

SAFEGUARDING CHILDREN POLICY

NSPo2
v6

Statutory Framework for EYFS 2017 pages 16 to 20 paragraphs 3.4 to 3.21
Working Together to Safeguard Children 2018 (Whole Document)
Children Act 2004

PROCEDURE	REFERENCE	FORM
NSPr3 – Safeguarding Children Procedure	NSR2 – Wave Power : Child Welfare in Swimming	NSF2 –Safeguarding Disclosure / Incident Report
NPPr10 – Allegations Against Staff Procedure	NSR4 - What to do if you are worried a child is being abused	NSF4 – Staff Meeting Notes
	NSR7 – Filming & Photographing Events	NSF5 – Meetings Agenda
	NSR13 – Parents (Ofsted Poster)	NSF6 – Staff Who Have Had Safeguarding Training (+ additional training undertaken by Designated Person)
	NSR15 – Working Together to Safeguard Children	NSF10 – Designated Responsibilities
	NSR83 – The Protection of Freedoms Act 2012	NSF16 – Declaration for Cameras at Events
	NAR1 – Parent Information Pack	NDF5 – Induction Record

All children have the right to a safe and happy childhood.

Wellingtons for Langley Hall is concerned for the welfare and safety of children and works to create a culture of security for the children in its care, to enable them to feel valued, listened to and to know that their wishes and feelings are respected.

Wellingtons for Langley Hall has a named person designated as responsible for safeguarding children known as the Designated Safeguarding Lead or DSL (previously Safeguarding Children Officer SCO). This person is identified on the Designated Responsibilities notice **NSF10** displayed within the setting.

STATUTORY FRAMEWORK

This policy should be read alongside Working Together to Safeguard Children which contains detailed information and guidance for managing safeguarding within Wellingtons for Langley Hall as part of an inter-agency process.

Settings are expected to ensure that they have appropriate procedures in place to enable them to respond appropriately if they believe that a child (defined as “anyone under the age of 18 years) has been, or is at risk of being neglected or abused. This policy therefore includes work experience and many childcare students as well as pupils. These procedures should also cover circumstances where there is an allegation involving a member of staff. (See Safeguarding Children Procedure **NSPr3**)

- Staff should be alert to the signs and symptoms of abuse and know to whom they report any concerns or suspicions.
- All settings should have a designated member of staff with responsibility for co-ordinating action within the setting and liaising with other agencies, including the Local Safeguarding Children Board - LSCB (formerly the Area Child Protection Committee - ACPC).
- The designated member of staff must have appropriate training (2 days per year).
- Settings should have procedures for handling suspected cases of abuse, including where a member of staff is involved.
- All settings led by the Designated Safeguarding Lead should be aware of the Safeguarding Children Procedures established by the Local Safeguarding Children Board - LSCB (formerly the Area Child Protection Committee - ACPC) and, where appropriate, by the Local Authority.
- The setting must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises) are suitable.
- The senior management of the setting should undertake an annual review of their policies and procedures relating to safeguarding children, and how their safeguarding duties have been discharged.
- Any deficiencies or weaknesses in safeguarding arrangements should be remedied without delay.

Parents are made aware of the setting's safeguarding children policy and the fact that this may require cases to be referred to the investigative agencies in the interests of the child (see Parent Information Pack **NAR1**).

The role of the Designated Safeguarding Lead (DSL)

The Designated Safeguarding Lead (designated member of staff for child protection) is usually the Head of the setting.

The Designated Safeguarding Lead should:

- ensure that all staff, including non-teaching staff are aware of these procedures;
- ensure that all staff have training to enable them to know to whom they must pass their concern;.
- develop an effective working relationship with other agencies;
- discuss and follow up concerns and decide whether referral is the appropriate course of action;
- make referrals where child neglect or abuse is likely to occur, or is suspected or disclosed;
- attend case conferences, or ensure that the appropriate member of staff attends, and is aware of the purpose and procedure of the child protection conference;
- ensure that a report is prepared for the conference and to take part in core groups as is required;
- meet with the Education Welfare Officer (EWO) or Health Visitor to monitor children at risk;
- ensure that safeguarding children is an item on every Meetings Agenda **NSF5**;
- Record all concerns, whether or not action is taken;
- Consider if a 'early help assessment' is needed;
- Provide ongoing support, advice and guidance to other staff in matters of safeguarding and welfare.

When to be concerned

- When a child has frequent or untypical injuries, not normally associated with the explanation offered. (see Recording Existing Injuries Policy – **NSPo13**)
- When a child's basic needs appear to have been neglected e.g. adequate food, shelter, clothing, or not responding to their emotional needs.
- When a child exhibits untypical behaviour, his or her progress at setting alters dramatically or their attitude changes.
- When a child indulges in sexual behaviour either verbal or non-verbal, that is unusually explicit or inappropriate for his or her age.
- When a child makes comments suggesting a safeguarding concern
- When a member of staff or other adult in the setting displays inappropriate language or behaviour towards or in relation to children

Dealing with a disclosure

If a child discloses that he or she has been abused, the member of staff should:

- be aware that disclosures may only occur once and it is crucial that this is recorded accurately.
- listen to what the child says without displaying shock or disbelief.
- accept what is being said.
- allow the child to talk freely.
- reassure the child but not make promises which it may not be possible to keep.
- not promise confidentiality. It may well be necessary to inform Children's Social Care.
- reassure the child – it is not his or her fault.
- stress that it is right to tell.
- listen, do not ask direct or leading questions.
- do not criticise the perpetrator, the child may well still love him or her.
- explain what you have to do next.

Record keeping

When abuse is disclosed or suspected, the member of staff should:

- make a brief note as soon as possible using Safeguarding Disclosure / Incident Report **NSF2** giving quotes if they can be recalled. Dates and times should be recorded. These notes must not be destroyed, even if a more detailed report is written later. They may be needed by a Court.

Children about whom a previous disclosure has been made

If Wellingtons for Langley Hall is made aware that a child starting or already attending the setting is involved in a safeguarding issue, a meeting will be held with all of the relevant personnel to establish ways in which the child and their parents can be supported within the setting.

The child's Key Person will be involved in these discussions and will monitor the child as appropriate, feeding information into the staff meeting using Staff Meeting Notes **NSF4**.

Safeguarding conferences

The Designated Safeguarding Lead will decide who is most suitable to attend the Case Conference and help with preparation of the report.

Support

Dealing with safeguarding children is always difficult and stressful. Members of staff should consider seeking support for themselves, initially from the Designated Safeguarding Lead.

Staff training

All new staff must have basic safeguarding training as part of their induction (see Induction Record **NDF5**). Further training should be sought for staff on an ongoing basis and at least 2 staff, including the Designated Safeguarding Lead should attend the 2 day course recommended by Ofsted.

The Designated Safeguarding Lead should also attend other related training courses if possible. The form Staff Who Have Had Safeguarding Training **NSF6** should be used to record the names of staff who have had safeguarding children training.

The Safeguarding Children Policy **NSPo2** (this policy) should be read at staff meetings at least every 3 months.

All staff must update their safeguarding training every 3 years.

Use of mobile phones and cameras

In order to safeguard the children in our care mobile telephones, cameras or other devices with similar functions are not permitted in playrooms or other areas used by the children unless their use is specifically agreed in advance by the Head of Wellingtons for Langley Hall. If permission is given, staff must follow the conditions set by the Head of Wellingtons for Langley Hall for their use. If it becomes necessary or desirable to have the use of a mobile phone within the setting or when on outings then one will be provided and it must not be used when children are having their nappy changed or using the toilet. At no time will personal mobile telephones or other devices capable of taking photographs or video be allowed.

Allegations involving a member of staff*

Wellingtons for Langley Hall takes seriously its responsibility to investigate allegations made against staff or any other person working with the children for whom we care. Allegations Against Staff Procedure **NPPr10** follows the guidance in Working Together to Safeguard Children **NSR15**. Any allegation will be dealt with quickly in a fair and consistent way and will include support for the person against whom the allegation has been made. We will liaise with our Local Safeguarding Children Board for detailed guidance on the management of specific allegations.

Where an allegation is made against a colleague, immediate advice will be sought from the Local Authority Designated Officer. The Head of the setting (or Proprietor, if part of a Group) will be informed immediately (unless the allegation involves him or her, in which case a nominated member of the senior staff will be involved – see Allegations Against Staff Procedure **NPPr10**). Disciplinary procedures will also be considered including the option to suspend the member of staff. The Local Safeguarding Children Board (LSCB) and Ofsted will be informed of any allegations.



The Local Authority Designated Officer will advise how, and by whom, the parents of the child concerned should be told of the allegation (if they are not already aware of it). Parents are kept informed of the progress of the case and the outcome (where there is no criminal prosecution). Deliberations of any disciplinary hearing and information considered cannot be disclosed – but those concerned should be told the outcome.

Where a child may have suffered significant harm or there may be a criminal prosecution, Children's Social Care or the police will consider what support may be needed for the child concerned and Wellingtons for Langley Hall will offer support as necessary.

Wellingtons for Langley Hall will discuss with the agencies involved (e.g. police, Children's Social Care) what information can be disclosed to the person against whom the allegation has been made. Following the discussion, the member of staff will be informed (in line with the guidance received) of the progress of the case and offered appropriate support as necessary. Regular reviews (at least monthly) will be conducted throughout the course of any investigation. All agencies concerned (including the Local Authority, Children's Social Care, police and employer) should share information about the subject of the allegation and the alleged victim and obtain permission to do so where necessary.

Every effort will be made to keep details of any allegation confidential during any investigation.

Suspension of a person against whom an allegation has been made will be considered if it is decided that there is no reasonable alternative, including where there is cause to suspect that a child is at risk of significant harm, where a police investigation is likely or where the allegation is so serious as to suggest there may be grounds for dismissal. Advice will be sought via the Local Authority Designated Officer, however the decision to suspend can only be made by the employer and will only be done after very careful consideration. Alternative measures will be considered first such as moving the person to other duties while the investigation continues. If a decision to suspend is taken, this will be on full pay and the reasons and justification for the suspension will be recorded and the member of staff advised of them. Staff against whom an allegation has been made will be advised to seek support from their union or other professional association if they are a member. Staff who are suspended will be kept advised of events in the school so that they do not become out of touch with the day to day operation of the school. Staff who are subsequently reinstated will be given help and support to enable them to return to their duties.

Wellingtons for Langley Hall and the Local Authority Designated Officer should be informed by the police or Crown Prosecution Service (CPS) straight away when a criminal investigation or subsequent trial is complete, or if the case is closed without charge or a decision is made not to prosecute after the person has been charged. Wellingtons for Langley Hall will, in consultation with the Local Authority Designated Officer, consider what further action may be appropriate and consideration will be given to the circumstances of the case and the standard of proof required for disciplinary proceedings.

All allegations will be investigated and followed up, even if the person concerned resigns or stops providing services to Wellingtons for Langley Hall as it is important that all allegations reach a conclusion wherever possible. Records will be kept in the personnel file of the person against whom an allegation has been made, whatever the outcome, until that person reaches normal retirement age or for 10 years – whichever is longer. The records kept will be clear and comprehensive and include details of the original allegation, the investigation, decisions made, and actions taken. A copy of the records will be also be provided to the member of staff for their own reference.

Wellingtons for Langley Hall will not enter into any "compromise agreement" (e.g. agree not to use disciplinary procedures if the person agrees to resign, entering into an agreement for wording of references etc.) in connection with safeguarding allegations.

If the allegation is proved and the person is dismissed, resigns or otherwise no longer provides their services, Wellingtons for Langley Hall will advise the DBS (Disclosure and Barring Service) in accordance

with the legal requirements of the Safeguarding Vulnerable Groups Act 2006 **NSR28** as amended by the Protection of Freedoms Act 2012 **NSR83**. Other bodies who may need to be notified include professional bodies such as the National College for Teaching and Leadership (NCTL), Ofsted etc. and the Local Authority Designated Officer will advise whether such additional referral is appropriate. Any referral will be made as soon as possible after the resignation or termination of employment of the individual.

All allegations whether substantiated or not will be reviewed to see whether there are lessons to be learned and if procedures or practice should be amended to prevent similar allegations arising in the future.

Malicious allegations will be removed from personnel records. Allegations that are not considered malicious, but cannot be substantiated or are unfounded, will remain in personnel records but will not be referred to in employer references. Persons (adults or pupils) making malicious allegations will be considered for disciplinary action in line with codes of conduct and behaviour policies and such sanctions may include referral to the police for consideration of prosecution of the person making the allegation.

* the term "staff" refers to any person employed, training, volunteering or otherwise having contact with children cared for by .

Definitions

The following definitions will be used when determining the outcome of allegation investigations:

- a. **Substantiated:** there is sufficient identifiable evidence to prove the allegation;
- b. **False:** there is sufficient evidence to disprove the allegation;
- c. **Malicious:** there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
- d. **Unfounded:** there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively, they may not have been aware of all the circumstances;
- e. **Unsubstantiated:** this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

*Dealing With Allegations of Abuse Against Teachers and Other Staff **NPR49** page 3*

Duty to refer

The Safeguarding Vulnerable Groups Act 2006 **NSR28** as amended by the Protection of Freedoms Act 2012 **NSR83** introduced a legal requirement for schools to refer to the Disclosure and Barring Service (DBS) all cases where an employee or volunteer is dismissed or no longer used because the setting thinks the person has harmed or poses a risk of harm to children or vulnerable adults, or if they leave while under investigation for allegedly causing harm or posing a risk of harm.

Reference to safeguarding children in other setting policies and procedures

Safeguarding is not just about protecting children from deliberate harm, it is important that attention is given to "safeguarding" in other policies, procedures, forms and reference documents.

These include:

- anti-bullying
- behaviour management
- Parent Information Pack and the safeguarding children statement in the setting prospectus
- filming and photographing events
- equal opportunities
- health and safety documents including:
 - setting security
 - management of allegations against staff
 - educational visits
 - use of setting premises
 - first aid
 - medical alert
- personal, social and emotional development
- recruitment and selection
- staff conduct
- alcohol and substance misuse
- use of force and restraint
- whistle blowing
- FGM
- British Values
- Peer Pressure
- use of children's images

Children's Images Policy **NMPo6** will be strictly adhered to at all times.