



## Safeguarding and Welfare Requirement: Child Protection

### 1.2 Safeguarding children and child protection

(Including managing allegations of abuse against a member of staff)

#### Policy statement

Our setting will work with children, parents and the community to ensure the rights and safety of children and to give them the very best start in life. Our safeguarding policy is based on the following key factors.

#### Procedures

We carry out the following procedures to ensure we meet the key factors mentioned in Safeguarding Children Policy.

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- *Key factor 1*

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

#### *Staff and volunteers*

Our designated person who co-ordinates child protection issues is suitably trained. When the setting is open and the designated person is not on site, a suitably trained deputy is available at all times for staff to discuss safeguarding concerns.

- The designated person (and the person who deputises for them) understands LSCB safeguarding procedures, attends relevant LSCB training at least every **two years** and refreshes their knowledge of safeguarding at least annually.



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- We ensure all staff are trained to understand our safeguarding policies and procedures and parents are made aware of them too.
- All staff understand their responsibilities under the General Data Protection Regulations and the Data Protection Act 2018, and the circumstances under which they may share information about you and your child with other agencies.
- We will support families to receive appropriate early help by sharing information with other agencies in accordance with statutory requirements and legislation.
- 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 staff have an up-to-date 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. They receive updates on safeguarding at least annually.
- All staff understand that safeguarding is their responsibility.
- All staff understand what the organisation expects from them in terms of their required behaviour and conduct, and follow our policies and procedures on positive behaviour, online safety (including use of cameras and mobile phones), whistleblowing and dignity at work.
- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within the provision are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Criminal Records Bureau before posts can be confirmed.



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- Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- We abide by Ofsted requirements in respect of references and Criminal Record Bureau checks for staff and regular volunteers, to ensure that no disqualified person or unsuitable person works at the provision or has access to the children.
- We record information 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.
- We inform all staff, volunteers and students 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).
- From 31 August 2018, staff and volunteers in childcare settings that are not based on domestic premises are NOT required to notify their line manager if anyone in their household (including family members, lodgers, parents etc.) has any relevant convictions, cautions, court orders, reprimands or warnings or has been barred from, or had registration refused or cancelled in relation to any childcare provision or have had orders made in relation to care of their children.
- Staff receive regular supervision, which includes discussion of any safeguarding issues, and their performance and learning needs are reviewed regularly.
- In addition to induction and supervision, staff are provided with clear expectations in relation to their behaviour (outlined in the employee hand book).
- Volunteers do not work unsupervised.
- 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.
- We abide by the Safeguarding Vulnerable Groups Act (2006) requirements in respect of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of child protection concern.



- We have procedures for recording the details of visitors to the setting.
- We take security steps to ensure that we have control over who comes into the provision so that no unauthorised person has unsupervised access to the children.
- We take steps to ensure children are not photographed or filmed on video for any other purpose than to record their development. Parents sign a consent form and have access to records holding visual images of their child. Staff do not use personal cameras or filming equipment to record images.
- Personal mobile phones are not used where children are present.
- Photo/video recordings taken by parents/carers must be for personal use only and not to be used on social networks.
- Any personal information is held securely and in line with data protection requirements and guidance from the ICO.
- We have an adequate online 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.

## ▪ *Key factor 2*

We are committed to responding promptly and appropriately to all incidents 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.
- 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 may be 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 and how to access services for them.
- We understand that we should refer a child who meets the s17 children Act 1989 child in need definition to local authority children's social care.
- We understand that we should refer any child who may be at risk of significant harm to local authority children's social care.
- We take into account factors affecting parental capacity, such as social exclusion, domestic violence, parent's drug or alcohol abuse, mental or physical illness or parent's learning disability.
- We are aware of other factors that affect children's vulnerability such as abuse of disabled children, fabricated or induced illness, child abuse linked to beliefs in spirit possession, sexual exploitation of children such as through internet abuse and Female Genital Mutilation that may affect or may have affected children and young people using our provision.
- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB procedures on responding to radicalisation.
- The designated person completes online Channel training, online Prevent training and attends local WRAP training where available to ensure they are familiar with the local protocol and procedures for responding to concerns about radicalisation.
- We are aware of the mandatory duty that applies to teachers and health workers to report cases of Female Genital Mutilation to the police. We are also aware that



early years practitioners should follow local authority published safeguarding procedures to respond to FGM and safeguarding issues, which involves contacting police if a crime of FGM has been or may be about to be committed.

- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care we may become aware of any of these factors affecting older children and young people who we may come into contact with.
- If we become concerned that a child may be a victim of modern slavery or human trafficking we will refer to the National Referral Mechanism, as soon as possible and refer and/or seek advice to the local authority children's social care and/or police.
- We will be alert to the threats children may face from outside their families, such as that posed by organised crime groups such as county lines and child sexual exploitation, online use and from within peer groups and the wider community.
- Where we believe a child in our care or known to us may be affected by any of these factors we follow the procedure for reporting child protection and child in need concerns and follow the LSCB procedures.
- Where such evidence is apparent, the child's key person makes a dated record of the details of the concern and discusses what to do with member of staff who is acting as the 'designated person'. The information is stored on the child welfare folder.
- We refer concerns about children's welfare to the local authority children's social care department and co-operate fully in any subsequent investigation.  
NB In some cases this may mean the police or another agency identified by the Local Safeguarding Children's Board (or the local safeguarding partners when their published safeguarding arrangements take over from the LSCB).
- We respond to any disclosure 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).



- We take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young parents. Where abuse or neglect is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account in an age appropriate way, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.
- All staff are also aware that adults can also be vulnerable and know how to refer adults who are in need of community care services.
- We have a whistleblowing policy in place.
- Staff/volunteers know they can contact the organisation Public Concern at Work for advice relating to whistleblowing; if they feel that the organisation has not acted adequately in relation to safeguarding they can contact the NSPCC whistleblowing helpline.

### *Recording suspicions of abuse and disclosures*

- Where a child makes comments to a member of staff that gives cause for concern (disclosure), observes signs or signals that gives 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 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 welfare folder 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.
  - Parent/carer is informed if further clarification is required.
  - Where the Local Safeguarding Children Board or local safeguarding partners safeguarding procedures stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow the steps set down by the Local Safeguarding Children Board.

### *Making a referral to the local authority social care team*

- Practitioner must discuss concerns with designated child protection officer and Manager of the Pre-School. If there still is concerns Practitioner then must seek to discuss concerns with the parents/carers and seek their agreement to making a referral to children's social care unless it is believed such a discussion would place the child at an increased risk of significant harm. In which case Practitioner is to contact Social care direct. All discussions are dated and recorded in the child welfare folder.

### *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 LSCB escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- Will follow local procedures published by the LSCB or Safeguarding Partners to resolve professional disputes.

### *Informing parents*

- Parents are normally the first point of contact. We discuss concerns with parents to gain their view of events unless we feel this may put the child at risk, or interfere with the course of a police investigation. Advice will be sought from social care if necessary.





- If the child has a regular carer other than parents, we may discuss concerns with them to gain their view of events unless we feel this may put the child in greater danger.
- We inform parents when we make a record of concerns in their child welfare folder 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 guidance of the Local Safeguarding Children Board does not allow this, for example, where it is believed that the child may be placed at risk.
- This will usually be the case where the parent is the likely abuser or where sexual abuse may have occurred.
- 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 seek 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 Local Safeguarding Children Board guidelines/Local Safeguarding Partners guidelines.
- We have the current version of 'What to do if you're worried a child is being abused' for parents and staff and all staff are familiar with what to do if they have concerns.
- We have procedures for contacting the local authority on child protection issues, including maintaining a list of names, addresses and telephone numbers of social workers, to ensure that it is easy, in any emergency, for the setting and social services to work well together.
- We notify the registration authority (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.

- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.

### *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 provision, or anyone living or working on the premises occupied by the setting, which may include an allegation of abuse.
- We ensure that all staff volunteers and anyone else working in the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.
- We differentiate between allegations, and concerns about the quality of care or practice and complaints and have a separate process for responding to complaints.
- We respond to any inappropriate behaviour displayed by members of staff, or any other person working with the children, which includes:
  - inappropriate sexual comments;
  - excessive one-to-one attention beyond the requirements of their usual role and responsibilities, or
  - inappropriate sharing of images.
- We follow the guidance of the Local Safeguarding Children Board when responding to any complaint that a member of staff, or volunteer within the provision has abused a child.
- We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to the manager and the Local Authority's Designated Officer (LADO) to investigate/offer advice. 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 chair/director/owner will suspend the member of staff on full pay, or the volunteer, for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff as well as children and families throughout the process. 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 factor 3*

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

### *Training*

- We seek out training opportunities 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.

- Designated persons receive appropriate training, as recommended by the Local Safeguarding Children Board, every two years and refresh their knowledge and skills at least annually.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.
- We ensure that all staff receive updates on safeguarding via emails, newsletters, online training and/or discussion at staff meetings at least once a year.

## *Planning*

- The layout of the rooms allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being heard or seen by others.
- Children are toileted/changed by staff with a current DBS check carried out by the setting's manager/owner.

## *Curriculum*

- We introduce key elements of keeping children safe into our programme to promote the personal, social and emotional development of all children, so that they may grow to be *strong, resilient and listened to* and that they develop an understanding of why and how to keep safe.
- We create within the setting a culture of value and respect for the individual, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.
- We ensure that this is carried out in a way that is developmentally appropriate for the children.

## *Confidentiality*

- All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the Local Safeguarding Children Board Local Safeguarding Partners 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 in the group.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, providing information, monitoring of the child, and liaising at all times with the local children's social care team. Please see leaflets on display such as "what we all need to do to protect our children."
- 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 care 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 Confidentiality and Client Access to Records procedure and only if appropriate under the guidance of the Local Safeguarding Children Board.

## **Legal framework**

### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (1998)
- The Children Act (Every Child Matters) (2004)
- Children and social work Act 2017
- Safeguarding Vulnerable Groups Act (2006)



- Child Safeguarding Practice and Review and Relevant Agency (England) Regulations 2018

## *Secondary legislation*

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equalities Act (2010)
- General Data Protection Regulations (GDPR) (2018)
- Data Protection Act (1998) Non Statutory Guidance
- Keeping Children Safe in education (March 2015)
- Inspecting Safeguarding in early years, education and skills setting (August 2015)
- Care Act 2014
- Counter-Terrorism and Security Act (2015)

## **Further Guidance**

- Working Together to Safeguard Children (HMG, 2018)
- What to do if you are Worried a Child is Being Abused (HMG 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
- Information Sharing: Guidance for Practitioners providing Safeguarding Services (DfE 2018)
- Independent Safeguarding Authority: [www.isa.gov.org.uk](http://www.isa.gov.org.uk)
- Hidden Harm – Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
- Disclosure and Barring Service: [www.gov.uk/disclosure-barring-service-check](http://www.gov.uk/disclosure-barring-service-check)
- Revised Prevent Duty Guidance for England and Wales (HMG, 2015)



# Rushmore House Montessori



- Inspecting Safeguarding in Early Years, Education and Skills Settings, (Ofsted, 2016)
- General Data Protection Regulations (GDPR) (2018)

**This policy was adopted at a staff meeting of Rushmore House Montessori Preschool and Updated in November 2018.**

**Agreed On behalf of Rushmore House Montessori - Cima Shahroudi**

**Role – Group Manager**

**Date of Review: November 2019 or earlier if required.**