern being raised, the member of staff will receive in writing :
  - Acknowledgement that the concern has been received with an indication as to how the setting will proceed to deal with the matter
  - Supply the member of staff with information on staff support mechanisms
  - Inform the member of staff concerned as to whether any further investigation will take place and if not, why not

It may be necessary for the setting to interview staff to ensure that their disclosure is fully understood. Any meeting can be arranged away from the workplace, if so wished, and a representative or a friend may accompany the involved member of staff for support.

If there are any difficulties experienced because of raising a concern, support will be offered. Staff will be kept informed of the progress and outcome of any investigation to assure that any disclosure has been properly addressed unless legal reasons determine otherwise.

Confidentiality will be maintained and every effort will be made not to reveal a member of staff's identity if they so wish. If however a member of staff makes an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action may be taken.

The Public Interest Disclosure Act 1998 seeks to protect employees from discrimination because of "blowing the whistle" on their organisation, or individuals within it, through amendments to employment law.

If you are not satisfied with the outcome of the investigation, you may elevate your concerns directly to Ofsted Tel: 0300 123 1231, e-mail whistleblowing @ofsted.gov.uk.

We keep a copy of the 'What to do if you are worried a child is being abused' and 'Working together to safeguard children', alongside procedures set down by the Durham Safeguarding Children Partnership along with this Policy document for reference and for guidance on the referral process.

### **Informing parents**

We will ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the Nursery, or anyone visiting, accessing other services or working on the premises occupied by the Nursery, which may include an allegation of abuse.

Parents are normally the first point of contact. We will discuss any concerns with parents to gain their view of events unless we feel this may put the child in greater danger. We will inform parents where we make a record of concerns in their child's file and that we also make a note of any discussion we have with them regarding a concern.

If a suspicion of abuse warrants referral to First Contact, parents are informed at the same time that the referral will be made, except where the guidance of the Durham Safeguarding Children Partnership does not allow this, for example, where it is believed that the child may be placed in greater danger or where the concern is around sexual abuse. This will usually be the case where the parent is the likely abuser. In these cases, the social workers will inform parents.

## **Confidentiality and sharing information**

We always check whether parents/carers regard the information, they share with us to be regarded as confidential or not. Some parents/carers sometimes share information about themselves with other parents/carers as well as staff and volunteers. The Nursery is not responsible if information shared beyond those parents/carers whom the person has 'confided' in. Information shared between parents/carers in a discussion or training group is usually bound by a shared agreement, that the information is confidential to the group and not to be discussed outside of it.

We inform parents/carers when we need to record confidential information beyond the general personal information we keep. For example, with regard to any injuries, concerns, or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection, and any contact and correspondence with external agencies in relation to their child. We keep all records securely.

All staff and volunteers are made aware of the importance of not disclosing any information they may know regarding the children, families and staff to anyone outside the Nursery environment. Staff should only discuss concerns with the Manager (Designated Safeguarding Lead), Deputy Manager or Registered Nominated Person. That person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child, only if appropriate under the guidance of the Durham Safeguarding Children's Partnership (DSCP) with the provision that the care and safety of the child is paramount. Child protection information, record of concern forms and other written information will be stored securely and only made available to relevant individuals in line with our Confidentiality, Data Protection and Sharing Information Policy.

All staff, volunteers and personnel working within the centre sign a 'Confidentiality Agreement'.

## **Safer Recruitment**

The Nursery Manager, Nominated Registered Person and Deputy Manager have undertaken Safer Recruitment Training with the Durham Safeguarding Children's Partnership. All safeguarding training will be updated every two years. In addition to this training, their knowledge and skills should be refreshed annually. The Nursery has an effective system in place to ensure that all practitioners and other people aged 16 or over likely to have regular contact with children are suitable to do so.

We will address safe recruitment and selection of paid employees and volunteers by doing the following and in line with our Staff, Volunteer and Employment Policy:

- Accept that it our responsibility to check that all adults with regular access to children have been appropriately vetted through the Disclosure and Barring Service (DBS) and will not commence work until a satisfactory DBS is received
- Hold a register of DBS certificates

- Ensure that every new volunteer or prospective new member of staff will complete an application form
- Make a request for previous addresses on application forms covering a period of five years minimum
- Obtain evidence of relevant qualifications
- Ask for the names of two referees who will be prepared to provide a written reference, which will be followed up by telephone calls
- Manager, Registered Person and Deputy Manager to interview prospective staff
- Previous experience of staff in working with children and a full employment history requested on application form, with any gaps investigated
- Carry out an induction for all staff and volunteers and have a probationary period of at least three months
- The new member of staff/volunteer will have access to all policies and procedures and management will complete individual staff/volunteer files, which will include all supervisions, training and yearly appraisals
- All personnel will be given a copy of the Safeguarding and Child Protection Policy
- Expect all people connected with the Nursery who work directly with children to declare to them, all convictions, cautions, court orders, reprimands and warning which may affect their suitability to work with children
- All students/apprenticeships/volunteers will receive the Nursery's induction process, will abide by the Nursery's policies and procedures, and will never be left unsupervised at any time
- Provide adequate and appropriate staffing resources to meet the needs of all children
- Applicants for posts within the Nursery are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974
- We give members of staff, volunteers and students' regular opportunities to declare changes that may affect their suitability to care for the children. This includes information about their health and any medication they are taking
- All students will have enhanced DBS checks conducted on them before their placement starts
- Volunteers, including students, do not work unsupervised
- We abide by the requirements of the Safeguarding Vulnerable Groups Act 2006 and the Childcare Act 2006 in respect of any person who is disqualified from providing childcare, is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of child protection concern
- All staff have access to and comply with the whistleblowing policy which will enable them to share any concerns that may arise about their colleagues in an appropriate manner
- All staff will receive regular supervision meetings where opportunities will be made available to discuss any issues relating to individual children, child protection training and any needs for further support
- The deployment of staff within the Nursery allows for constant supervision and support
- All staff and volunteers will be DBS certificated, to be renewed every 3 years

### **Mobile Phone, Camera and Recording Device**

In order to protect children and to protect staff from allegations, whilst maintaining high standards of care, only designated Nursery cameras are used for taking photographs in the Nursery. Staff, visitors, volunteers and students are not permitted to use mobile phones to take or record any images of the children. Parents need prior permission from the Manager (Designated Safeguarding Lead) to use cameras, videos or mobile phones for photographs, images or recording of special events in the setting. Further information on the use of cameras and mobile phones is included in our E-Safety Policy that also covers on-line communications and social networking.