



Little Swans Day Nursery Safeguarding and Child Protection Policy

Reviewed December 2014

Designated Safeguarding Lead (DSL)

Samantha Tranter Nursery Manager

Elaine Boulton Nursery Owner (in the absence of Samantha Tranter)

What the EYFS Says: Providers must take all necessary steps to keep children safe and well. Section three of the Welfare Requirements explains what early year providers must do to: safeguard children, promote good health; manage behaviour and maintain records, policies and procedures. *(See Little Swans Prospectus (policy folder) for procedures and policies regarding the above.*

These can also be found on the website www.littleswans.org.uk

Focus:

The following policy and procedures are in place at Little Swans Day Nursery in order to protect and safeguard children, parents/carers, staff and visitors.

Policies are consistent with the following guidance:

- Working together to safeguard children 2013
- Data Protection Act 1998 (amended 2003)
- Safeguarding children and safer recruitment in education guidance 2007
- Keeping children safe in education 2014
- What to do if you think a child is being abused
- Birmingham Safeguarding Children's Board (BSCB) procedures.
- Early Years Foundation Stage 2008 (revised September 2012 and 2014)

Childcare Act 2006, Section Five states:

- We have a duty to implement the Early Years Foundation Stage, meeting the learning and development requirements, and must comply with the welfare requirements.
- This policy ensures that all the staff and parents/carers in the nursery setting are clear about the actions necessary with regard to child protection and safeguarding issues.

Safeguarding

What is safeguarding?

Safeguarding is the process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in

circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully

Every child deserves the opportunity to learn and develop in an environment that is both safe and secure. Through the guidance of the Early Years Foundation Stage we aim to offer an enabling environment for children, where risks are minimised and well managed, and children are protected from harm and abuse.

The nursery and staff recognise that they have a responsibility and duty alongside other professionals to safeguard children. The nursery strives to build a child-focused system.

The health, safety and wellbeing of the children in our care are of paramount importance. We strive to create an environment which is welcoming, safe and stimulating, and where children are able to enjoy learning and grow in confidence, encouraging children to do their best. Through incorporating a child centred approach, the nursery recognises that every child is individual and unique. Staff recognises not only the rights of children but that children learn best when they are healthy, safe and secure, when their individual needs are met and when they have positive relationships with adults caring for them.

Promoting health and well being

- Each child at the setting is assigned a key person. Parents and/or carers are informed who this will be during registration and the role the key person when their child starts at the setting. Within the home visit packs parents will find additional information on the role of the key person as well as the Early Years Foundation Stage.
- One aspect of safeguarding children, is promoting good health and wellbeing.
- Staff are expected to carry out high standards of hygiene and cleanliness as part of their daily routine. Ensuring staff have good knowledge of infection control; the nursery management prevent the spread of infection and illness in the setting.
- We have vigorous procedures in place for administering medication and supporting children with medical needs or appear unwell during the day.
- We have effective procedures in place for reporting accidents and incidents for each child who attends the nursery. All staff understand their duty to report and inform of accidents and incidents which may occur during the day at the setting as well as any incidents they are aware of while the child was not in attendance at the setting.
- Our comprehensive registration and home visit follow ups ensure that all parents/carers are provided with time and opportunity to discuss their child's needs in detail and disclose any information relating to their care. For example allergies are identified prior to a child starting at the nursery which enables staff to prevent contact with allergenic substances.
- All staff working at the nursery are aware of potential or actual risks posed to children
- Information at the nursery is shared appropriately, ensuring the information shared with others is relevant and proportionate to the incident/concern for the child
- Staff use their knowledge of child development as well as children and their families to make professional judgements
- All staff and professionals associated with the nursery contribute actions to safeguard
- Through planning, parent partnerships and key person systems staff gain the views and wishes of children to inform assessments and the planning of next steps for each child.

Risk Assessments

- Regular risk assessments help to identify aspects of the nursery environment that need to be checked on a regular basis, decide what should be done to prevent harm and make sure that the relevant actions are taken and updated whenever necessary.
- All staff are trained and aware of their responsibilities when identifying risks and taking reasonable precautions
- All staff in areas conducts formal risk assessments and constantly reappraise both the environments and activities to which the children are being exposed. Staff must make necessary adjustments to ensure their safety and the safety of the children at all times.
- We encourage children to keep safe, recognise different situations and how to behave in response to them. The environment around the nursery is safe and secure in which children can interact and explore.
- Children are given opportunities to take appropriate risks as part of their learning and understanding of the world

Suitable Staff

The nursery follows regulations set by the government as outlined in the Protection of Freedoms Act 2012. The nursery adheres to DBS (The Disclosure and Barring Scheme) Vetting and barring and referral procedures. And will not knowingly engage a barred person in regulated activity with children.

Miss Tranter and Mrs Boulton are responsible for ensuring that people looking after children are suitable to fulfil the requirements of the role.

- Any adults who are likely to have regular contact with children are required to complete a DBS disclosure, through a regulated government agency for any person aged 16 and over who:
 - Works directly with children
 - Works on the premises of which the childcare is providedNote: Enhanced DBS checks for work within regulated activity will tell us (where requested) if the person is on one of the ISA's barred lists.
- All staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the setting)
- Staff are required to supply two references; one of which must be able to comment on their suitability of working with children. (See recruitment policy and procedures).
- Anyone who has not had their suitability checked or awaiting their DBS clearance and references will not be allowed to have unsupervised contact with children who are being cared for by the nursery.
- Prior to a position being confirmed applicants must produce original qualification certificates (copies will be taken and confirmed).
- Identity checks will be completed as part of the DBS process.
- A DBS register is kept on the premises at all times in the office this details the following:
 - Applicants Name
 - Criminal records disclosure/reference number
 - Date the disclosure was issued

- Who obtained it
- When it is due to be renewed
- As part of good practice nursery request all employees to review their DBS checks every three years whilst in employment at the nursery.

We ensure a rigorous recruitment procedure in order to ensure staff working for our nursery is suitable to do so. We also ensure that all persons working for us have the right to work in the UK. A rigorous recruitment process with a probationary period of 12 weeks is in place at the nursery and all staff receives an induction and regular supervision.

Early Help

Early help means taking action to support a child, young person or their family in the life of a problem, as soon as it emerges. At Little Swans we recognise that this can be required at any stage in a child's life from pre –birth to adulthood, and applies to any problem or need that the family cannot deal with or meet on their own. Through effective partnerships with children and families staff at the nursery is best placed to recognise if a family needs support. Staff will refer to assessment framework when assessing concerns or risks to a child's health and well being. (Appendix A)

FCAF

If a member of staff has concerns about a child and their family but the child is not at significant harm. Then the decision may be access support through an FCAF. The DSL will contact the FCAF team for advice using the details below:

- Jon Needham
MASH Team Manager
Early Help, Brokerage and support team
0121 303 2291
www.birmingham.gov.uk/caf
- Support may also be sought through locality family support and safeguarding hubs. This process involves the DSL attending TAF (Team around the family) and TAC (Team around the child) meetings to gather advice and support on what action should be taken. These meetings are confidential and enable integrated working with other professionals as part of Early Help and intervention and enables swift access to specialist services as required.
- For further details and contact information see Appendix B; FAYS hubs operational safeguarding structure – Oakland's Park / Fox Hollies.

Birmingham MASH (Multi Agency Safeguarding Hub)

MASH is a one front door service which provides a Multi Agency Screening for teams for referrals to Social Care and to Early Help Services.

- There is a direct link between MASH and the Hubs
- MASH will process safeguarding concerns and will allocate cases based on need:
 - To the Hub Safeguarding Teams

- To the Hub Family Support Teams
- To the Early Help and Brokerage Service leading to TAF
- At each stage if there is a new safeguarding concern there is a direct route back to MASH
Contact Details: 0121 303 1888 staff should accept:
- A professional consultation with professionals in the field of Social Care
- An email confirming the call
- Better quality referrals

The DSL at the nursery is responsible for:

- Helping staff at the nursery to identify and act on any needs which require 'Early Help'
- Responsibility for helping staff to identify and act on any additional needs which require a coordinated response (MASH/Hubs)
- Responsibility for helping staff to identify and act on any complex/significant needs where the child is suffering or at risk of suffering significant harm or impairment and which require a specialist response (MASH)

Child Protection

What is child protection?

Child protection involves recognising signs of physical, sexual or emotional abuse or neglect and acting on it.

All Children have the right to protection, regardless of age, gender, race, culture or disability.

They have the right to be safe in our nursery.

(Please refer to Equal Opportunities, Inclusion and Special Educational Needs policy).

Samantha Tranter (Nursery Manager) is the lead practitioner who is responsible for implementing child protection procedures; in her absence Mrs Boulton (Nursery Owner) takes responsibility.

The role of the lead practitioner (DSL)

- Is responsible for liaison with local statutory children's services/agencies, and with the Local Safeguarding children's board on child protection matters.
- To provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required.
- Attend relevant child protection training courses delivered by the local authority to support their role which enables them to identify, understand and respond appropriately to signs of possible abuse and neglect.
- Receiving concerns from other staff about potential or actual abuse and giving the appropriate advice.
- Consulting with social care services about particular cases
- Making referrals to social care services regarding children for whom there are safeguarding or child protection concerns

- Assisting in the referral of children in need who may not necessarily be at immediate risk of harm
- Ensuring that the setting is represented at child protection conferences and that the representative is well briefed and prepared for child protection conferences
- Maintaining records of children who have been identified as at risk, and are subject to referral, assessment or child protection plan
- Ensuring the dissemination of information about children at risk to those who need to know
- Ensuring that managers within the setting are well briefed about safeguarding including policies and procedures
- Referring any safeguarding or child protection allegations or concerns about staff or volunteers to the position of trust team or designated safeguarding officer in accordance with section 22 BSCB procedures

Definitions of Abuse and neglect

Physical Abuse

Physical abuse may involve hitting, shaking, throwing poisoning or burning or scalding, drowning, suffocating or otherwise causing physical harm to a child.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve making a child feel or believe that they are worthless or unloved, inadequate or valued only insofar as they meet needs of another person. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Sexual Abuse

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of, or consents to, what is happening.

The activities may involve physical contact, including penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling. And can also include non – contact activities such as involving children in looking at, or in the production of pornographic material or watching sexual activities.

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. It may involve a parent or carer failing to provide adequate food, shelter and clothing, leaving a young child home alone or the failure to ensure that a child gets appropriate care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Domestic Abuse

Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 years or over, who are or have been intimate partners or are family members regardless of gender. Domestic abuse can have an impact on children in the family home and on their development; domestic abuse can link with other areas of abuse.

Anti-Bullying

Children need their own time and space. It is not always appropriate to expect a child to share and it is important to acknowledge children's feelings and to help them understand how others might be feeling.

Children must be encouraged to recognise that bullying, fighting, hurting and discriminatory comments are not acceptable behaviour. We want children to recognise that certain actions are right and that others are unacceptable.

Bullying takes many forms. It can be physical, verbal or emotional, but it is always a repeated behaviour that makes other people feel uncomfortable or threatened.

1. Any form of bullying is unacceptable and will be dealt with immediately.
2. Staff are encouraged to ensure that all children feel safe, happy and secure
3. Staff are encouraged to recognise that active physical aggression in the early years is part of the child's development and that it should be channelled in a positive way
4. Children need to be helped to understand that using aggression to get things is inappropriate and will be encouraged to resolve problems in other ways
5. Our staff are encouraged to adopt a policy of intervention when they think a child is being bullied; however mild or "harmless" it may seem
6. The staff are ready to initiate games and activities with children, when they feel play has become aggressive, both indoors or out
7. Any instance of bullying will be discussed fully with the parents of all involved, to look for a consistent resolution to the behaviour
8. If any parent has a concern about their child, a member of staff will be available to discuss those concerns. It is only by co-operation that we can ensure our children feel confident and secure in their environment, both at home and in the nursery.

Staff Training

All staff receives training to understand the safeguarding and child protection policy and procedures. Staff receives updates regarding safeguarding issues and attend training provided by the local authority to enable staff to identify signs of possible abuse and neglect at the earliest opportunity and respond in a timely and appropriate way as well as completing child protection training regarding the nursery's procedures in house as well as regularly visiting safeguarding issues as an ongoing agenda. These may include:

- Significant changes in children's behaviour;
- Deterioration in children's general well-being;
- Unexplained bruising, marks or signs of possible abuse or neglect;

- Children's comments which give cause for concern;
- Any reasons to suspect neglect or abuse outside the setting, for example in the child's home and/or
- Inappropriate behaviour displayed by other staff members of staff, or any other person working with the children. For example, inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images (*see Mobile Phone, Camera and e safety Policies*)

All staff including students on placements and volunteers working within the setting has the opportunity/ duty to listen carefully to what children say and observe any changes in their appearance or behaviour which may result from abuse or neglect and to act quickly and responsibly in any instance that comes to their attention, including reporting suspicions around abuse or neglect.

- Staff are aware of their responsibilities; supervisors and management are clear about maintaining and supervising staff performance. Supervisors are responsible and accountable for their areas and decisions that affect other areas in the nursery.
- All Visitors must sign in/out of the visitor's book. Any persons visiting the nursery in a professional capacity is required to provide proof of identity. Mobile Phones must be handed into the office on arrival. Appointments are made in advance to ensure the security of children, parent's, staff and visitors. The nursery operates a diary system throughout.
- At no time within the setting is any child left with an unqualified or trainee and are supervised at all times by a qualified member of staff. And under no circumstances are they allowed to assist the children when toileting, unless sanctioned by the nursery manager.
- No child is ever allowed to leave the setting with an adult who is not the normal collector of the child without prior permission being obtained and passwords being checked, as well as the child's Date of Birth. Parent's/ Carers are responsible for informing staff of any changes.

Dealing with inappropriate behaviour

There may be times at the nursery when inappropriate behaviour needs to be challenged and sometimes this can lead to members of staff having to intervene. However this will only happen if the child is at harm or hurting other children Or staff members. (*see behaviour policy*)

In the event of a staff member needing to challenge behaviour it is the nursery's policy that the adult involved reports it to management immediately and records the incident. Staff are trained in the correct procedures for dealing with inappropriate behaviour and receive ongoing training (See Behaviour Policy)

Procedures for reporting concerns

- Staff must alert Samantha Tranter or in her absence Elaine Boulton to any issues for concern in a child's life at home or elsewhere.
- Any action taken must be in line with the guidance and procedures of Birmingham's Safeguarding Children's Board. The nursery will also be guided on the child's needs and development following the outline of the Every Child Matters Document.

- All staff are aware that it is **not** their responsibility to investigate whether or not a child has been abused; this responsibility lies with Social Care and the Police. All child protection and safeguarding concerns **must** be passed directly to Social Care and the Integrated Access Teams/MASH (Multi Agency Safeguarding Hubs) and Samantha Tranter is the person who is responsible for this.
- In the event of a referral **not** being made; when a staff member has significant concerns, any individual has a duty to refer the child.
- Staff must communicate effectively when dealing with Child protection and safeguarding concerns/issues. All information must be treated as sensitive and confidential
- All observations and information shared must be recorded on the CR8 and CR10 forms in chronological order
- If any member of staff suspects that a child in the setting may be a victim of abuse, they must observe, record and report but remain impartial. These concerns must be passed to the Designated Safeguarding Lead, to be kept on file and passed to Children's Services if necessarily.
- If the Designated Safeguarding Lead or in her absence Elaine Boulton does not feel that there is any cause for concern but a staff member or volunteer disagree with her decision, the concerns **must** then be passed on directly to Social Care Services.
- Where there are child protection and safeguarding concerns, the Designated Safeguarding Officer or in her absence Elaine Boulton will contact the **Multi-agency safeguarding hub (M.A.S.H)**
Contact Telephone: 0121 303 1888
Email: MASH@birmingham.gov.uk
Secure Email: secure.mash@birmingham.gcsx.gov.uk
Emergency duty team (Outside office hours) 0121 675 4806
- If a child of whom of a member of staff has concerns about lives in a different local authority to Birmingham then it is the Social Care team for that authority which must be notified
- If a child makes a disclosure of abuse to a member of staff, they **will be** reassuring to the child and will write a report and then pass it onto the named person. The nursery may make a referral without communicating with parent's first if they feel by talking to the parent the child or staff maybe at risk of further harm
- To ensure any observations, reports etc... are documented at the earliest availability and within 24 hours. Advice will be taken from external agencies regarding time scales for any information they wish to have

Domestic Abuse Concerns

- Should we become concerned that a parent/career or person in a position of trust at the nursery is subject to domestic abuse, we will pass our concerns onto the Social Care and Health Services for them to investigate. This action is to protect any children who may be subject to domestic abuse in the home environment
- If we suspect that a person in a position of trust is a victim of domestic abuse we will in the first instance sign post them to an outside agency for support. If any children are present in the home we will past our concerns onto Health and Social Care Services. This person may become subject of a Position of Trust meeting
- The above procedures for reporting concerns will be followed

When a child has a serious accident or dies

In all cases parents/carers will be notified in the first instance

In the event of all child deaths at a setting or any other place that you become aware of, staff must report to the Birmingham Safeguarding Children Board (BSCB) and Ofsted.

The following must be followed:

- To report to the BSCB the designated lead or staff member must complete Form A – Notification of child death (appendix a) and send it to:
 - Cheryl Harnett - Child death overview Co- Ordinator
Birmingham safeguarding Children Board
TEL: 0121 464 2612
Email: Cheryl.a.harnett@birmingham.gov.uk
- To report to Ofsted about any serious accident, injury or death that occurs to a child while in the care of the nursery. This includes times where you are off the premises such as on an outing. Ofsted must be informed immediately and this must be followed up in writing within 14 days; otherwise the nursery will commit an offence. More information can be found in Ofsted publication:
Serious accidents, injuries and deaths that registered providers must notify to Ofsted and local child protection agencies.
Ofsted can be contacted on: 0300 123 1231.

Procedures if a concern/allegation is raised concerning a person in a position of trust

How staff can protect themselves from allegations being made

Adults in the nursery are privileged to be able to work closely with the children and their families forming warm and caring relationships. However because of the nature of their work staff are also vulnerable to allegations of Child Abuse.

For their part adults need to avoid putting themselves into situations that may lead to allegations being made against them. And observe closely the **Code of Staff Conduct as well as adhere to the policies and procedures of the nursery.** Following the **principles of Good Practice** the nursery not only protects the children but also the adults.

The nursery is fitted with CCTV in all areas this not only helps us protect children and adults, but observe practice which supports staff supervisions and development.

All adults need to adhere to the job description and person specification; the procedures laid out in their inductions which is completed throughout their probationary period at the nursery.

Allegations made against a person in a position of Trust.

This procedure will be adhered to if the concern is related to their work in the nursery or anywhere else.

- If a concern rises against any person in a **position of trust** that raises a query as to their suitability to work with children (this may include a cook, student, staff or volunteer). We will immediately take the person to one side and inform them that an allegation has been made against them.
- We **will not** at this point tell the person the nature of the allegation/s.
- We **will remove** the person from any **direct contact** with children and it may be necessary to **suspend** the person on **full pay** until the investigation is **completed**. This action is intended to safeguard the welfare of the children and **does not** assume that the person is **guilty**.
- We will appoint a staff member in the nursery to offer **support** to the member of staff.
- If the parent of the child is not already aware of the concern we will immediately inform them, and where possible **will ensure confidentiality** of all parties concerned.
- Staff will not attempt to complete their own investigation; concerns will be passed directly to the appropriate services
- We will contact the relevant Early Years Consultant on duty:
0121 675 4996 or **0121 675 1943**.
- The Early Years Consultant will forward the referee a position of trust LADO referral form with guidance notes to complete by the Early Years Consultant on duty
Staff will adhere to the settings safeguarding policy regarding concerns around a person in a Position in Trust
- Ofsted will be informed by calling **0300 123 1231** of the concerns/allegation if it happened on the premises or elsewhere. We will confirm our actions to date; this will be confirmed in writing at the latest within 14 days of the allegation being made.
- If an allegation is made out of office hours the **Emergency Duty Team Children's Social Care** will be contacted on **0121 675 4806**
- We will fully co operate at all times with any External investigation, which may include a Multi agency "Position of Trust Co-ordination Meeting". We will take on board any advice given in relation to the allegation.
- If the allegation is found to be true, we will take the person through a disciplinary process and dismiss them.
We will also refer their name to ISA (the appropriate body) in accordance to legislation and policy, for inclusion on the list of persons barred from working with children (List 99)
Contact Details for ISA
ISA: 01325953795
Email: info@isa.gov.uk
For further information on the duty to refer to the ISA, please see www.isa.homeoffice.gov.uk
- It may be proved to the nursery's satisfaction that the person has abused one or more children. **The above will apply.**
- It may be proved to the nursery's satisfaction that the person is not guilty of Abuse or the enquires may be inconclusive, leaving suspicion, but no proof about the persons behaviour.

- If not proven we will follow the advice given by the Principle Officer for Social Care and the Child Protection Officer for Early Years and conduct an internal investigation looking at the practice of the setting and individual/s involved.
- Ofsted will be informed of the outcome and the action/processes taken.

Section Five

Poor Conduct resulting in dismissal

Ofsted deem under the welfare requirements as 'suitable persons' and therefore require settings to ensure effective procedures are in place and implemented to ensure appropriate action is taken should a member of staff be unsuitable

Any staff member or volunteer dismissed from their role at the nursery for '**poor conduct**'; and considered by management not to be working to the required standard and organisational requirements. Will be referred to the Independent Safeguarding Authority (ISA) and may have their name listed for persons barred from working with children and vulnerable adults.

The ISA will make the overall decision on whether further action needs to be taken following the referral made by nursery management.

- It is the responsibility of management to ensure they have evidenced how they have considered whether to refer a staff dismissal to the ISA ,and reasons for not doing so must be recorded, detailing an accurate account of all investigations, discussions and action taken.
This procedure must also be followed when referring anyone in a position of trust to the ISA.

Any persons at the setting under the age of 18 years are afforded the protection of this policy

This Policy was reviewed by Samantha Tranter, Nursery Manager Designated Lead for Safeguarding.

Little Swans safeguarding Policy and procedures runs alongside the following policies in place at the nursery:

- Recruitment Policy and Induction pack
- Risk Assessments and Health and Safety
- Job descriptions and person specifications
- Student Placement Policy and induction pack
- The Administration and guidance on managing medicine Policy
- Accident Policy
- Adult Resources
- Code of practice for all staff/volunteers and students
- Health and Safety Policy
- Parent Partnership and Shared Care Policy
- Outings and Trips Policy
- Emergency Evacuation Policy
- Smoking, drugs and alcohol policy

Little Swans Day Nursery/ Safeguarding Policy

- Behaviour Management Policy
- Equal Opportunities policy and procedures
- Mobile Phone Policy
- E- Safety Policy
- E- Safety Child Protection Procedures
- Internet access policy
- Inclusion Policy
- Whistle Blowing Procedures
- Late or non-collection of children
- Special Educational Needs and Disabilities Policy

Signed: Print: Samantha Tranter Date: