

# PEMBURY SCHOOL HOUSE NURSERY

## CHILD PROTECTION

### Safeguarding Children, Young People and Vulnerable Adults Policy



#### **Statement of Intent**

Our setting will work with children, parents and the community to ensure the rights and safety of children, young people and vulnerable adults. Our setting will work with children to encourage them to have the self-confidence and the vocabulary to resist inappropriate approaches.

Our Safeguarding Policy is based on the three key commitments of the Pre-school Learning Alliance Safeguarding Children Policy.

Pembury School House Nursery believes that all those directly involved with our setting have an essential role to play in making it safe and secure. Our setting aims to create the safest environment within which every child can achieve their full potential and we take seriously our responsibility to promote the welfare and safeguard all the children and young people entrusted to our care.

Pembury School House Nursery recognises our statutory responsibility to safeguard and promote the welfare of all children. Safeguarding is everybody's responsibility and all those directly connected (staff, volunteers, leaders, parents, families, and children) are an important part of the wider safeguarding system for children and have an essential role to play in making this community safe and secure.

Pembury School House Nursery believes that the best interests of children always come first. All children (defined as those up to the age of 18) have a right to be heard and to have their wishes and feelings taken into account and all children regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection.

Staff working with children at Pembury School House Nursery will maintain an attitude of 'it could happen here' where safeguarding is concerned. When concerned about the welfare of a child, staff will always act in the best interests of the child and if any member of our community has a safeguarding concern about any child or adult, they should act and act immediately.

## **Procedures**

### **Key commitment 1**

- We are committed to building a 'culture of safety' in which children, young people and vulnerable adults are protected from abuse and harm in all areas of our service delivery.
- Our DSL (Designated Safeguarding Lead) who co-ordinates child, young person and vulnerable adult protection issues is Kelly Marsh.
- When the setting is open but the designated person is not on site, Victoria Tracey (deputy manager and Deputy DSL) is available for staff to discuss safeguarding concerns.
- The designated person and the suitably trained deputy ensure they have relevant links with statutory and voluntary organisations with regard to safeguarding.
- The designated person and deputy understand LSP (Local Safeguarding Partnership) safeguarding procedures, attends relevant LSCB (Local Safeguarding Children's Board) training.

#### **It is the role of the DSL to:**

- Act as the central contact point for all staff to discuss any safeguarding concerns
- Maintain a confidential recording system for safeguarding and child protection concerns
- Coordinate safeguarding action for individual children
- When supporting children with a social worker or looked after children, the DSL should have the details of the child's social worker and will liaise closely with them to best support the child's needs and share information.
- Liaising with other agencies and professionals in line with Keeping Children Safe in Education (2021) and Working Together to Safeguard Children (2018).
- Ensuring that locally established procedures as put in place by the three safeguarding partners as part of the Kent Safeguarding Children Multi-Agency Partnership procedures (KSCMP), including referrals, are followed, as necessary.
- Representing, or ensure the setting is appropriately represented at multi-agency safeguarding meetings (including child protection conferences)
- Managing and monitoring the setting role in any multi-agency plan for a child.
- Being available during setting hours for staff to discuss any safeguarding concerns and ensuring adequate and appropriate DSL cover arrangements in response to any closures and out of hours and/or out of term activities.
- Ensuring all staff access appropriate safeguarding training and relevant updates in line with the recommendations within EYFS 2021.
- The DSL will undergo appropriate and specific training to provide them with the knowledge and skills required to carry out their role. Deputy DSLs will be trained to the same standard as the DSL. The DSLs training will be updated formally at least every two years, but their knowledge and skills will be updated through a variety of methods at regular intervals and at least annually.
- We ensure all staff are aware and understand our safeguarding policies and procedures and that parents are made aware of them too.
- All staff are kept up-to-date with their knowledge of safeguarding issues, are alert to potential indicators and signs of abuse and neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported to the local authority children's social care team or the NSPCC. They receive updates on safeguarding at least annually.
- All staff are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value but can be respectfully sceptical.

- All staff understand the principles of Early Help (as defined in *Working Together to Safeguard Children*, 2018) and are able to identify those children and families who may be in need of Early Help and enable them to access it.
- All staff understand the thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm, according to arrangements published by the LSP or safeguarding partners in areas where the safeguarding partners have replaced the LSP.
- All staff understand their responsibilities under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, and understand relevant safeguarding legislation, statutory requirements and LSP requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
- We will support families to receive appropriate Early Help by sharing information with other agencies in accordance with statutory requirements and legislation.
- We will share information lawfully with safeguarding partners and other agencies where there are safeguarding concerns.
- We will be transparent about how we lawfully process data.
- All staff understand how to escalate their concerns in the event that they feel either the local authority and/or their own organisation has not acted adequately to safeguard and know how to follow local safeguarding procedures to resolve professional disputes between staff and organisations. (All of this information is displayed on our safeguarding notice board).
- Children have a key person to build a relationship with, and are supported to articulate any worries, concerns or complaints that they may have in an age appropriate way.
- Children have a right to:
  - Feel safe, be listened to, and have their wishes and feelings taken into account.
  - Confidently report abuse, knowing their concerns will be treated seriously, and knowing they can safely express their views and give feedback.
  - Receive help from a trusted adult.
- Adequate and appropriate staffing resources are provided to meet the needs of children.
- Enhanced Data Barring Service checks are carried out for staff and volunteers prior to their post being confirmed, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Volunteers must:
  - be aged 17 or over;
  - be considered competent and responsible;
  - receive a robust induction and regular supervisory meetings;
  - be familiar with all the settings policies and procedures;
  - be fully checked for suitability.
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed including:
  - The criminal records disclosure reference number;
  - The date the disclosure was obtained; and details of who obtained it.
- All staff and volunteers are informed that they are expected to disclose any convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment with us).
- Staff receive regular supervisions, which include discussion of any safeguarding issues, and their performance and learning needs are reviewed regularly.

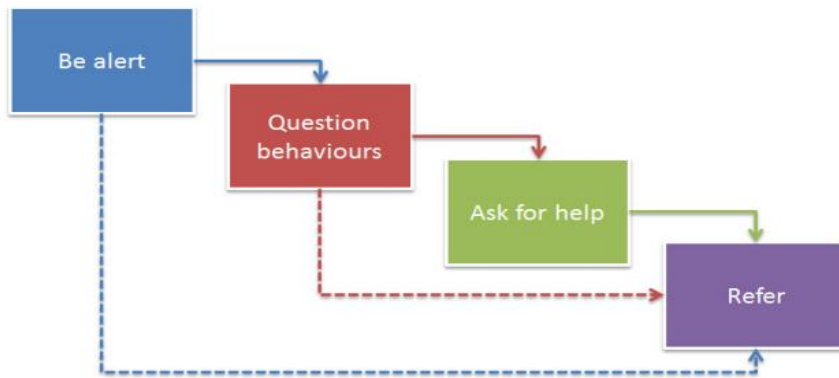
- We notify the Disclosure and Barring Service of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
- Procedures are in place to record the details of visitors to the setting.
- Security steps are taken to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children.
- Steps are taken to ensure children are not photographed or filmed on video for any other purpose than to record their development or their participation in events organised by us. Parents sign a consent form and have access to records holding visual images of their child upon request. Staff do not use personal cameras or filming equipment to record images.
- Mobile phones, cameras or other personal devices that have the ability to record children are not used where children are present.
- Smart watches - Smart watches may only be worn into the room in the presence of children if their Bluetooth and internet connectivity is restricted, via airplane mode or turning the functions off manually. Staff understand they may not use their watch to receive calls or check messages as this creates a distraction with the potential to be dangerous. Staff are also vigilant of others checking their watches and are expected to report any personal use of smart watches during the day to management. Staff must not use their watch to access photographs or content as children may be exposed to inappropriate images. Staff are also aware that they must not use their smart watches to take photos or voice recordings on their phone using the watch to operate this and are aware that the rules of GDPR prevent voice recording or photographs being taken without the person's express consent. Where the ongoing technological advances with smart watches occur, the Nursery reserves the right to request the member of staff to remove their smart watch completely, for instance if it were to become capable of taking photographs. Wherever possible the Nursery advises staff to avoid wearing a smart watch at work as there is a chance of it being lost or damaged and the Nursery takes no responsibility for this occurrence.
- The designated person in the setting has responsibility for ensuring that there is an adequate e-safety policy in place.
- We keep a written record of all complaints and concerns including details of how they were responded to.
- We ensure that robust risk assessments are completed, that they are seen and signed by all relevant staff and that they are regularly reviewed and updated, in line with our health and safety policy.
- The designated officer will support the designated person to undertake their role adequately and offer advice, guidance, supervision and support.
- The designated person will inform the designated officer at the first opportunity of every significant safeguarding concern; however this should not delay any referrals being made to children's social care, or where appropriate, the LADO, Ofsted or RIDDOR.

## **Key commitment 2**

We are committed to responding promptly and appropriately to all incidents, allegations or concerns of abuse that may occur and to work with statutory agencies in accordance with the procedures that are set down in 'What to do if you're worried a child is being abused' (HMG, 2015) and the Care Act 2014.

### **Responding to suspicions of abuse**

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- Pembury School House Nursery recognises that concerns may arise in many different contexts and can vary greatly in terms of their nature and seriousness. The indicators of child abuse and neglect can vary from child to child. Children develop and mature at different rates, so what appears to be worrying behaviour for a younger child might be normal for an older child. It is important to recognise that indicators of abuse and neglect do not automatically mean a child is being abused however all concerns should be taken seriously and will be explored by the DSL on a case-by-case basis.
- Pembury School House Nursery recognises abuse, neglect, and safeguarding issues are rarely standalone events and cannot always be covered by one definition or one label alone. In many cases, multiple issues will overlap with one another; therefore staff will always be vigilant and always raise concerns with a DSL.
- Parental behaviours can indicate child abuse or neglect, so staff will be alert to parent-child interactions or concerning parental behaviours; this could include parents who are under the influence of drugs or alcohol or if there is a sudden change in their mental health.
- Children may report abuse happening to themselves, their peers or their family members. All reports made by children to staff will be taken seriously and will be responded to in line with this policy.
- Safeguarding incidents and/or behaviours can be associated with factors and risks outside the setting. Children can be at risk of abuse or exploitation in situations outside their families; extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, sexual abuse, serious youth violence and county lines.
- Technology can be a significant component in many safeguarding and wellbeing issues. Children are at risk of abuse online as well as face to face and in many cases, abuse will take place concurrently via online channels and in daily life. Children can also abuse their peers online.
- By understanding the indicators of abuse and neglect, we can respond to problems as early as possible and provide the right support and services for the child and their family. All members of staff are expected to be aware of and follow this approach if they are concerned about a child:
- In all cases, if staff are unsure, they will always speak to the DSL (or the deputy DSL).



- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture, and that these receive full consideration in relation to child, young person or vulnerable adult protection.
- When children are suffering from physical, sexual or emotional abuse, or experiencing neglect, this may be demonstrated through:
  - significant changes in their behaviour;
  - deterioration in their general well-being;
  - their comments which may give cause for concern, or the things they say (direct or indirect disclosure);
  - changes in their appearance, their behaviour, or their play;
  - unexplained bruising, marks or signs of possible abuse or neglect; and
  - any reason to suspect neglect or abuse outside the setting.
- We understand how to identify children who may be in need of early help, how to access services for them
- We understand that we should refer any child who may be at risk of significant harm to local authority children’s social work services.
- We are prepared to take action if we have concerns about the welfare of a child who fails to arrive at a session when expected. The designated person will take immediate action to contact the child’s parent to seek an explanation for the child’s absence and be assured that the child is safe and well. If no contact is made with the child’s parents and the designated person has reason to believe that the child is at risk of significant harm, the relevant professionals are contacted immediately and LSCB procedures are followed. If the child has current involvement with social care the social worker is notified on the day of the unexplained absence.
- We are aware of other factors that affect children’s vulnerability that may affect, or may have affected, children and young people using our provision, such as abuse of children who have special educational needs and/or disabilities; fabricated or induced illness; child abuse linked to beliefs in spirit possession; sexual exploitation of children, including through internet abuse; Female Genital Mutilation and radicalisation or extremism.
- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office (Counter Terrorism and Security Act, 2015) and LSP procedures on responding to radicalisation.
- We are also aware that early year practitioners should follow local authority published safeguarding procedures to respond to FGM and other safeguarding issues, which involves contacting police if a crime of FGM has been or may be about to be committed.

- We respond to any disclosures sensitively and appropriately and take care not to influence the outcome either through the way we speak to children or by asking questions of children (although we may check out/clarify the details of what we think they have told us with them).
- In the event that a staff member or volunteer is unhappy with the decision made of the designated person in relation to whether to make a safeguarding referral they must follow escalation procedures.
- All staff know that they can contact the NSPCC whistleblowing helpline if they feel that our organisation and the local authority have not taken appropriate action to safeguard a child and this has not been addressed satisfactorily through organisational escalation and professional challenge procedures.

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

- Where a child makes comments to a member of staff that give cause for concern (disclosure), or a member of staff observes signs or signals that give cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect; that member of staff:
  - listens to the child, offers reassurance and gives assurance that she or he will take action;
  - does not question the child, although it is OK to ask questions for the purposes of clarification;
  - makes a written record that forms an objective record of the observation or disclosure that includes: the date and time of the observation or the disclosure; the exact words spoken by the child as far as possible; the name of the person to whom the concern was reported, with the date and time; and the names of any other person present at the time.
- These records are signed and dated and kept in the child's personal file, which is kept securely and confidentially.
- The member of staff acting as the designated person is informed of the issue at the earliest opportunity, and always within one working day.

### ***Escalation process***

- If we feel that a referral made has not been dealt with properly or that concerns are not being addressed or responded to, we will follow the LSP escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- We will follow local procedures published by the LSP or safeguarding partners to resolve professional disputes.

### ***Informing parents***

- Parents are normally the first point of contact. Concerns are normally discussed with parents to gain their view of events, unless it is felt that this may put the child or other person at risk, or may interfere with the course of a police investigation, or may unduly delay the referral, or unless it is otherwise unreasonable to seek consent. Advice will be sought from social care, or in some circumstances police, where necessary.
- Parents are informed when we make a record of concerns in their child's file and that we also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to social care, parents are informed at the same time that the referral will be made, except where the procedures of the LSCB/LSP Partners does not allow this, for example, where it is believed that the child may be placed at risk.

- If there is a possibility that advising a parent beforehand may place a child at greater risk (or interfere with a police response) the designated person should consider seeking advice from children's social care, about whether or not to advise parents beforehand, and should record and follow the advice given.

### ***Liaison with other agencies and multi-agency working***

- We work within the LSCB/LSP Partners guidelines.
- The current version of 'What to do if you're worried a child is being abused' is available for parents and staff and all staff are familiar with what they need to do if they have concerns.
- We have procedures for contacting the local authority regarding child protection issues and concerns about children's welfare.
- We notify Ofsted of any incident or accident and any changes in our arrangements which may affect the well-being of children or where an allegation of abuse is made against a member of staff (whether the allegations relate to harm or abuse committed on our premises or elsewhere). Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.

### ***Allegations against staff and persons in position of trust***

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting.
- We ensure that all staff volunteers and anyone else working in the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.
- We will recognise and respond to allegations that a person who works with children has:
  - 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.
  - behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- We respond to any concerns raised by staff and volunteers who know how to escalate their concerns if they are not satisfied with our response.
- We refer any such complaint immediately to a senior manager within the organisation and the Local Authority Designated Officer (LADO) as necessary to investigate and/or offer advice:

[kentchildrenslado@kent.gov.uk](mailto:kentchildrenslado@kent.gov.uk) Telephone: 03000 410888

- We also report any such alleged incident to Ofsted (unless advised by LADO that this is unnecessary due to the incident not meeting the threshold), as well as what measures we have taken. We are aware that it is an offence not to do this.
- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
- Where the management team and children's social care agree it is appropriate in the circumstances, the member of staff or volunteer will be suspended for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff, as well as children and families, throughout the process. Where it is appropriate and practical and agreed with LADO, we will seek to offer an alternative to



suspension for the duration of the investigation, if an alternative is available that will safeguard children and not place the affected staff or volunteer at risk.

### ***Disciplinary action***

Where a member of staff or volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children or vulnerable adults, we will notify the Disclosure and Barring Service of relevant information, so that individuals who pose a threat to children and vulnerable groups can be identified and barred from working with these groups.

### ***Key commitment 3***

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

### ***Training***

- Training opportunities are sought for all adults involved in the setting to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals. Training opportunities should also cover extra familial threats such as online risks, radicalisation and grooming, and how to identify and respond to families who may be in need of early help, and organisational safeguarding procedures.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.

### ***Planning***

- The layout of the rooms allows for constant supervision.

### ***Curriculum***

- We create within the setting a culture of value and respect for individuals, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.
- We introduce key elements of child protection into our EYFS curriculum, so that children can develop understanding of why and how to keep safe.
- We ensure that this is carried out in a way that is developmentally appropriate for the children.

### ***Confidentiality***

- All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the LSCB/LSP and in line with the GDPR, Data Protection Act 2018, and Working Together 2018.

## ***Support to families***

- We believe in building trusting and supportive relationships with families, staff and volunteers.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, monitoring of the child, and liaising at all times with the local children's social care team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- We will engage with any child in need plan or early help plan as agreed.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the guidance of the LSCB.

## **Legal framework**

### ***Primary legislation***

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (2004 s1, s11, s17)
- Children and Social Work Act 2017
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)
- Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018
- Working Together to Safeguard Children (2018)
- What to do if you're worried a child is being abused (2015)
- Keeping Children Safe in Education (2022)
- Ofsted: Inspecting safeguarding in early years, education and skills settings (2019)
- Statutory Framework for the Early Years Foundation Stage (2021)

### ***Secondary legislation***

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equality Act (2010)
- General Data Protection Regulations (GDPR) (2018)
- Childcare (Disqualification) Regulations (2009)
- Children and Families Act (2014)
- Care Act (2014)
- Serious Crime Act (2015)
- Counter-Terrorism and Security Act (2015)

### ***Useful websites***

- <https://www.gov.uk/governmentpublications/safeguarding-children-and-protecting-professionals-in-early-years-settings-online-safety-considerations>
- [www.gov.uk/government/publications/keeping-children-safe-in-education-2](http://www.gov.uk/government/publications/keeping-children-safe-in-education-2)

This policy was updated and adopted by the Trustees of Pembury School House Nursery on:

Date: ..... Signed on behalf of the Trustees: .....

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