



# Ladybird Forest Pre-School

## Safeguarding and Welfare Requirements: Child Protection

### 1.2 Safeguarding Children and Child Protection

#### Policy Statement

At Ladybird Forest Pre-School we work with children, parents, external agencies, and the community to ensure the welfare and safety of children. We are committed to:

1. Building a 'culture of safety' in which children are protected from abuse and harm in all areas of our service delivery;
2. Responding promptly and appropriately to all incidents, allegations 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, 2015) and the Care Act 2014; and
3. Promoting awareness of child abuse issues throughout our training and learning programmes for staff. We are also committed to empowering children through our early childhood curriculum, promoting their right to be strong, resilient and listened to.

#### Procedures

We carry out the following procedures to ensure we meet the three commitments above.

#### Key commitment 1

**We are committed to building a 'culture of safety' in which children are protected from abuse and harm in all areas of our service delivery.**

#### *Designate Safeguarding Lead*

- We have Designated Safeguarding Leads who coordinate child protection issues.
- The Designated Safeguarding Leads receive training every two years and their knowledge is refreshed at least annually. This training enables them to provide support, advice and guidance to all other staff about safeguarding issues.
- The Designated Safeguarding Leads have completed specific training on multi-agency working.
- The Designated Safeguarding Lead completes online Channel training, online Prevent training and attends local Workshop to Raise Awareness to Prevent (WRAP) training where available



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to ensure they are familiar with the local protocol and procedures for responding to concerns about radicalisation.

- We always have a Designated Safeguarding Lead on duty when the setting is open.

### *Staff and Volunteers*

- We provide adequate and appropriate staffing resources to meet the needs of children in our care.
- We ensure all staff are trained to understand our safeguarding policies and procedures and that parents are made aware of them too.
- All staff sign to confirm that they have read all of our policies. Staff are made aware of any policy updates.
- All staff understand our Staff Code of Conduct. All staff understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures on promoting positive behaviour, online safety (including the use of cameras, smart devices and mobile phones) and whistleblowing.
- All staff understand that safeguarding is their responsibility and that they have a duty to maintain the well-being of children in their care.
- All staff understand their professional duty to ensure safeguarding and child protection concerns are reported. All staff are aware of the Local Authority guidelines for making referrals and the procedures for reporting and recording their concerns in the setting.
- All staff are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value and can be respectfully skeptical.
- All staff understand how to escalate their concerns in the event that they feel either the Local Authority and/or their own organisation has not acted adequately to safeguard and how to follow local safeguarding procedures to resolve professional disputes between staff and organisations.

### *Protection from abuse*



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- All staff have an awareness of and are supported to follow the principles set out in "Working Together to Safeguard Children 2018" and "What to do if you're worried a child is being abused", which are available for parents on the website.
- All staff have received Prevent Duty training and Safeguarding Children training and receive regular updates on safeguarding at least annually. All staff have an up-to-date knowledge of safeguarding issues, are alert to potential indicators and signs and symptoms of:
  - emotional abuse
  - physical abuse
  - sexual abuse
  - neglect
  - inappropriate staff behaviour
- All staff are aware of the 'hidden harm' agenda concerning factors affecting parental capacity and risk such as:
  - drug and/or alcohol problems
  - mental or physical illness
  - learning disability
  - social exclusion
  - domestic violence
  - honour-based violence
  - forced marriage
  - radicalisation
  - human trafficking

If there are signs of a parent or staff member any of these problems are present the Pre-School will act and follow this and related policies in order to keep children safe.

- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour-based violence or may be victims of child trafficking. While this may be less likely to affect young



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children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with.

- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and Local Authority procedures on responding to radicalization.
- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture, and that these receive full consideration in relation to child, young person or vulnerable adult protection.

### *Safe Recruitment*

- The Pre-School Manager and Deputy attend Safer Recruitment training.
- Applicants for staff are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Current and prospective staff are informed that they must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before or during employment.
- Enhanced criminal records and barred lists checks and other suitability checks are carried out for staff and volunteers prior to their post being confirmed, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Where applications are rejected because of information that has been disclosed, applicants have the right to know and challenge incorrect information.
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed.
- We abide by Ofsted's requirements in respect of references and criminal record checks for staff and regular volunteers, to ensure that no disqualified person or unfit person works at the setting or has access to the children.
- Volunteers and unvetted persons do not work unsupervised.



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- We abide by the Safeguarding Vulnerable Groups Act 2006 (SVGA) requirements and inform Disclosure and Barring Service of any person who is 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 a safeguarding children concern.
- We ensure that all our Directors and committee members have undertaken enhanced DBS checks.

### *Visitors*

- 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.
- Steps are taken to ensure children are not photographed or filmed on video other than on CCTV, for the purposes of recording their development or their participation in events organised by us, and for Safeguarding purposes.
- Personal mobile phones are not to be used where children are present.

### **Key commitment 2**

**We are committed to responding promptly and appropriately to all incidents, allegations 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, 2015) and the Care Act 2014;**

### *Responding to suspicions of abuse*

- When children are suffering from physical, sexual or emotional abuse, or experiencing neglect, this may be demonstrated through:
  - significant changes in their behaviour;
  - deterioration in their general well-being;
  - their comments which may give cause for concern, or the things they say (direct or indirect disclosure);



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- changes in their appearance, their behaviour, or their play; and
- unexplained bruising, marks or signs of possible abuse or neglect;
- Where a child makes comments to a member of staff that give cause for concern (**disclosure**), or a member of staff observes signs or signals that give cause for concern, such as indicators of 'hidden harm', significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect (including 'failure to thrive' (**observation**), or a member of staff witnesses an **incident** involving a parent, carer or authorised person authorised person (adults who are authorised by the parents to collect their child from the setting, for example a childminder or grandparent), that member of staff:
  - Will listen to the child, offer reassurance and give assurance that she or he will take action (applies more to disclosure and observation);
  - Will not question the child, although it is fine to ask questions for the purposes of clarification;
  - Will make a written record on the Safeguarding Incident Reporting Form (for concerns , child welfare, physical intervention, witness statement, fact-finding) an objective record and witness statement of the disclosure, observation or incident that includes:
    - the date and time of the event;
    - the exact words spoken by the child as far as possible;
    - the name of the person to whom the concern was reported, with the date and time;
    - the names of any other person present at the time;
    - the date the form is completed; and
    - the signature of the person completing the form.
  - Discuss the disclosure/observation/incident with a Designated Safeguarding Lead so that a decision can be made about who should be notified.

*Guidance for staff receiving an allegation from a child:*



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- Do not promise total confidentiality to children since they must inform the setting Lead and/or Management (as above);
- Only establish what the child is saying and do not interview the child about the allegation.

### *Referral*

- We have procedures for contacting the local authority regarding child protection issues and concerns about children's welfare, 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 children's social care to work well together. Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.
- If a Designated Safeguarding Lead deems it necessary the Access and Referral Hub will be contacted and advice will be taken on next steps. Advice may be that the disclosure/observation/incident is:
  - A cause for concern which should be monitored and any future disclosure/observation/incident logged: or
  - Suspicion of abuse in which the child's safety is at risk and social services and/or the police may be involved.
- Other observations and incidents that could result in a referral to the Access and Referral Hub include who meets the s17 Children Act 1989 child in need definition. It also includes an incident involving a child who fails to arrive at a session when expected and contact cannot be established with the child's parent and the Designated Safeguarding has reason to believe that the child is at risk of significant harm.
- Full records of conversations will be maintained when any referrals or discussions are held with any other agencies or with parents prior to a referrals. These records will include dates and times of the conversation, who the Pre-School speaks to, and any advice given.
- We will share information lawfully with safeguarding partners and other agencies where there are safeguarding concerns. Any information shared with external agencies is done under the guidance of the Childcare Development Officer in Children's Services of the Local Authority.



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- The Designated Safeguarding Lead will ensure the records are kept in the Safeguarding Information folder, which is kept securely and confidentially.

### *Informing parents*

- Parents are normally the first point of contact. Concerns are normally discussed with parents to gain their view of events. Parents are informed when we make a record of a concern and that we also make a note of any discussion we have with them about it.
- If a suspicion of abuse warrants referral to social care, parents are informed at the same time that the referral will be made.
- However, parents will **not** be informed if:
  - where it is believed that the child may be placed at risk (this will usually be the case where the parent is the likely abuser or where sexual abuse may have occurred),
  - the procedures of the local safeguarding partners do not allow,
  - it may unduly delay the referral,
  - it may interfere with the course of a police investigation, or
  - it is otherwise unreasonable to seek consent.
- The Designated Safeguarding Lead will seek advice from social care, or in some circumstances police, where necessary about whether or not to advise parents beforehand, and will record and follow the advice given.

### *Responding to allegations of abuse or incidents involving members of staff*

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone working on the premises, which may include an allegation of abuse.
- We ensure that all staff, volunteers and anyone else working in the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.





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- We respond to any inappropriate behaviour displayed by members of staff, volunteer or any other person living or working on the premises.
- When an incident of abuse is observed by a member of staff or an allegation of abuse is made either by a child, colleague, parent or member of the public, the person receiving the allegation must take it seriously and deal with it by making a written record on the Allegation of Abuse Against a Member of Staff Form that forms an objective record and witness statement of the incident or allegation that includes:
  - the date, time and location of the event(s);
  - the exact words spoken by the alleged
  - potential witnesses
  - the name of the person to whom the concern was reported, with the date and time;
  - the names of any other person present at the time;
  - the date the form is completed; and
  - the signature of the person completing the form.
- Immediately inform either the:
  - Pre-School Manager
  - Deputy
  - Lead; or
  - Chair of the Board of Trustees (if the allegation/incident involves the Pre-School Manager)
- Immediate contact must be made with the Local Authority Designated Officer (LADO) Children's Services on 0300 300 4833 at least within one working day;
- Ofsted should be notified immediately;
- The following persons should be informed soon after:
  - Designated Safeguarding Leads
  - Chair of the Board of Trustees



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### *Deciding to suspend*

- Although suspension is not automatic, the member of staff may be asked to refrain from some or all duties until further assessment has occurred to determine the nature and level of risk. This does not imply innocence or guilt.
- The staff member may have questions as to why this has been requested. If asked, the Pre-School Manager will inform the staff member that a safeguarding concern has been brought to the attention of the setting, that the matter cannot be discussed any further but there will be a formal opportunity to respond at a later date.
- The setting must not question the staff member or investigate the matter.
- Confidentiality should be maintained throughout this matter, in order that any subsequent investigation is not prejudiced.

### *Outcome*

- There are four possible findings to an investigation into an incident or allegation of potential abuse:
  - **Malicious** This implies a deliberate act to deceive. A malicious allegation may be made by a pupil following an altercation with a teacher or a parent who is in dispute with a school. For an allegation to be classified as malicious, it will be necessary to have evidence, which proves this intention.
  - **Unfounded** This indicates that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances. For an allegation to be classified as unfounded, it will be necessary to have evidence to disprove the allegation.
  - **Unsubstantiated** this is not the same as a false allegation. It simply means that there is insufficient identifiable evidence to prove or disprove the incident/allegation. The term, therefore, does not imply guilt or innocence.
  - **Substantiated** This is where there is sufficient evidence or information to support the incident/allegation.



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- Following completion of an investigation by Ofsted and the LADO there will be five possible courses of action:
  - **Criminal** Ofsted and LADO will decide if there is sufficient evidence to carry forward a prosecution of the member and if so will involve the police directly.
  - **Disciplinary** Ofsted and the LADO may determine that there is not sufficient evidence to press a criminal charge, but there may nevertheless be issues which require that disciplinary action is taken via the setting's disciplinary procedure.
  - **Training** The investigations may indicate that the allegation was unfounded but the case may well have shown that there are issues of training and performance amongst staff which need to be dealt with by additional staff training.
  - **Safeguarding Children** There may be other outstanding Safeguarding Children issues which do not involve the member of staff concerned but which Ofsted and LADO deem need to be dealt with via Safeguarding Children procedures
  - **No further action**
- Where the allegation has been found to be without basis Ofsted will write to the Pre-School summarising the outcome of the investigation.
- Employers must refer the member of staff to the Disclosure and Barring Services if they:
  - have been cautioned or convicted of a relevant (automatic barring) offence;
  - have sacked them because they harmed a child or adult;
  - have sacked them because they might have harmed a child or adult otherwise; or
  - were planning to sack them for any of these reasons, but the person resigned first.Relevant information should be referred to the DBS as soon as it becomes available. The referral should only be made once you have gathered sufficient evidence and after consultation with the LADO.
- Where an allegation has been found to be unfounded a summary of the allegation and subsequent investigation should be kept on the Setting's confidential LADO Referral File. Where disciplinary action has been taken, documents relating to the investigation should be retained, together with a written record of the investigation in the LADO Referral File.



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### Key commitment 3

We are committed to promoting awareness of child abuse issues throughout our training and learning programs for adults. We are also committed to empowering children through our early childhood curriculum, promoting their right to be strong, resilient and listened to.

### Training

- Training opportunities are sought 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 (including child sexual exploitation) and neglect and that they are aware of the Local Authority guidelines for making referrals. Training opportunities also cover extra familial threats such as online risks, radicalisation and grooming, and how to identify and respond to families who may be in need of early help, including to support children with adverse childhood experiences, (ACE), and organisational safeguarding procedures.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.
- We ensure that all staff receive updates on safeguarding via emails, newsletters, online training and/or discussion at staff meetings at least once a year.

### Planning

- The layout of the rooms allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being within sight and/or hearing of other staff or volunteers.

### 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



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strong, resilient and listened to and so that they develop an understanding of why and how to keep safe.

- We create within the setting a culture of value and respect for individuals, 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

- 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 Data Protection and Confidentiality, and Children's records policies, and only if appropriate under the guidance of the local safeguarding partners.
- All staff understand their responsibilities under the General Data Protection Regulation 2018, and understand relevant safeguarding legislation, statutory requirements and local safeguarding partner requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
- 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 partners and in line with the General Data Protection Regulation 2018, Data Protection Act 2018, and Working Together 2018.

### Support to families

- Ladybird Forest Pre-School takes every step in its power to build up trusting and supporting relations among families, staff and volunteers.
- We will support families to receive appropriate early help by sharing information with other agencies in accordance with statutory requirements and legislation.



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- In consultation with parents/carers we can refer children for additional help through the Early Help Assessment (EHA). We do this with the support of other professionals and the Early Help Team.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, 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 worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- We will engage with any child in need plan or early help plan as agreed.

### Legal framework:

#### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (2004 s11)
- Children and Social Work Act 2017
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)
- Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018

#### *Secondary legislation*

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equality Act (2010)
- General Data Protection Regulations (GDPR) (2018)



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- Childcare (Disqualification) Regulations (2009)
- Children and Families Act (2014)
- Care Act (2014)
- Serious Crime Act (2015)
- Counter-Terrorism and Security Act (2015)

### Further guidance:

- Working Together to Safeguard Children (HMG, 2018)
- What to do if you're Worried a Child is Being Abused (HMG, 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
- Hidden Harm - Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
- Information Sharing: Advice for Practitioners providing Safeguarding Services (DfE 2018)
- Disclosure and Barring Service: [www.gov.uk/disclosure-barring-service-check](http://www.gov.uk/disclosure-barring-service-check)
- Revised Prevent Duty Guidance for England and Wales (HMG, 2015)
- Inspecting Safeguarding in Early Years, Education and Skills Settings, (Ofsted, 2016)
- Safeguarding Children (Pre-school Learning Alliance 2013)
- Safeguarding through Effective Supervision (Pre-school Learning Alliance 2013)
- The New Early Years Employee Handbook (Pre-school Learning Alliance 2016)
- People Management in the Early Years (Pre-school Learning Alliance 2016)

### Relevant Ladybird policies:

- 1.3 Looked After Children
- 1.4 Uncollected Child
- 1.7 Online Safety (incl. CCTV, Cameras, Mobile Phones and Smart Devices)



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- 1.8 Whistleblowing
- 2.1 Employment
- 6.3 Intimate Care and Physical Contact
- 6.7 Health and Well-being
- 8.1 Health and Safety
- 8.4 Alcohol and substance misuse
- 9.1 Valuing diversity and promoting equality
- 9.2 Supporting children with special educational needs
- 9.5 British Values
- 10.2 Working in partnership
- 10.3 Children's records
- 10.6 Data Protection and Confidentiality
- 10.7 Complaints

### Key contact details:

Organisation	Contact Number
Access and Referral Hub	0300 300 8585
Police	999
NSPCC 24 hour helpline	0808 800 5000
Ofsted	0300 123 1231
DBS	<a href="https://www.gov.uk/disclosure-barring-service-check/overview">https://www.gov.uk/disclosure-barring-service-check/overview</a>
LADO	0300 300 4833
Prevent Officer (Channel Panel)	0300 300 8585
Channel Programme	0207 3407264





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Childcare Development Officer, School Readiness and Childcare Team	0300 300 8000
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<b>This policy was reviewed by</b>	Amanda Sanders - Pre-School Manager Jade Dixon - Pre-School Deputy Manager Rebecca McGough - Chair
<b>Date of review</b>	7 <sup>th</sup> May 2024
<b>Date for next review</b>	17 <sup>th</sup> July 2024
<b>Chair's signature</b>	