



## PROTECTING AND SAFEGUARDING CHILDREN POLICY

Adopted July 2020

### Legal Framework

This policy is written in accordance with the LSCB's Child Protection Procedures 2009, which Toad Hall fully adopts and implements in our practice. A copy of the LSCB's procedures can be found at [www.wokingham.gov.uk](http://www.wokingham.gov.uk).

The policy has also been developed with regard to law and guidance that seeks to protect children, namely:

- Children Act 1989, and 2004.
- United Convention of the Rights of the Child 1991
- Data Protection Act 1998.
- Human Rights Act 1998.
- Sexual Offences Act 2003.
- Safeguarding vulnerable Groups Act 2006.
- Protection of Freedoms Act 2012.
- Children and Families Act 2014.
- Special educational needs and disability (SEND) code of practice (HM Government 2014).
- Prevent duty guidance for England and Wales 2015
- General Data Protection Regulations (EU) 2016
- Inspecting safeguarding in Early Years, Education and skills settings 2018

### Position Statement

At Toad Hall Nursery we are committed to providing a safe and supportive environment in which children can develop and grow into mature and responsible people. Safeguarding children is a central part of our holistic approach to ensure that:

Children are protected from abuse and neglect

Every child reaches their full potential

Child protection is just one part of the wider duty for us to 'safeguard children and promote their well-being'. Child abuse is to cause harm to a child or fail to take action to prevent harm. Categories of abuse are:

Physical abuse - can consist of unexplained bruises or repeated incidences of injury, burns, bite marks on unexposed areas of the body.

Emotional abuse - can consist of sudden changes in their behaviour causing them to be withdrawn, tearful, feeling worthless, and appearing afraid to leave nursery or a failure to thrive.

Sexual abuse - can consist of age inappropriate actions or language during play or through conversation with the child, they may disclose details, which alert you to a possible dangerous situation for them.

Neglect - can consist of a general lack of care and hygiene, failing to thrive, failure to meet their basic physical or physiological needs, lack of medical care, failing to protect them from physical harm or danger, poor shelter, inadequate food.

Bullying - can consist of calling names, damaging property, stealing, spreading rumours, cyberbullying, hurting or getting people into trouble.

Domestic violence - When one adult in a family or relationship threatens, bullies or hurts another member of the family e.g. physically, psychologically, emotionally, sexually or financially.

For more information on 'What is abuse?' please click on or visit the website below.

[http://wokinghamscb.org.uk/what\\_is\\_abuse](http://wokinghamscb.org.uk/what_is_abuse)

**We create the above environment by:**

Creating an environment whereby high standards of work, effort and behaviour are expected from children and adults, which are rewarded with praise and encouragement.

Providing a curriculum, which will help all children to develop their full potential.

Providing appropriate training and learning opportunities to sustain personal and professional development of all staff and volunteers.

Developing an ethos and culture whereby everyone feels valued and secure, show understanding of others, respect for diversity and promoting equality of opportunity and encouraging a sense of pride in our nursery.

Working in partnership with parents/carers by offering support, information and advice about their child's learning and development.

Our aim is to ensure that no child is discriminated against by being treated less favourably or by a failure of staff to make reasonable adjustments in recognition of children's needs and abilities.

Fulfilling our duties to children who attend the nursery and working in collaboration with other agencies as set out in the Children Act 1989 and Working Together to Safeguard Children Guidance (2015). This includes sharing information held about a child and their family on a need

to know basis, which is consistent with the Human Rights Act (1998), the Data Protection Act (1998) and the Freedom of Information Act (2000).

**Aims of this policy:**

To provide information to parents/carers of our roles and responsibilities to safeguard children.

To reassure parents/carers that every effort is made to provide a safe environment for children through our safe recruitment and retention policy and training strategy.

**Staff training:** Upon starting work within the nursery, whether paid or voluntary, all staff undertake an induction process, which covers 'safeguarding children'. The nursery has a named Lead Safeguarding Practitioner and a Deputy Safeguarding Practitioner, who have both undertaken initial and refresher child protection courses, and attends regular network meetings. All staff also undertakes basic safeguarding training through the local authority upon starting working for us, which is updated every three years. This ensures that they are able to recognise the symptoms of possible physical abuse, neglect, emotional abuse and sexual abuse.

Senior managers will, on a biannual basis complete Lead Safeguarding Role update training.

**Safe Recruitment and Retention:** It will be clear to applicants for positions within the nursery that the position is exempt for the provisions of the Rehabilitation of Offenders Act 1974. All applicants for work within the nursery, whether voluntary or paid, will be interviewed before an appointment is made and will be asked to provide at least two references. All such references will be followed up. In the case of applicants with unexplained gaps in their employment history, or who have moved rapidly from one job to another, explanations will be sought. All appointments, both paid and voluntary, will be subject to a probationary period and will not be confirmed unless the nursery is confident that the applicant can be safely entrusted with children.

The Disclosure and Barring System (DBS) provide criminal record checks for people working with children, reducing the risk that unsuitable people can gain employment with children thereby assisting employers to make safer recruitment decisions. All adults working within the nursery, whether paid or voluntary, will have a detailed (enhanced) DBS check upon starting work within the nursery. The DBS check will then be reviewed every three years if staff have not registered for the update service. Staff are required to complete a staff disqualification declaration on a regular basis to confirm they have not been disqualified from working with children. Staff are also required to inform management if Social Care are involved with their own children.

**Roles and Responsibilities:** All staff have a responsibility and duty to ensure the welfare and protection of all children. All action taken to safeguard children will be in accordance with Berkshire Local Safeguarding Children Board (LSCB) Manual. A copy of the LSCB Manual can be found at <http://www.proceduresonline.com/berks> and all staff will be directed to familiarise themselves with it during their induction period.

Toad Hall Nursery has two Lead Safeguarding Practitioners (LSP): (LSP) Sarah Lovell and Catherine Treglown (Deputy LSP). Both members of staff coordinate child protection issues on a

day to day basis. Both members of staff work closely with the nursery manager on child protection issues, who oversees the coordination of child protection issues. In their absence the nursery manager takes responsibility for the position. The nursery owner takes overall responsibility for all safeguarding issues within the nursery as the registered person.

In partnership with parents/carers, the child's room leader or the nursery's LSP's/Manager will discuss any concerns we may have regarding their child. Staff are also available for you to discuss any difficulties/problems or queries you may have. These could relate to nursery issues or the home environment.

Daily confidential records are kept on all children with relevant/accurate information regarding the child/family.

**Mobile Phone/Use of Cameras:** Parents, staff and visitors are prohibited from using their mobile phones on site and we kindly ask that you switch these to silent or turn them off when dropping off and collecting your child from nursery. Mobile phones and other camera devices are not to be used on site without prior permission from staff to protect the children in our care.

**What we do to safeguard children at Toad Hall Nursery:** Wherever worrying changes are observed in a child's behaviour, physical condition or appearance, a specific and confidential record will be set up, separate from the usual developmental progress records. The record will include, in addition to the name, address and age of the child; timed and dated observations, describing objectively the child's behaviour/appearance, without comment or interpretation; where possible, the exact words spoken by the child; be dated and the name and signature of the recorder. Such records will be kept in a separate file and will not be accessible to other people other than the nursery owner/manager/LSP's or other members of staff where appropriate. Toad Hall Nursery has a duty under the Berkshire LSCB Child Protection Procedures and National Child Protection Procedures 2006 to maintain records of any concerns, which may, may not be available to parents.

As a provider, we are required to record emergency contact details for each child and these will be recorded during your child's settling in session. We ask that all contact details we hold on your child are up to date and you notify us of any changes, to ensure we are able to contact someone in the event of an emergency.

Other records, which we are bound to hold, include:

- Accident forms - used to record accidents which happen at nursery.
- Home incident forms - parents/carers must inform nursery staff of any child coming into the nursery with marks from accidents in the home.
- Attendance records - Parents/carers must inform staff if their child will not be attending nursery due to illness or holiday. It is a requirement for all settings to record all children's absence. If we have not been contacted by 10am, staff will conduct a courtesy call to ask why your child has not attended. Frequent absence whilst in receipt of 2yr/3yr/4yr Government funding will be reported to the Local Authority and they may delete your child from the funding register.

Policies we have include:

- Anti-bullying policy.
- Health and Safety Policy.
- Female Genital Mutilation.
- Prevent.

We also:

- Promote children's safety by providing a safe and welcoming environment.
- Ensure that we give children the opportunities to build their self-esteem.
- Ensure the correct adult to child ratios are adhered to at all times.
- Staff are never left alone with large or small groups of children for extended periods of times.
- Staff and visitors who are not DBS checked are never left unsupervised with children.
- Ensure that children are given the opportunity to express themselves.

**The Procedures for Child Protection:** A child is defined as being in 'need', under the Children Act 1989, if they are vulnerable or unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services plus those who are disabled (S17 Children Act 1989).

Some children are in need because they are significantly or likely to suffer significant harm. Under S47 of the Children Act 1989, the local authority has a duty to make enquiries, where there is reasonable cause to suspect that a child is suffering or likely to suffer significant harm.

**Action taken if there are ongoing concerns:** Where there are ongoing concerns we will discuss the issues with parents/carers (unless there are safety implications in doing so).

This action will include:

- To monitor/record.
- Assess needs.
- Share concerns with other agencies.
- Wherever possible consent will be sought from parent/carer.

Children and families may experience a range of needs at different times in their lives, therefore it may be necessary to carry out a Common Assessment Framework (CAF, 2006) to allow children with additional needs to access support from other agencies. This process will be carried out by members of staff within the nursery who have attended training in conjunction with parents. If it is felt that a request for assessment is necessary then staff will seek the permission of the child's parents/carers. A Pre-CAF assessment or request for assessment may be carried out in the following circumstances:

If there is a concern about how well a child is progressing. Concerns may be raised about their health, behaviour, welfare, progress in learning or any other aspect of their well-being. Or when a parent has raised concern with a member of staff.

The needs are unclear, or broader than the service the nursery offers can address.

A common assessment would help to identify the needs, and/or get other services to help meet them.

Copies of the CAF/Request for Assessment will be provided to parents/carers of the child concerned. Completed CAFs/Requests for Assessment forms are protected and shared in line with the Data Protection Act 1998.

If there are any child protection concerns, the local Safeguarding (LSCB) procedures will be followed without delay, (as laid down in the Berkshire Local Safeguarding Children Board Child Protection Handbook, 2006). The welfare of the child is paramount.

Toad Hall Nursery will always act in your child's best interests and will share relevant information with agencies/professionals. At all times our actions will take guidance from LSCB guidelines.

Toad Hall Nursery aims to ensure that every child has the chance to fulfil its potential. We have the responsibility of ensuring children are safe, happy and healthy in their lives.

#### **Alcohol/Drugs misuse procedures:**

As part of safeguarding the children in our care, the staff have a duty to inform both the Manager/Deputy Manager and the Lead Safeguarding Practitioner if they have good reason to suspect that a parent/carer is under the influence of either alcohol or drugs when they drop off or collect their child. The Manager/Deputy Manager and the LSP will then be responsible for deciding upon the appropriate course of action, ensuring that the safety and protection of the child remains paramount at all times.

If it is believed that the parent/carer driving a vehicle appears to be over the legal alcohol limit, the following procedure would be followed;

- Police would be called to the setting.
- Alternative arrangements made to ensure the child returned home safely.
- Logging a concern form would be completed by a member of staff and signed by both the LSP and management. This would then be filed in a confidential folder away from the child's contact details.
- A referral would be made to the Early Help Hub - Social Care Team and parents would be informed of this prior the referral being submitted.
- The situation would be monitored within the setting and if required, work alongside Social Care.

The above procedure would also be followed if a parent/carer is suspected to have taken Illegal drugs or appears unsafe to drive after taking prescribed medication.

If a child is found in possession of illegal drugs whilst on the premises, the parent/carer will be contacted. If staff are found in possession of illegal drugs, disciplinary action will be followed. Disciplinary action will also be taken if staff are under the influence of alcohol.

In cases where staff are taking prescribed drugs that may affect their ability to function effectively at work, the Manager/Deputy Manager must be informed as early as possible, so that the management team can help and support that person. Any medication which staff may need to take during working hours, will be stored in a locked cupboard and out of the reach of children at all times.

Should a child disclose any information to staff that may suggest domestic violence is occurring at home, staff would report this information to the Manager/Deputy Manager and designated LSP. The LSP will then approach the parent with the concerns which have been raised and offer any help and/or support if needed. If the parent would like advice, this can be sought from social care with the parent's consent or from a family worker at your local Children's Centre. Any information would be logged and filed away in a confidential folder away from the child's contact details.

#### **Allegations against staff/volunteers:**

Should an allegation be made against any member of staff who has behaved inappropriately towards any child, these concerns should be raised immediately with the nursery manager. The nursery manager will liaise with the nursery's named LSP who together will liaise with the Local Authority Designated Officer (LADO) to make an initial assessment about whether an investigation is required and at what level.

If necessary, the member of staff will be informed and suspended pending further investigation.

If an investigation is necessary, it will be carried out as a matter of priority. This process will ensure that all parties can access relevant support, and that the necessary authorities involved in this investigation (including our registration authority Ofsted and Social Care).

Confidentiality will be paramount during this investigation.

The person who has made the allegation will be kept as informed as appropriate during the investigation. As conclusions are reached all relevant persons will be informed of any outcomes as soon as possible.

In the case of a parent/carer making an allegation against a member of staff, post investigation, discussions between the child's parent/carer and the nursery manager/named LSP will take place in order to try and re-establish a working relationship between all parties, with support and mediation being made available where necessary.

In the event that there is an allegation of abuse or neglect against a member of staff, the manager or named LSP will contact the LADO immediately as well as Ofsted and Social Care.

**Monitoring Child Welfare Concerns:** Not all situations will require a referral to Social Care for statutory intervention but may require staff to monitor the child within the nursery. The following information will be used in the monitoring process:

Record held by the nursery

Internal monitoring of actions following all reported incidents

### **Female Genital Mutilation (FGM)**

All staff at Toad Hall Nursery have received up to date training

As our duty of care, we have a statutory obligation under national safeguarding protocols (e.g working together to safeguard children) to protect young girls and women from FGM as it is an illegal, extremely harmful practise and a form of abuse.

It is essential that we work closely with other agencies if we suspect a child has suffered or is likely to suffer FGM as appropriate safeguarding efforts. This is reflected in the Multi-agency Practice Guidelines.

If a child in our care shows signs and symptoms of FGM or we have good reason to suspect the child is at risk of FGM, we MUST refer the child using our existing standard safeguarding procedures as it is a form of abuse. When a child is identified as "at risk" of FGM, this information MUST be brought to the child's GP attention and health visitor (as per section 47 of The children's act 1989)

### **Prevent Duty**

All staff at Toad Hall Nursery have received up to date training

In line with section 26 of the counter terrorism and security act (2015) we understand the importance of staff members being able to recognise and identify vulnerable children and to have "due regard to the need to prevent people from being drawn into terrorism"

We recognise the importance of protecting children from the risk of radicalisation and promoting British Values in the same way we would protect and safeguarding children from any other abuse. We will ensure all staff members are able to notice changes in children's behaviour as we would do with any kind of safeguarding matter as there is no single way of being able to identify a child who is at risk of being vulnerable or susceptible to radicalisation/extremism.

Regular reviews on our e-safety policy and use of mobile phones and internet policy are carried out as we recognise the increased risk of online radicalisation.

All staff members are also aware of the appropriate time to make a referral to the "Channel Programme"

**Making a referral to Duty Triage and Assessment:** Whereby a referral is required to Triage the named LSP will discuss our concerns with you and obtain Consent for the referral unless we consider to do so would put the child at increased risk of significant harm.

All serious accidents which occur within the setting which result in your child needing to seek medical attention will need to be reported by the designated LSP to the Local Authority (LA) Early Years Team. This will also apply with any serious illnesses which your child may have.

### **Photograph/Camera/Tablet Policy**

Staff will take photographs of the children as they enjoy lots of different activities. These are displayed for the parents to see what their children do during the day; some copies will also be put into the child's individual learning records. We also use photographs in our brochure, which is sent out to prospective parents. At Christmas time, parents of Preschool children will be permitted to take photos of the play and some may video record the production; however, we request these are not posted on social media sites.



When your child attends their pre-visit, you will be provided with a consent form and you will be asked whether you give permission for your child to be photographed at nursery. This is known as informed choice under GDPR (General Data Protection Regulations). You are able to withdraw consent at any time in writing to the management team. The nursery does have a website page and photographs are put onto this, however we will write to each individual parent beforehand to ask for permission. This permission is then kept on file, again this consent can be withdrawn at any time in writing. Photographs of children shall only be taken using nursery owned equipment and is permitted to remain on the site of Toad Hall Nursery. Mobile phone cameras are strictly forbidden as well as the use of personal cameras. Nursery cameras/Tablets are supplied from the office for use in the nursery only, and these are kept on the nursery site at all times in the office.

**Contacts:** If you have concerns about a child, ensure you contact one of the following advice/support/to refer to Social Care:

Duty Triage and Assessment (Children's Safeguarding & Social Care Team) 8.30am-5.00pm	Telephone:0118 9088002 Email: <a href="mailto:triage@wokingham.gcsx.gov.uk">triage@wokingham.gcsx.gov.uk</a>
Emergency Duty Team - Out of office hours	Telephone: 01344 786543
If you are uncertain how to proceed and there is no immediate danger to a child you may wish to discuss your concerns with The Wokingham Early Years and Childcare Team.	Telephone: 0118 9088260
National Society for Prevention of Cruelty to Children (NSPCC)	0808 800 5000
Thames Valley Police Enquiry Centre	101
Contacts in the event of allegations against staff / volunteers: In the event that there is an allegation of abuse or neglect made against a member of staff, the Manager or the LSP, the Local Authority Designated Officer (LADO) must be informed immediately	Telephone: 0118 9746141 (For an informal discussion) Email: <a href="mailto:LADO@wokingham.gov.uk">LADO@wokingham.gov.uk</a>
Ofsted	0300 123 1231
Wokingham Local Safeguarding Children's Board	<a href="http://wokinghamlscb.org.uk/">http://wokinghamlscb.org.uk/</a>

All the above contact numbers have been updated during November 2019

The policies and procedures of the setting for child protection will be regularly reviewed and updated where necessary. Any updates will be displayed and provided for parents to see.

Documents available: the nursery holds the following documents to assist in the smooth running of protecting and safeguarding children:

'What to do if you're worried a child is being abused' advice for practitioners, DFES, 2015

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

'Inspecting safeguarding in early years, education and skills settings' September 2019

<https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills>