

The Caterpillar Club at High Meadow Infant School

Child protection and safeguarding policy

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Designated Safeguarding Lead: **Mrs D Hughes**

Date: **September 2017**

Nursery Manager and Nursery Designated Lead: **Mrs N Harris**

Headteacher and Safeguarding Management Representative: **Mrs D Hughes**

Date: **September 2018**

Chair of Management Committee: **Mrs R Howells**

Date: **September 2018**

1. Policy statement and principles

This policy is one of a series in the nursery's integrated safeguarding portfolio *including our Staff Behaviour Policy (code of conduct), safer recruitment policy, allegations against staff, complaints, pupil behaviour and online safety policy, as well as guidelines which identify clear processes for children missing in education and allegations against staff.*

The nursery's safeguarding arrangements are inspected by Ofsted under the judgements for leadership & management and also impact the judgement on the personal development, behaviour and welfare of children and learners.

This policy is available on the nursery website and all staff and volunteers are required to read it and confirm they have done so in writing before commencing work in nursery.

Child protection statement

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all pupils. We endeavour to provide a safe and welcoming environment where children are respected and valued. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

The procedures contained in this policy apply to all staff, volunteers and governors and are consistent with those of Warwickshire Safeguarding Children Board (WSCB).

Policy principles:

- The nurseries responsibility to safeguard and promote the welfare of children is of paramount importance
- All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection
- Children who are safe and feel safe are better equipped to learn
- This nursery is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. All adults at the nursery are required to take all welfare concerns seriously and to encourage children to talk to them about anything that worries them. Staff will always act in the best interests of the children.
- Representatives of the whole nursery community of pupils, parents, staff, volunteers and committee members will therefore be involved in reviewing, shaping and developing the school's safeguarding arrangements and child protection policy.
- All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm at home, in the community or in school
- All staff members will maintain an attitude of 'It could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff members should always act in the interests of the child.

- If, at any point, there is a risk of immediate serious harm to a child a referral will be made to Mash Team immediately. **Anybody can make a referral.** If the child's situation does not appear to be improving, any staff member with concerns should press the designated Safeguarding Lead for re-consideration. Concerns should always lead to help for the child at some stage.
- If a member of staff remains concerned about a child, they can discuss their concerns with the Chair of Management Committee, another DSL or contact the Education Safeguarding Manager or MASH for additional advice as necessary (contact details in Appendix 2).
- Pupils and staff involved in child protection issues will receive appropriate support
- This policy will be reviewed at least annually unless an incident, new legislation or guidance suggests the need for an interim review.

Policy aims:

- To provide all staff with the necessary information to enable them to meet their safeguarding and child protection responsibilities
- To ensure consistent good practice
- To demonstrate the nursery's commitment with regard to safeguarding and child protection to pupils, parents and other partners

Terminology

Safeguarding and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes.

Child protection refers to the processes undertaken to protect children who have been identified as suffering, or being at risk of suffering significant harm.

Staff refers to all those working for or on behalf of the nursery, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

Child includes everyone under the age of 18.

Parent refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

2. Safeguarding legislation and guidance

- The **EYFS** states that nursery providers and staff must take all necessary steps to keep children safe and well. It outlines all the requirements nurseries must follow to safeguard children, ensure suitability of adults who have contact with children; promote good health; manage behaviour; and maintain records, policies and procedures.
- The statutory guidance **Working Together to Safeguard Children (DfE 2018)** covers the legislative requirements and expectations on individual services to safeguard and promote the welfare of children. It also provides the framework for the three local safeguarding partners (the local authority; a clinical commissioning group for an area, any part of which falls within the local authority; and the chief officer of Police for a Police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children including identifying and responding to their needs. The guidance confirms that it applies, in its entirety, to all schools and early years settings.
- The statutory guidance **Keeping Children Safe in Education (DfE 2016)** is issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Non-Maintained Special Schools (England) Regulations 2015. Schools and settings must have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children. Unless otherwise stated, 'school' in this guidance means all schools, whether maintained, non-maintained or independent, including academies and free schools, alternative provision academies, maintained nursery schools and pupil referral units. 'College' means further education colleges and sixth form colleges as established under the Further and Higher Education Act 1992 and relates to their responsibilities to children under the age of 18 (but excludes 16-19 academies and free schools, which are required to comply with relevant safeguarding legislation by virtue of their funding agreement).

All staff must read Part One of **Keeping Children Safe in Education 2018**. Staff can find a copy in in the safeguarding folder and staff room. In addition, all staff who work directly with children must read Part 5 and Annex A.

- **What to do if you're worried a child is being abused 2015 - Advice for practitioners** is non statutory advice which helps practitioners (everyone who works with children) to identify abuse and neglect and take appropriate action. Staff can find a copy in in the safeguarding file and staff room.

In the UK, more than 50,000 children are annually subject to a child protection plan. Research suggests that one child a week dies from abuse, around 20 per cent of children will suffer some form of abuse. 23-40% of all alleged sexual abuse of children and young people is perpetrated by other young people, mainly adolescents. One child in six is exposed to violence in the home and disabled children are three times more likely to be abused and neglected. The prevalence of neglect continues to be a major concern and online abuse is increasing. The sexual exploitation of children is a growing problem.

Sexual violence and sexual harassment can occur between two children of **any age and sex**. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

37% of female students and 6% of male students at mixed-sex schools have personally experienced some form of sexual harassment at school. 24% of female students and 4% of male students at mixed-sex schools have been subjected to unwanted physical touching of a sexual nature while at

school. 14% of girls and 7% of boys report that their partner has pressured them to share nude images of themselves. Girls are significantly more likely to be victimised with unwanted sexual messages and images from their peers online.

Due to their day-to-day contact with pupils, staff in nursery are uniquely placed to observe changes in children's behaviour and the outward signs of abuse, neglect, exploitation and radicalisation. Children may also turn to a trusted adult in nursery when they are in distress or at risk. It is vital that all nursery staff are alert to the signs of abuse, are approachable and trusted by the children, listen actively to children and understand the procedures for reporting their concerns. The nursery will act on identified concerns and will provide early help to prevent concerns from escalating.

3. Roles and responsibilities

Key personnel

The designated safeguarding lead (DSL) is Mrs N Harris – Nursery Manager

The deputy designated safeguarding lead is Mrs T Brooker – Deputy Manager

Contact details: email: thecaterpillarclub@hotmail.co.uk tel: 01675 467540

Other staff trained to undertake the functions of the designated safeguarding lead are

Mrs G Dance – Nursery Nurse, Play leader School Club

Mrs E Vine – Nursery Nurse, Deputy Play leader school Club

Mrs D Hughes Safeguarding Representative for Management Committee, School Head teacher

Mrs R Howells – Chair Management Committee

The Designated Safeguarding Lead is required to co-ordinate child protection arrangements and to ensure that there are appropriate cover arrangements.

The Designated Safeguarding Lead (DSL):

- is a senior member of staff and therefore has the status and authority within the nursery to
 - takes lead responsibility for safeguarding and child protection in the nursery, which will not be delegated although the activities of the DSL may be delegated to appropriately trained deputies
- The role and responsibility is explicit in the role holders job description.

- is appropriately trained, receives refresher training at two-yearly intervals and regularly (at least annually) updates their knowledge and skills to keep up with any developments relevant to their role
- acts as a source of support and expertise to the nursery community
- encourages a culture of listening to children and taking account of their wishes and feelings
- is alert to the specific needs of children in need, those with special educational needs, looked after children and young carers
- has a working knowledge of Warwickshire Safeguarding Children Board (WSCB) procedures
- has an understanding of the EARLY HELP PROCESS to ensure effective assessment and understanding of children's additional needs in order to inform appropriate provision of early help and intervention
- keeps detailed written records of all concerns, ensuring that such records are stored securely and flagged, but kept separate from, the pupil's general file
- refers cases of suspected abuse to Mash or the Police as appropriate
- notifies Mash and or Social worker if a child with a child protection plan is absent without explanation.
- ensures that, when a pupil leaves the nursery, all child protection records are passed to the new school/nursery (separately from the main pupil file and ensuring secure transit) and confirmation of receipt is obtained. If the child is the subject of an open case to Children's Social Care, the pupil's social worker is also informed
- attends and/or contributes to child protection conferences, strategy meetings and multi-agency sexual exploitation (MASE) meetings
- co-ordinates the nursery's contribution to child protection plans as part of core groups, attending and actively participating in core group meetings
- develops effective links with relevant statutory and voluntary agencies including all local safeguarding partnerships.
- ensures that all staff sign to indicate that they have read and understood the child protection and safeguarding policy and Staff Behaviour Policy (Code of Conduct)
- has a working knowledge of relevant national guidance in respect of all specific safeguarding issues highlighted in paragraph 49-52 (pages 15) and Annex A of *Keeping Children Safe in Education 2018*, ensuring that all staff receive necessary training, information and guidance
- ensures that the child protection and safeguarding policy and procedures are regularly reviewed and updated at least annually, working with the whole nursery community of pupils, parents, staff, volunteers and governors and/or proprietors regarding this
- liaises with the nominated Management committee member and Manager (where the DSL role is not carried out by the Manager) as appropriate
- keeps a record of staff attendance at child protection training
- makes the child protection and safeguarding policy available publicly, i.e. on the nursery's website or by other means
- ensures parents are aware of the nursery's role in safeguarding and that referrals about suspected abuse and neglect may be made
- ensures that the nursery holds more than one emergency contact number for every child.
- ensures that the Manager is aware of the responsibility under *Working Together 2015* to refer all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Designated Officer (DO) in the Local Authority within one working day prior to any internal investigation; and to the Disclosure and Barring Service (DBS) as appropriate.

The Deputy Designated Safeguarding Lead(s)

Is/are appropriately trained to the same level as the DSL and, in the absence of the DSL, carries out those functions necessary to ensure the ongoing safety and protection of pupils. The role and responsibility is explicit in the role holder's job description. In the event of the long-term absence of the DSL, the deputy will assume all of the functions above.

The Management Committee ensures that the nursery:

- appoints a Designated Safeguarding Lead who has undertaken training in Designated Safeguarding.
- ensures that the DSL role is explicit in the role holder's job description and that safeguarding responsibilities are identified explicitly in the job/role descriptions of every member of staff and volunteer.
- Ensures the DSL and Deputy DSL are available during nursery hours preferably in person but in certain circumstances by telephone and that they are available during nursery holiays via telephone or other media contacts.
- has a child protection policy and procedures, including a staff code of conduct, that are consistent with local safeguarding partnership and statutory requirements, reviewed annually and made available publicly on the nursery's website or by other means
- has procedures for dealing with allegations of abuse made against members of staff and volunteers including allegations made against the manager and allegations against other children
- follows safer recruitment procedures that include statutory checks on the suitability of staff to work with children and disqualification by association regulations
- develops an induction strategy that ensures all staff, including the manager, and volunteers receive information about the school's safeguarding arrangements, Staff Behaviour Policy (Code Of Conduct) and the role of the DSL on induction
- develops a training strategy that ensures all staff, including the manager, and volunteers receive appropriate and regularly updated safeguarding and child protection training and updates as required to provide them with the relevant skills and knowledge to safeguard children effectively in line with any requirements of WSCB. The training strategy will also ensure that the DSL receives refresher training and regular updates as defined under the DSL's duties above.
- ensures that all staff, including temporary staff and volunteers, are provided with copies of or access to the nursery's child protection and safeguarding policy and Staff Behaviour Policy (code of conduct) before they start work at the nursery
- contributes to inter-agency working and plans
- participates in the EARLY HELP PROCESS and offers to initiate EARLY HELP PROCESSs for pupils/students with additional needs in order to provide a co-ordinated offer of early help
- teaches pupils about safeguarding and how to keep themselves safe at all times, including when online, as part of a broad and balanced curriculum.

The management committee nominates a member (normally the head teacher) to be responsible for liaising with the Local Authority and other agencies in the event of an allegation being made against the manager.

It is the responsibility of the management committee to ensure that the nursery's safeguarding, recruitment and managing allegations procedures take into account the procedures and practice of the Local Authority, WSCB and national guidance.

The manager:

- ensures that the child protection policy and procedures are understood and implemented by all staff
- allocates sufficient time, training, support and resources, including cover arrangements when necessary, to enable the DSL and deputy/s to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings
- ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the whistle blowing procedures
- ensures that children are provided with opportunities throughout the curriculum to learn about safeguarding and how to keep themselves safe at all times, including when online, as part of a broad and balanced curriculum.

- refers all allegations that a child has been harmed by or that children may be at risk of harm from a member of staff or volunteer to the Designated Officer in the Local Authority within one working day prior to any internal investigation
- ensures that anyone who has harmed or may pose a risk of harm to a child is referred to the Disclosure and Barring Service, as advised by the Designated Officer.
- appoints a case officer who will be a member of the senior leadership team to investigate allegations concerning members of staff and volunteers and/or act as a point of contact for the member of staff/volunteer against whom the allegation is made.

4. Good practice guidelines and staff code of conduct

To meet and maintain our responsibilities towards the children, we need to agree standards of good practice which form a code of conduct for all staff in the Staff Behaviour Policy, which all members of staff/volunteers are required to read and sign before starting work in the nursery. . Good practice includes:

- treating all children with respect
- setting a good example by conducting ourselves appropriately
- involving children in decisions that affect them
- encouraging positive, respectful and safe behaviour among pupils
- being a good listener
- being alert to changes in children’s behaviour and to signs of abuse and neglect and exploitation
- recognising that challenging behaviour may be an indicator of abuse
- reading and understanding the nursery’s child protection policy, Staff Behaviour Policy (code of conduct) and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact, sexual exploitation, extremism, e-safety and information-sharing
- asking the child’s permission before initiating physical contact, such as assisting with toileting, dressing, physical support during PE or administering first aid.
- maintaining appropriate standards of conversation and interaction with and between children and avoiding the use of sexualised or derogatory language
- not participating in tolerating or dismissing sexual violence or harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”.
- Making clear that sexual violence and sexual harassment is not acceptable will never be tolerated and is not an inevitable part of growing up
- being aware that the personal and family circumstances and lifestyles of some children lead to an increased risk of abuse
- applying the use of reasonable force and physical intervention only as a last resort and in compliance with nursery’s procedures and WSCB guidance
- referring all concerns about a child’s safety and welfare to the DSL or, if necessary, directly to the Police or Children’s Social Care
- following the nursery’s rules with regard to communication and relationships with parents, including via social media;
Staff are discouraged from babysitting for families who use the setting. Existing friendships and relationships between parents and staff may have different boundaries, however the nursery manager must be made aware of the situation.
Staff will not access a parents profile on any community websites or chat rooms. Any member of staff who has their own profile page must make sure it is secure.
- referring all allegations against members of staff, volunteers or other adults that work with children and any concerns about breaches of the Staff Behaviour policy directly to the Manager; and any similar allegations against or concerns about the Manager directly to the chair of committee.

Children are encouraged to learn the skills and language to achieve independence when toileting, however staff can help when the child needs assistance. In the setting staff will refer to

genitalia using the correct terms ie vagina, and penis.

Please also refer to the nursery's Staff Behaviour Policy (code of conduct) for all staff and volunteers.

5. Abuse of position of trust

All nursery staff are aware that inappropriate behaviour towards children is unacceptable and that their conduct towards children must be beyond reproach.

In addition, staff should understand that, under the Sexual Offences Act 2003, it is an offence for a person over the age of 18 to have a sexual relationship with a person under the age of 18, where that person is in a position of trust, even if the relationship is consensual. This means that any sexual activity between a member of the nursery staff and a pupil under 18 may be a criminal offence, even if that pupil is over the age of consent.

The nursery's Staff Behaviour Policy (code of conduct) sets out our expectations of staff and is signed by all staff members.

6. Children who may be particularly vulnerable

Some children are more vulnerable to abuse and neglect than others. Several factors may contribute to that increased vulnerability, including prejudice and discrimination; isolation; social exclusion; communication issues; a reluctance on the part of some adults to accept that abuse can occur; as well as an individual child's personality, behaviour, disability, mental and physical health needs and family circumstances.

To ensure that all of our children receive equal protection, we will give special consideration to children who are:

- disabled or have special educational needs or have mental health needs
- affected by parental substance misuse, domestic abuse and violence or parental mental health needs
- asylum seekers
- looked after by the Local Authority or otherwise living away from home or were previously looked after.
- vulnerable to being bullied, or engaging in bullying behaviours
- living in temporary accommodation
- living transient lifestyles
- living in chaotic and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability or sexuality
- at risk of child sexual exploitation (CSE)
- do not have English as a first language
- at risk of female genital mutilation (FGM)
- at risk of forced marriage
- at risk of being drawn into extremism.

This list provides examples of vulnerable groups and is not exhaustive. Special consideration includes the provision of safeguarding information and resources in community languages and accessible formats for children with communication needs.

7. Early Help and use of the Early Help Process

The nursery recognises that providing early help is more effective in promoting the welfare of children than reacting later. Early help means providing support as soon as a problem emerges, at any point in a child's life. *Keeping Children Safe in Education 2018* emphasises that **all** staff should be aware of the early help process and understand their role in it. All nursery staff are trained and required to notice any concerns about children which may help to identify that they would benefit from early help; to record those concerns *using Green forms* (see section 20 below); and to share their concerns with the Designated Safeguarding Lead (or a Deputy DSL), who is most likely to have a complete picture and be the most appropriate person to decide how best to respond to any concerns.

Early help might be simple and something the nursery is able to address with parents so that the child's needs are met quickly and easily. The nursery will keep a record of any such help using the '*Pre Early Help Assessment Action Plan*' to record clear targets and progress.

It may become necessary to take some time with parents to understand a child's needs and circumstances in a more structured way. Children and families may also need support from a wide range of local agencies. Where a child and family would benefit from co-ordinated support from more than one agency (e.g. education, health, housing, Police) and his/her parents consent, the nursery will use the Early Help Process to complete an early help assessment and identify what help the child and family require to prevent their needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 1989.

If early help is appropriate, the Designated Safeguarding Lead (or Deputy DSL) will generally lead on liaising with other agencies and setting up an Early Help Assessment as appropriate. Other staff may be required to work directly with pupils and their families and to support other agencies and professionals in an Early Help Assessment, in some cases acting as the lead professional.

The nursery is committed to working in partnership with children, parents and other agencies to:

- identify situations in which children and/or their families would benefit from early help;
- undertake an assessment of the need for early help, using the EARLY HELP PROCESS; and
- provide targeted early help services to address the assessed needs of a child and their family, developing an action plan that will focus on activity to improve the child's outcomes.

The nursery will be particularly alert to the potential need for early help for any child who:

- is disabled and has specific additional needs;
- has special educational needs whether or not they have an EHC plan
- is showing signs of engaging in anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
- Is frequently missing/goes missing from care or home.
- Is at risk of modern slavery, trafficking or exploitation.
- is in a family whose circumstances present challenges for the child, such as adult substance abuse, adult mental ill health, domestic abuse;
- has returned to their own family from care
- is at risk of being radicalised or exploited
- is a privately fostered child.
- is showing early signs of abuse and/or neglect; and/or
- is particularly vulnerable in any of the ways identified in paragraph 6 above.

The EARLY HELP PROCESS can only be effective if it is undertaken with the agreement of the child's parents/carers. The nursery should seek advice from a EARLY HELP Officer or the Education Safeguarding Manager in those circumstances. The EARLY HELP PROCESS should involve the child and family as well as all the professionals who are working with them.

The nursery will keep the needs and circumstances of children receiving early help under constant review. If the child's situation does not improve and/or the child's parents and/or the child do not consent to early help or the Early Help Process being initiated, the nursery will make a judgement about whether, without help, the needs of the child will escalate. If so, the nursery will seek with parent's consent to a referral to a multi agency Locality Panel in order to address the children's needs. Alternatively, a referral to Children's Social Care may be necessary.

8. Attendance

We recognise that attendance at nursery is important to the well-being of all our children and enables them to access the opportunities made available to them at the setting. Attendance is monitored closely and we work in partnership with parents to have relevant explanations for absence.

Nursery Staff will follow up all unexplained absences via

- Telephone calls to home
- Telephone calls to all known contacts Parents are asked to provide a minimum of two emergency contacts.
- Letters home (including recorded deliver)
- Contact with schools where siblings may attend
- Enquiries to friends and neighbours through nursery contacts
- Enquiries to any other agency involved with the family
- All contacts and outcomes will be recorded.

9. Children Missing from Education

The school operates in accordance with statutory guidance *Children Missing Education (DfE 2016)* - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf

All children, regardless of their circumstances, are entitled to an efficient education which is suitable to their age, ability, aptitude and any special educational needs they may have.

Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.

Effective information sharing between parents, the setting and local authorities is critical to ensuring that all children are safe and receiving suitable education.

Attendance, absence and exclusions are closely monitored. The DSL will monitor unauthorised absence and take appropriate action, particularly where children go missing on repeated occasions and/or are missing for periods during the nursery day.

Where a pupil has 10 consecutive nursery days of unexplained absence and all reasonable steps have been taken by the nursery to establish their whereabouts without success, the school will make an immediate referral to Warwickshire County Council's Education and Learning Business Unit at 01926 742036 or via e mail to cme@warwickshire.gcsx.gov.uk.

10. Helping children to keep themselves safe

Keeping Children Safe in Education 2016 requires governing bodies and proprietors to ensure that children are taught about safeguarding, including online, through teaching and learning

opportunities, as part of providing a 'broad and balanced curriculum.'

Children are taught to understand and manage risk through our personal, social, and emotional education and through all aspects of nursery life. Our approach is designed to help children to think about risks they may encounter and with the support of staff work out how those risks might be reduced or managed. Discussions about risk are empowering and enabling for all children and promote sensible behaviour rather than fear or anxiety. Children are taught how to conduct themselves and how to behave in a responsible manner. The nursery continually promotes an ethos of respect for children and pupils are encouraged to speak to a member of staff of their choosing about any worries they may have.

11. Support for pupils, families and staff involved in a child protection issue

Child abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support pupils, their families, and staff by:

- taking all suspicions and disclosures seriously
- nominating a link person (*usually the DSL*) who will keep all parties informed and be the central point of contact
- Where a member of staff is the subject of an allegation made by a pupil, separate link people will be nominated to avoid any conflict of interest
- responding sympathetically to any request from children or staff for time out to deal with distress or anxiety
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies
- storing records securely
- offering details of helplines, counselling or other avenues of external support
- following the procedures laid down in our child protection, whistleblowing, complaints and disciplinary procedures
- co-operating fully with relevant statutory agencies.

12. Staff reporting concerns about a colleague or other adult who works with Children (Whistleblowing)

Staff who are concerned about the conduct of a colleague - including visiting professionals and volunteers - towards a pupil are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood a situation and they will wonder whether a report could jeopardise a colleague's career. All staff must remember that the welfare of the child is paramount.

The nursery's **whistleblowing** policy enables staff to raise concerns or allegations, initially in confidence, and for a sensitive enquiry to take place.

Staff are expected to report all concerns about poor practice or possible child abuse by colleagues - including what may seem minor contraventions of the nursery's Staff Behaviour Policy (code of conduct) - to the manager; to facilitate proactive and early intervention in order to maintain appropriate boundaries and a safe culture that protect children and reduce the risk of serious abuse in nursery.

The recommended format for all staff in schools to record any such poor practice or possible child abuse by colleagues or other adults who work with children is the pro forma *Logging A Concern about the behaviour of an adult who works with children*, also known as the 'Yellow form'. All such forms should be passed directly to the Headteacher. Alternatively, staff are free to approach the Headteacher directly to discuss their concerns.

Concerns or complaints about the headteacher should be reported to the chair of governors, whose contact details are displayed in the staff room for any member of staff to use in such an instance. The 'Yellow form' should also be used for that purpose as above.

Staff may also report concerns about suspected abuse or neglect directly to Children's Social Care or the Police if they believe direct reporting is necessary to secure action.

Staff can also contact the Designated Officer in the Local Authority, who is responsible for the co-ordination of responses to allegations against people who work with children, by submitting a 'Warwickshire MASH - Position of Trust Referral' form or via the Multi-Agency Safeguarding Hub on 01926 414144.

The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 between 8.00a.m. and 8.00p.m. Monday to Friday or e mail help@nspcc.org.uk.

The NSPCC whistleblowing helpline and contact numbers for Children's Social Care, the Police and the LADO are all displayed in the staff room, an on nursery staff notice board.

13. Managing Allegations against staff

When an allegation is made against a member of staff, set procedures must be followed. It is rare for a child to make an entirely false or malicious allegation, although misunderstandings and misinterpretations of events do happen.

A child may also make an allegation against an innocent party because they are too afraid to name the real perpetrator. Even so, we must accept that some professionals do pose a serious risk to pupils and we must act on every allegation.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress.

Suspension is not the default option and alternatives to suspension will always be considered. However, in some cases staff may be suspended where this is deemed to be the best way to ensure that allegations are investigated fairly, quickly and consistently and that all parties are protected. In the event of suspension the nursery will provide support and a named contact for the member of staff. The Designated Officer (DO) will be notified within one day and the DO's advice will then be followed. OFSTED and the DBS will also be notified.

As stated above, all allegations against staff should be reported to the manager. Allegations against the manager should be reported to the chair of management committee.

Staff may also report their concerns directly to the Police or Children's Social Care via the MASH if they believe direct reporting is necessary to secure action.

The full procedures for dealing with allegations against staff can be found in Part 4 of *Keeping Children Safe in Education 2016* and WSCB's inter-agency safeguarding procedures, section 6 - *Managing Allegations Against People Who Work With Children*.

Staff, parents and committee members are reminded that publication of material that may lead to the identification of a teacher who is the subject of an allegation is prohibited by law. Publication includes verbal conversations or writing, including content placed on social media sites.

Allegations concerning staff who no longer work at the nursery or historical allegations will be reported to the Police.

In accordance with *Keeping Children Safe in Education 2016*, the nursery will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

As required by *Working Together to Safeguard Children*, all allegations in respect of an individual who works at the nursery that fulfil any of the following criteria will be reported to the Designated Officer in the Local Authority (LADO) within one working day:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The Designated Officer's contact number is **01926 743433**. Referrals to the Designated Officer should be submitted on a PoT MARF form and sent to lado@warwickshire.gov.uk.

14. Staff training

It is important that all staff have training to enable them to recognise the possible signs of abuse, neglect, radicalisation and exploitation and to know what to do if they have a concern.

New staff who will have direct contact with children and volunteers will receive an explanation during their induction which will include:

- the nursery's child protection and safeguarding policy
- signs and symptoms of abuse and neglect
- responding to disclosure of abuse or neglect by a child
- reporting and recording arrangements
- the Staff Behaviour Policy (code of conduct)
- details of the DSL.
- Nurserys behaviour policy

NB all of the above will be explained **before** a new member of staff, student or volunteer has direct contact with children in nursery. The nursery's child protection policy and Staff Behaviour policy (code of conduct) will be sent with the letter confirming an appointment with a written requirement that the individual reads the two policies in advance of starting work at the school. The individual will be given an opportunity to clarify any issues on their first day at work and then asked to sign to confirm that they have read and understood both policies and undertake to comply with them.

All staff, volunteers and committee members will receive appropriate and regularly updated safeguarding and child protection training and thematic updates as required (at least annually) during inset days and regular discussions at staff meetings, to provide them with the requisite skills and knowledge to safeguard children effectively in line with statutory guidance and any requirements of the local safeguarding partnership. Staff will attend child protection training every 3

years.

The DSL will attend training for newly appointed DSLs and refresher training every two years delivered by Warwickshire County Council's Education Safeguarding Service. That training will include up to date information about WSCB inter-agency procedures. In addition, the DSL will update their knowledge and skills at least annually to keep up with any developments relevant to their role and will be supported to access WSCB inter-agency training as part of their continuing professional development.

All staff will be made aware of the increased risk of abuse to certain groups, including children with special educational needs and disabilities, looked after children, previously looked after children, young carers and risks associated with specific safeguarding issues including child sexual exploitation, peer on peer abuse, sexual harassment, extremism, female genital mutilation and forced marriage, and will receive training in how to keep children safe online.

In addition, the manager and at least one committee member will attend safer recruitment training. On interview panels there will be at least one member that has attended safer recruitment training in the last 3 years.

Supply staff and other visiting staff will be given the school's Visitors Pass which outlines safeguarding duties and responsibilities.

15. Safer recruitment

Our nursery endeavours to ensure that we do our utmost to employ 'safe' staff and allow 'safe' volunteers to work with children by following the guidance in *Keeping Children Safe in Education 2016* together with WSCB and the nursery's *Safer Recruitment* policies.

Safer recruitment means that all applicants will:

- complete an application form which includes their employment history and explains any gaps in that history
- provide two referees, including at least one who can comment on the applicant's suitability to work with children
- provide evidence of identity and qualifications
- if offered employment, be checked in accordance with the Disclosure and Barring Service (DBS) regulations as appropriate to their role. This will include an enhanced DBS check and a barred list check for those engaged in Regulated Activity and enrolment on the update service(for checks done after September 2016) if offered employment, provide evidence of their right to work in the UK . DBS checks for staff not on the update list are reviewed every three years. Update service is checked annually.
- be interviewed by a panel containing at least one person trained in safer recruitment.

The nursery will also

- ensure that every job description and person specification for roles in nursery includes a description of the role holder's responsibility for safeguarding
- ask at least one question at interview for every role in nursery about the candidate's attitude to safeguarding and motivation for working with children
- verify the preferred candidate's mental and physical fitness to carry out their work responsibilities
- obtain references for all shortlisted candidates, including internal candidates
- carry out additional or alternative checks for applicants who have lived or worked outside the UK

- ensure that applicants are not subject to a prohibition order issued by the Secretary of State

All new members of staff and volunteers will undergo an induction that includes familiarisation with the nursery's child protection and safeguarding policy, Staff Behaviour Policy (code of conduct), other issues as in section 16 of this policy and identification of their child protection training needs.

All staff are required to sign to confirm they have received a copy of the child protection and safeguarding policy and Staff Behaviour Policy (code of conduct).

All staff are made aware of the disqualification and disqualification by association legislation, and complete a disqualification form when they start work and these are reviewed when home situations change.

Students and colleagues from outside agencies have checks made by their own employers or colleges.

The nursery maintains a single central record of recruitment checks undertaken and ensures that the record is maintained in accordance with section 3 of *Keeping Children Safe in Education* and guidance issued by Warwickshire County Council.

Management Committee

All management committee members will be the subject of Enhanced DBS checks as defined in *Keeping Children Safe in Education 2016*.

Volunteers

Volunteers will undergo checks commensurate with their work in the school and contact with pupils. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in regulated activity.

Contractors

The school checks the identity of all contractors working on site and requests DBS checks where appropriate. Contractors who have not undergone checks will not be allowed to work unsupervised or in regulated activity.

16. Site security

Visitors to the nursery, including contractors, are asked to sign in and are given an identity badge, which confirms they have permission to be on site. Parents who are simply delivering or collecting their children do not need to sign in. All visitors are expected to observe the school's safeguarding and health and safety regulations to ensure children in school & nursery are kept safe. The manager will exercise professional judgement in determining whether any visitor should be escorted or supervised while on site.

17. Record Keeping

The nursery will maintain safeguarding (including early help) and child protection records in accordance with the guidance document provided by WCC Education Safeguarding Service *Child Protection Record Keeping Guidance*.

The nursery will:

- keep clear detailed written records of concerns about children (noting the date, event and action taken), even where there is no need to refer the matter to Children's Social Care immediately;
- keep records in a folder in a meticulous chronological order;
- ensure all records are kept secure and in locked locations;
- ensure all relevant child protection records are sent to the receiving school, or other education establishment when a pupil moves. Transferred separately from the child's main file. The DSL will do this as soon as possible ensuring secure transit and will ensure that confirmation of receipt of the records has been retained.

Safeguarding and child protection records will be maintained independently from the pupil's nursery file and the nursery file will be 'tagged' to indicate that separate information is held. Such records will only be accessible to the Designated Safeguarding Lead and nursery staff who need to be aware.

The recommended format for all staff in nursery to record any safeguarding or child protection observations or concerns about a child is the WSCB pro forma *Logging A Concern About A Child's Safety And Welfare* (Form C) also known as the 'Green form'.

Such records will include, in addition to the name, address and age of the child, timed and dated observations describing the child's behaviour, appearance, statements/remarks made to staff or other children and observations of interactions between the child, other children, members of staff and/or parents/carers that give rise to concern. Where possible and without interpretation, the exact words spoken by the child or parent/carer will be recorded. Records will be signed, dated and timed by the member of staff making the record.

Records of safeguarding/child protection observations or concerns can be completed electronically or as a paper version but it is most important that **all staff use one consistent system for the recording of concerns and that all records are passed to the Designated Safeguarding Lead**, who should complete the form to confirm what action has been taken.

Child protection records are normally exempt from the disclosure provisions of the GDPR Act, which means that children and parents do not have an automatic right to see them. If any member of staff receives a request from a pupil or parent to see child protection records, they will refer the request to the manager or DSL, who will advise them to submit a Subject to Access Information request for consideration.

The GDPR Act does not prevent school staff from sharing information with relevant agencies, where that information may help to protect a child.

When a child leaves the nursery setting concern forms and child protection folders will be passed onto the relevant school or setting. The DSL will deliver them to the receiving DSL and get a signed acknowledgment that they have been received. In some cases the nursery may keep copies of the records for up to 7 years after the child has left the setting. (NSPCC guidance 2018)

18. Confidentiality and Information Sharing

All staff will understand that child protection issues warrant a high level of confidentiality, not only out of respect for the pupil, family and staff involved but also to ensure that information being released into the public domain does not compromise evidence.

Staff will ensure confidentiality protocols are adhered to and information is shared appropriately. If in any doubt about confidentiality, staff will seek advice from the DSL, manager or outside agency as required (e.g. Education Safeguarding Manager).

It is reasonable for staff to discuss day-to-day concerns about pupils with colleagues in order to ensure that children's general needs are met in nursery. However, staff should report all child protection and safeguarding concerns to the DSL or manager or – in the case of concerns about the manager – to the chair of committee. The person receiving the referral will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

However, following a number of cases where senior leaders in schools failed to act upon concerns raised by staff, *Keeping Children Safe in Education 2016* emphasises that any member of staff can contact and/or make a referral to Children's Social Care if they are concerned about a child.

WSCB's guidance 'Information Sharing in Child Protection' is Appendix 9 of the WSCB inter-agency child protection procedures and can be accessed at www.warwickshire.gov.uk/wscbresources.

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.

All staff must be aware that they cannot promise a child/parent to keep secrets.

Child protection information will be stored and handled in line with GDPR guidance principles. Information is:

- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- kept no longer than necessary
- processed in accordance with the data subject's rights
- secure.

Record of concern forms (Form C – Green forms) and other written information will be stored in a locked facility and any electronic information will be password protected and only made available to relevant individuals.

Every effort will be made to prevent unauthorised access to sensitive information. Any sensitive information that needs to be stored on portable devices such as laptop computers or tablets or on portable media such as a CD or flash drive will be password protected or encrypted and kept in locked storage.

19. Photography and images

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have some safeguards in place.

To protect pupils we will:

- seek their consent for photographs to be taken or published (for example, on our website or in newspapers or publications) or video images;

- seek parental consent;
- use only the pupil's first name with an image;
- ensure pupils are appropriately dressed; and
- encourage pupils to tell us if they are worried about any photographs/images that are taken of them.

Furthermore, when using images for publicity purposes (e.g. on our website or in newspapers or publications), we will:

- avoid naming children when possible
- if it is necessary to name children, use first names rather than surnames
- if children are named, avoid using their image
- establish whether the image will be retained for further use, where and for how long
- ensure that images are stored securely and used only by those authorised to do so.

For the protection of pupils and staff, only school owned equipment will be used to record and store images taken by staff or volunteers on the school site or during offsite school activities including residential visits.

Parents are welcome to take still photographs of their **own children** during nursery activities, subject to other restrictions notified to parents in advance in writing or verbally (e.g. parents may be asked not to take photographs during concerts/performances in order not to distract children who are performing or other audience members). Parents must not publish (including on social media) photographs of other children inadvertently captured during school events without the express permission of the parents of those children.

Parents are welcome to video record their **own children** during school activities, subject to the same terms and conditions as for photographs above.

Visiting professionals who work directly with children are subject to the same restrictions as school staff and volunteers in respect of recording and storing images of children. However, some visiting professionals are permitted to record images of the premises only specifically for professional purposes and in order to support the school, e.g. professionals providing advice or preparing quotations for work such as maintenance, health and safety and building.

20. Online Safety

Staff and children commonly use electronic equipment including mobile phones, tablets and computers on a daily basis to access the internet and share content and images via social networking sites such as Facebook, Twitter, MSN, Tumblr, Snapchat and Instagram.

Those technologies and the internet are a source of fun, entertainment, communication and education. Unfortunately, however, some adults and young people will use those technologies to harm children. That harm might range from sending hurtful or abusive texts and emails to grooming and enticing children to engage in sexually harmful conversations, webcam photography or face-to-face meetings. Pupils may also be distressed or harmed by accessing inappropriate websites that promote unhealthy lifestyles, extremist behaviour and criminal activity.

Chatrooms and social networking sites are the more obvious sources of inappropriate and harmful behaviour and pupils are not allowed to access those sites in school. Many pupils own or have access to hand held devices and parents are encouraged to consider measures to keep their children safe when using the internet and social media at home and in the community

The nursery's **E Safety policy** explains how we try to keep children safe in nursery and protect and educate children in the safe use of technology. The nursery has appropriate filters and monitoring systems in place to protect children from potentially harmful online material.

All staff receive online safety training and the nursery's online safety co-ordinator is Mrs D Hughes.

Online communication between staff and families

Staff also receive advice regarding personal online activity, use of social networking and electronic communication with pupils, about which there are strict rules. Staff found to be in breach of these rules may be the subject of a referral to the Designated Officer in the Local Authority and may be subject to disciplinary action. Nursery staff are asked to make their own personal profile pages secure and not to befriend new parents through social media. Any existing friendships must be declared to the manager before the child starts nursery.

21. Child protection procedures

Recognising abuse

To ensure that our children are protected from harm, we need to understand what types of behaviour constitute abuse and neglect.

Abuse and neglect are forms of maltreatment. Somebody may abuse or neglect a child by inflicting harm, for example by hitting them, or by failing to act to prevent harm, for example by leaving a small child home alone, or leaving knives or matches within reach of an unattended toddler.

Abuse may be committed by adult men or women and by other children and young people.

There are four categories of abuse: physical abuse, emotional abuse, sexual abuse and neglect

Physical abuse

Physical abuse is a form of abuse which 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 (this used to be called Munchausen's Syndrome by Proxy, but is now more usually referred to as fabricated or induced illness).

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 a child 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 a 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, although 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 as a result 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 care-givers); or
- ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Definitions taken from *Keeping Children Safe in Education 2018*).

Indicators of abuse

Physical signs define some types of abuse, for example bruising, bleeding or broken bones resulting from physical or sexual abuse, or injuries sustained while a child has been inadequately supervised. The identification of physical signs is complicated, as children may go to great lengths to hide injuries, often because they are ashamed or embarrassed, or their abuser has threatened further violence or trauma if they 'tell'. It is also quite difficult for anyone without medical training to categorise injuries into accidental or deliberate with any degree of certainty. For those reasons it is vital that staff are also aware of the range of behavioural indicators of abuse and report any concerns to the Designated Safeguarding Lead.

It is the responsibility of staff to report their concerns. It is not their responsibility to investigate or decide whether a child has been abused.

A child who is being abused or neglected may:

- have bruises, bleeding, burns, fractures or other injuries;
- show signs of pain or discomfort;
- keep arms and legs covered, even in warm weather;
- be concerned about changing for PE or swimming;
- look unkempt and uncared for;
- change their eating habits;
- have difficulty in making or sustaining friendships;
- appear fearful;
- be reckless with regard to their own or other's safety;
- self-harm;
- frequently miss school or arrive late;
- show signs of not wanting to go home;
- display a change in behaviour – from quiet to aggressive, or happy-go-lucky to withdrawn;
- challenge authority;
- become disinterested in their school work;
- be constantly tired or preoccupied;
- be wary of physical contact;
- be involved in, or particularly knowledgeable about drugs or alcohol; and/or
- display sexual knowledge or behaviour beyond that normally expected for their age and/or stage

of development.

- acquire gifts such as money or a mobile phone from new 'friends' or adults recently acquainted with the child's family

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They should be viewed as part of a jigsaw and each small piece of information will help the DSL to decide how to proceed.

It is very important that staff report all of their concerns, however minor or insignificant they may think they are – they do not need 'absolute proof' that the child is at risk.

Impact of abuse

The impact of child abuse, neglect and exploitation should not be underestimated. Many children do recover well and go on to lead healthy, happy and productive lives, although most adult survivors agree that the emotional scars remain, however well buried. For some children, full recovery is beyond their reach and the rest of their childhood and their adulthood may be characterised by anxiety or depression, self-harm, eating disorders, alcohol and substance misuse, unequal and destructive relationships and long-term medical or psychiatric difficulties.

Taking action

Any child in any family in any school could become a victim of abuse. Staff should always maintain an attitude of "It could happen here".

Key points for staff to remember when taking action are:

- in an emergency take the action necessary to help the child, for example, call 999;
- report your concern to the DSL as quickly as possible – immediately when there is evidence of physical or sexual abuse and certainly by the end of the day;
- do not start your own investigation;
- share information on a need-to-know basis only – do not discuss the issue with colleagues, friends or family;
- complete a record of concern, using a Form C (Green form); and
- seek support for yourself if you are distressed or need to debrief.

If a member of staff or volunteer is concerned about a pupil's welfare

There will be occasions when staff may suspect that a child may be at risk but have no 'real' evidence. The child's behaviour may have changed, and inconclusive signs may have been noticed. In these circumstances, staff will try to give the child the opportunity to talk. The signs they have noticed may be due to a variety of factors, for example a parent has moved out, a pet has died, a grandparent is very ill or an accident has occurred. It is fine for staff to ask the pupil if they are OK or if they can help in any way. Staff are trained to do this by asking appropriate questions which do not lead the child in any particular direction.

Staff should use the same record of concern form Form C (Green form) to record these early concerns. If the pupil does begin to reveal that they are being harmed, staff should follow the advice below. Following an initial conversation with the pupil, if the member of staff remains concerned, they should discuss their concerns with the DSL.

Concerns which do not meet the threshold for child protection intervention will be managed through the Early Help/EARLY HELP PROCESS process as in section 7 of this policy.

If a pupil discloses to a member of staff or volunteer

It takes a lot of courage for a child to disclose that they are being abused. They may feel ashamed, particularly if the abuse is sexual. Their abuser may have threatened what will happen if they tell. They may have lost all trust in adults. Or they may believe, or have been told, that the abuse is their

own fault. Sometimes they may not be aware that what is happening is abusive.

If a child talks to a member of staff about any risks to their safety or wellbeing, **the staff member will need to let the child know that they must pass the information on** – staff are not allowed to keep secrets. The point at which they tell the pupil this is a matter for professional judgement. If they jump in immediately the pupil may think that they do not want to listen but if left until the very end of the conversation, the pupil may feel that they have been misled into revealing more than they would have otherwise.

During their conversations with pupils staff will:

- allow them to speak freely;
- remain calm and not overreact – the child may stop talking if they feel they are upsetting their listener;
- give reassuring nods or words of comfort – ‘I’m so sorry this has happened’, ‘I want to help’, ‘This isn’t your fault’, ‘You are doing the right thing in talking to me’;
- not be afraid of silences – staff must remember how hard this must be for the pupil;
- **under no circumstances** ask investigative questions – such as how many times this has happened, whether it happens to siblings too, or what does the child’s mother think about all this;
(**however**, it is reasonable to ask questions to clarify understanding and to support a meaningful referral if that is required, e.g. when did this happen, where did this happen?)
- at an appropriate time tell the child that in order to help them, the member of staff must pass the information on;
- not automatically offer any physical touch as comfort. It may be anything but comforting to a child who has been abused;
- avoid admonishing the child for not disclosing earlier. Saying things such as ‘I do wish you had told me about this when it started’ or ‘I can’t believe what I’m hearing’ may be the staff member’s way of being supportive but may be interpreted by the child to mean that they have done something wrong;
- tell the child what will happen next;
- let them know that someone (either you or another named person, e.g. the DSL) will come to see them before the end of the day;
- report verbally to the DSL;
- write up their conversation as soon as possible on the **record of concern form** Form C (Green form) and hand it to the DSL; and
- seek support if they feel distressed or need to debrief.

Notifying parents

The nursery will normally seek to discuss any concerns about a pupil with their parents. This must be handled sensitively and the DSL will make contact with the parent in the event of a concern, suspicion or disclosure.

However, if the nursery believes that notifying parents could increase the risk to the child or exacerbate the problem, advice will be sought first from Children’s Social Care.

Making a referral to Children’s Social Care

Keeping Children Safe in Education 2018 emphasises that the DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns. The DSL will make a referral to Children’s Social Care (and if appropriate the Police) if it is believed that a pupil is suffering or is likely to suffer significant harm.

The pupil (subject to their age and understanding) and the parents will be told that a referral is being

made, unless to do so would increase the risk to the child or create undue delay.

Keeping Children Safe in Education 2018 also emphasises that **all** staff should be aware of the process for making referrals to Children's Social Care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.

Statutory assessments

Children in need

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989.

Children suffering or likely to suffer significant harm

Local authorities, with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

Submitting child protection referrals

All child protection referrals should be made to the Multi-Agency Safeguarding Hub (MASH) by completing a Multi-Agency Referral Form (MARF) and submitting it to the MASH at mash@warwickshire.gcsx.gov.uk. The form can also be completed online.

All urgent child protection referrals, i.e. where there is an immediate concern about a child's safety, should be made in the first instance by telephoning the MASH on 01926 414144. This should be followed by submission of a MARF as above.

NB If a child is already the subject of an open case to Children's Social Care, the DSL will have the name and contact details of the allocated social worker. Further child protection concerns about any child in those circumstances must be referred directly to the allocated social worker, **not** to the MASH. Again, where there is an immediate concern about a child's safety, the DSL should contact the social worker by telephone in the first instance. Any difficulties in contacting the social worker must be escalated to their line manager, **not** to the MASH.

Outside of office hours, immediate concerns about a child should be referred to the Emergency Duty Team on telephone number 01926 886922.

If staff are ever concerned that a child is in immediate danger, they will contact the Police by dialling 999.

22. Bullying

While bullying between children is not a separate category of abuse and neglect, it is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying

can have a disastrous effect on a child's well-being and in very rare cases has been a feature in the suicide of some young people.

All incidences of bullying, including peer on peer bullying, cyber-bullying and prejudice-based bullying should be reported and will be managed.

If the bullying is particularly serious, or the anti-bullying procedures are deemed to be ineffective, the manager and the DSL will consider implementing early help (EARLY HELP PROCESS) or child protection procedures.

Please also refer to issues in relation to children who are sexually harmful or abusive towards other children below.

23. Peer on peer abuse and children with sexually harmful or inappropriate behaviour

Children may be harmed by other children or young people. There may be occasions when a pupil's behaviour warrants a response under child protection rather than anti-bullying procedures. In particular, research suggests that up to 30 per cent of child sexual abuse is committed by someone under the age of 18.

Abusive behaviour by one child towards another will not be tolerated, minimised or dismissed as 'banter' or 'part of growing up'.

When dealing with abuse of pupils by other pupils, staff will be mindful of the potential for prejudice-based bullying; racist, disability, homophobic and transphobic abuse; gender-based violence and teenage relationship abuse. Whilst mindful of the particular vulnerability of women and girls to violence, it is also recognised that boys as well as girls can be abused by members of the opposite as well as the same gender group.

Members of staff who become concerned about a pupil's sexualised behaviour, including any known online sexualised behaviour, should record their concerns and report them to the DSL as soon as possible, as with any other safeguarding concern.

The management of children and young people with sexually harmful behaviour is complex and the nursery will work with other relevant agencies to maintain the safety of the whole nursery community. Children who display such behaviour may be victims of abuse themselves and the child protection procedures will be followed for both victim and perpetrator.

Any instances of sexual harm caused by one pupil to another and any situation where there are concerns about power imbalance, coercion or force will be discussed with Children's Social Care.

The nursery will also be informed by the Police or Children's Social Care about referrals made directly to those agencies from other sources (e.g. family members, family friends, parents of other children) in relation to alleged sexualised inappropriate or sexually abusive behaviour displayed by pupils inside and/or outside school.

In all such circumstances, the nursery may be required to attend a strategy meeting under WSCB inter-agency child protection procedures in order to facilitate risk management and planning with other agencies.

In responding to cases involving children or young people who have committed sexually abusive behaviours, Children's Social Care will consult with the Sexualised Inappropriate Behaviours Service (SIBS), for advice, consultation or provision of a direct service. A wide range of practice guidance, knowledge and therapeutic materials has been developed by SIBS to inform the interventions relating to children and young people with sexual behaviour difficulties.

In circumstances where a child displays sexualised inappropriate behaviour but evidence of sexual harm towards other children is not clearcut, the nursery may seek consultation and advice from SIBS and/or the Education Safeguarding Manager.

In deciding the most appropriate response, relevant considerations will include:

- the nature and extent of the inappropriate/abusive behaviours. In respect of sexual abuse, it is necessary to distinguish between normal childhood sexual development and experimentation; and sexually harmful or aggressive behaviour;
- the context of the abusive behaviours;
- the child/young person's development, family and social circumstances;
- the need for services, specifically focusing on the child/young person's harmful behaviour as well as other significant needs; and/or
- the risks to self and others, including other children in the school, household, extended family, peer group and wider social network.

The nursery is committed to participating in plans both to provide pupils who are at risk from other children and those pupils who may present a risk to other children with appropriate services to address any concerns and, wherever possible, to facilitate ongoing access to education in school for all children concerned, subject to appropriate risk assessments and risk management plans.

24. Child sexual exploitation (CSE)

Sexual exploitation involves an individual or group of adults taking advantage of the vulnerability of an individual or groups of children or young people. Victims can be boys or girls. Children and young people are often unwittingly drawn into sexual exploitation through the offer of friendship and care, gifts, drugs, alcohol and sometimes accommodation. Sexual exploitation is a serious crime and can have a long-lasting adverse impact on a child's physical and emotional health. It may also be linked to the trafficking of children.

A common feature of sexual exploitation is that the child often does not recognise the coercive nature of the relationship and does not see her/himself as a victim. The child may initially resent what she/he perceives as interference by staff but staff must act on their concerns, as they would for any other type of abuse.

All staff are made aware of the indicators of sexual exploitation of children and all concerns are reported immediately to the DSL. The DSL will consider the need to make a referral to Children's Social Care via the MASH (see section 33 below) as with any other child protection concern and with particular reference to WSCB Child Sexual Exploitation procedures. Parents will be consulted and notified as above.

Following a referral to Children's Social Care, a Multi-Agency Sexual Exploitation (MASE) meeting may be convened under WSCB inter-agency safeguarding procedures. The school will attend and share information at MASE meetings as required. Parents and young people will be invited to attend MASE meetings by Children's Social Care as appropriate.

25. So-called 'honour based' violence

So-called 'honour-based' violence (HBV) encompasses crimes which have been committed to protect or defend the honour of a family and/or community. Such crimes include Female Genital Mutilation

(FGM), forced marriage, and practices such as breast ironing. Staff will be alert to the possibility of a child being at risk of HBV or already having suffered HBV.

All forms of so called HBV are abuse (regardless of the motivation) and staff will record and report any concerns about a child who might be at risk of HBV to the Designated Safeguarding Lead as with any other safeguarding concern. The DSL will consider the need to make a referral to the Police, and/or Children's Social Care as with any other child protection concern; and may also contact the Forced Marriage Unit for advice as necessary.

Female genital mutilation

Female genital mutilation (FGM) is a form of child abuse. It is the collective name given to a range of procedures involving the partial or total removal of the external female genitalia for non-medical reasons or other injury to the female genital organs. It has no health benefits and harms girls and women in many ways. The practice, which is most commonly carried out without anaesthetic, can cause intense pain and distress and long-term health consequences, including difficulties in childbirth.

FGM is carried out on girls of any age, from young babies to older teenagers and adult women, so school staff are trained to be aware of risk indicators. Many such procedures are carried out abroad and staff should be particularly alert to suspicions or concerns expressed by female pupils about going on a long holiday during the summer vacation period.

In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Any person found guilty of an offence under the Female Genital Mutilation Act 2003 is liable to a maximum penalty of 14 years imprisonment or a fine, or both. (See <https://www.gov.uk/government/publications/female-genital-mutilation-guidelines> for further information).

If staff have a concern that a girl may be at risk of FGM, they will record their concern and inform the DSL as they would any other safeguarding concern.

Teachers are subject to a statutory duty defined by Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) to report to the Police personally where they discover (e.g. by means of a disclosure) that an act of FGM appears to have been carried out on a girl who is aged under 18. This is known as mandatory reporting.

Teachers in that situation will record their concerns and inform the DSL, who will support the teacher in making a direct report to the Police.

Forced Marriage

A forced marriage is a marriage in which a female (and sometimes a male) does not consent to the marriage but is coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, which is common in several cultures, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Children may be married at a very young age, and well below the age of consent in England. School staff should be particularly alert to suspicions or concerns raised by a pupil about being taken abroad and not being allowed to return to England.

Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the Anti-Social Behaviour, Crime and Policing Act 2014.

(See <https://www.gov.uk/forced-marriage> for further information).

26. Protecting Children from Radicalisation and Extremism

Protecting children from the risk of radicalisation is part of the school's wider safeguarding duties and is similar in nature to protecting children from other forms of harm and abuse. As such the Designated Lead is responsible for the nursery's strategy for protecting children from those risks.

Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism. The government defines extremism as vocal or active opposition to fundamental British values.

Even very young children have been exposed, in rare circumstances, to extremism at home and elsewhere including online.

As children get older, they look for adventure and excitement and they may start to ask questions about their identity and belonging. During that stage of their development they are vulnerable to extremist groups that may claim to offer answers, identity and a social network apparently providing a sense of belonging. Many of those extremist groups make sophisticated use of the internet and social media to target young people and spread their ideology, making young people more vulnerable to being influenced by extremist ideas.

The nursery has defined responsibilities to ensure that children are safe from terrorist and extremist material when accessing the internet in school.

During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised. The nursery is committed to preventing pupils from being radicalised and drawn into any form of extremism or terrorism. The nursery promotes the values of democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs by providing pupils with opportunities through the curriculum to experience different religions, ethnicities and cultures and learn how to talk about similarities and differences, and by ensuring that all pupils are valued and listened to within school.

Nursery staff receive training that provides them with both the information they need to understand the risks affecting children and young people in this area; and a specific understanding of how to identify individual children who may be at risk of radicalisation and how to support them. Staff are trained to report all concerns about possible radicalisation and extremism to the DSL immediately as they would any other safeguarding concern, identifying early indicators of possible radicalisation including changes in behaviour and attitudes to learning; and expressions of interest in extremist ideas along with a tolerance towards potential violence to certain members of society.

The nursery recognises the importance of providing a safe space for children to discuss controversial issues; and building their resilience and the critical thinking skills they need in order to challenge extremist perspectives. However, the nursery will make appropriate referrals to the Police PREVENT team and Channel programme in respect of any child whose behaviour or comments suggest that they are vulnerable to being radicalised and drawn into extremism and terrorism in order to ensure that children receive appropriate support.

The nursery will discuss any concerns about possible radicalisation identified in the setting with a child's parents/carers as with any other safeguarding or child protection issue unless there is reason to believe that doing so would place the child at risk; and will also support parents/carers who raise concerns about their children being vulnerable to radicalisation. Subject to consultation with the Prevent Police team and in the interests of making proportionate responses the school may offer support to the children and family through the provision of the Early Help Process as appropriate.

The nursery expects all staff, volunteers, governors, visiting professionals, contractors and individuals or agencies that hire school premises to behave in accordance with the school's Staff Behaviour Policy (code of conduct), will challenge the expression and/or promotion of extremist views and ideas by any adult on school premises or at school events and, when necessary, will make appropriate referrals in respect of any such adult.

Parents and staff may find the website www.educateagainsthate.com informative and useful. The website is designed to equip nursery and school leaders, teachers and parents with the information, tools and resources they need to recognise and address extremism and radicalisation in young people and how best to support them.

27. Private fostering arrangements

A private fostering arrangement occurs when someone other than a parent or a close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16, or under 18 if the child is disabled. Children looked after by the local authority or who are placed in a residential school, children's home or hospital are not considered to be privately fostered.

Private fostering occurs in all cultures, including British culture and children may be privately fostered at any age.

Most privately fostered children remain safe and well but safeguarding concerns have been raised in some cases so it is important that schools are alert to possible safeguarding issues, including the possibility that a child has been trafficked into the country

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care as soon as possible. When the school becomes aware of a private fostering arrangement for a pupil that has not been notified to Children's Social Care, the school will encourage parents and private foster carers to notify Children's Social Care and will share information with Children's Social Care as appropriate.

28. Related safeguarding portfolio policies

- Staff Behaviour Policy (code of conduct)
- Behaviour Management
- Toileting Procedures
- Complaints procedure
- Whistleblowing
- SEN
- Uncollected and Lost children
- Safer recruitment
- Grievance and disciplinary

29. Special Circumstances

Children who are looked after

The most common reason for children becoming looked after is as a result of abuse or neglect. The nursery ensures that staff have the necessary skills and understanding to keep looked after children safe and ensures that appropriate staff have information about a child's looked after status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child. The designated teacher for looked after children and the DSL hold details of the child's social worker and the name and contact details of the Local Authority's virtual head for children who are looked after.

Care leavers

Local authorities have on going responsibilities to young people who cease to be looked after and become care leavers. That includes keeping in touch with them, preparing an assessment of their needs and appointing a Personal Advisor who develops a pathway plan with the young person. This plan describes how the local authority will support the care leaver to participate in education or training. The DSL will have details of the local authority Personal Advisor appointed to guide and support all care leavers; and should liaise with them as necessary regarding any issues of concern affecting a care leaver.

Work experience

The nursery has procedures to safeguard pupils undertaking work experience, including arrangements for checking people who provide placements and supervising pupils on work experience which are in accordance with the guidance in *Keeping Children Safe in Education 2016*.

Appendix 1

Standards for Effective Child Protection Practice in Schools

The school's child protection and safeguarding responsibilities are inspected under the 'Quality of Leadership and Management' and 'Behaviour and Safety' judgements in Ofsted inspections. The following standards may assist schools in evaluating their practice. They should be used jointly by the Designated Safeguarding Lead and the Designated Governor for Safeguarding to ensure the school is effective in safeguarding and child protection matters.

In best practice, schools:

1. Have an ethos in which children feel secure, their viewpoints are valued and they are encouraged to talk and are listened to;
2. Provide suitable support and guidance so that pupils have a range of appropriate adults to whom they can turn if they are worried or in difficulties;
3. Work with parents to build an understanding of the school's responsibilities to safeguard and promote the welfare of all children and a recognition that this may occasionally require children to be referred to investigative agencies as a constructive and helpful measure;
4. Ensure all staff are able to identify children who may benefit from early help; provide co-ordinated offers of early help; and ensure that children receive the right help at the right time to address concerns and risks and prevent issues escalating;
5. Are vigilant in cases of suspected child abuse, recognising the signs and symptoms, have clear procedures whereby all members of staff report such cases to the Designated Safeguarding Lead or – in her/his absence – the deputy Designated Safeguarding Lead, and are aware of Local Authority and Local Safeguarding Children Board procedures so that information is passed on effectively to the relevant professionals;
6. Monitor children who have been identified as in need of early help or at risk; maintain clear records of pupils' progress and welfare *in a secure place*; maintain sound policies on confidentiality; provide appropriate information to other professionals; and submit reports to and attend child protection conferences;
7. Provide and support regular child protection training and updates for **all** school staff and ensure that Designated Safeguarding Leads attend refresher training every two years to ensure their skills and expertise are up to date; and ensure that targeted funding for this work is used solely for this purpose;
8. Contribute to an inter-agency approach to safeguarding and child protection by developing effective and supportive liaison with other agencies;
9. Use the curriculum to teach children about safeguarding and raise their awareness and build confidence so that pupils have a range of contacts and strategies to ensure their own protection and understand the importance of protecting others;
10. Provide clear policy statements for parents, staff and children and young people on this and on both positive behaviour policies and the school's approach to bullying;
11. Have a clear understanding of the various types of bullying – face to face, online, physical, verbal prejudice based and indirect - and act promptly and firmly to combat it, making sure that pupils are aware of the school's position on this issue and who they can contact for support;
12. Have a clear understanding of the signs and impact of racist, disability, homophobic, transphobic and teenager relationship abuse; and a clear commitment to identifying and challenging those forms of abuse in order to safeguard children and maintain the safeguarding culture of the nursery.

13. Take particular care that pupils with SEN in mainstream and special schools, who may be especially vulnerable to abuse, are supported effectively with particular attention paid to ensuring that those with communication difficulties are enabled to express themselves to a member of staff with appropriate communication skills;
14. Have a clear policy about the handling of allegations of abuse by members of staff, ensuring that all staff are fully aware of the procedures and that they are followed correctly at all times, using the guidance set out in *Keeping Children Safe in Education 2016* and WSCB inter-agency child protection procedures;
15. Have a written whole school policy, which is produced, owned and regularly reviewed by all school staff, taking into account the views of children, parents/carers and governors, and which clearly outlines the school's position and positive action in respect of the aforementioned standards;
16. Ensure that specified information is passed on in a timely manner to the Local Authority and WSCB for monitoring purposes;
17. Have a Single Central Record in place that fully complies with the guidance in *Keeping Children Safe in Education 2016*.

Reference Documents

Keeping Children Safe in Education (DfE 2016)

Working Together to Safeguard Children (DfE 2015)

WSCB Inter-agency Safeguarding Procedures - <http://www.warwickshire.gov.uk/wscbresources>

Child Protection Record Keeping Guidance (WCC Education Safeguarding Service)

What to do if You're Worried a Child is being Abused 2015 - Advice For Practitioners (HMG 2015)

Children missing education - Statutory guidance for local authorities (DfE 2016)

Sexting in schools and colleges: responding to incidents and safeguarding young people (UK Council for Child Internet Safety 2016)

For advice and support about any safeguarding matter in school or for information about a range of safeguarding training courses, please contact:

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