



# **Caterpillars Pre-School**

## **Safeguarding and Child Protection**

### **Including allegations against staff**

April 2021



## Policy statement

Our setting will work with children, parents and the community to ensure the rights and safety of children, young people. Our Safeguarding Policy is based on the three key commitments of the Pre-school Learning Alliance Safeguarding Children Policy in line with the Health and Safety at Work Act (year) and the Equality Act 2010.

## Procedures

We carry out the following procedures to ensure we meet the three key commitments of the Alliance Safeguarding Children Policy, which incorporates responding to child protection concerns.

### 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 designated person(s) are member(s) of staff who co-ordinates child protection issues are:
 

Sarah Powell Marks Tey  
 Chrystal Clark Birch

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- Our designated officer is a committee member who oversees this work is:
 

Cerise Upham, Chair

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- The designated person, the suitably trained deputy and the designated officer ensure they have relevant links with statutory and voluntary organisations with regard to safeguarding.
- From the 1<sup>st</sup> October 2019, LSCBs have been replaced by new multi-agency safeguarding arrangements. Across SET (South Essex and Thurrock) 'Local Multi-Agency Safeguarding Partnerships/Boards' will co-ordinate these new arrangements on behalf of their named Statutory Partners and will be referred to throughout these procedures.
- The designated person (and the person who deputises for them) understands LSCB (now Local Multi-Agency Safeguarding Partnerships/Boards') safeguarding procedures, attends relevant training at least every two years and refreshes their knowledge of safeguarding at least annually.
- We ensure all staff are trained to understand our safeguarding policies and procedures and that parents are made aware of them too.
- All staff understand that safeguarding is their responsibility.
- 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 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 LSCB and the new Local Multi-Agency Safeguarding Partnerships/Boards' thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm.
  - All staff understand their responsibilities under the General Data Protection Regulation and the data protection Act 2018 and understand relevant safeguarding legislation, statutory requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
  - 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.
  - All staff understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures on positive behaviour, online safety (including use of mobile phones and smart watches), whistle blowing and dignity at work.
  - 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.
  - All staff understand our policy on promoting positive behaviour and follow it in relation to children showing aggression towards other children.
  - Adequate and appropriate staffing resources are provided to meet the needs of children.
  - Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
  - Enhanced criminal records and barred lists checks and other suitability 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.
  - Where applications are rejected based on information disclosed, applicants have the right to know and to challenge incorrect information.
  - Enhanced criminal records and barred lists checks are carried out on anyone living or working on the premises.
  - 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 if they are to have unsupervised access to the children at any time.
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed including:
  - the criminal records disclosure reference number;
  - certificate of good conduct or equivalent where a UK DBS check is not appropriate;
  - 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).
  - 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, partners 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 in accordance with the Childcare Disqualification and Childcare Regulations 2018, and Disqualification under the Childcare Act guidance effective from 31 August 2018.
  - 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 our employee handbook].
  - 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.
  - Any personal information is held securely and in line with data protection requirements and guidance from the ICO.
  - The designated person in the setting has responsibility for ensuring that there is 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.
  - 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, 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, sexual, neglect, child sexual exploitation, honour based, domestic abuse and female genital mutilation (FGM)
- 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 have “notes of concern” in the setting for staff to complete if they have any concerns about a child.
- Where such evidence is apparent, the child's key practitioner makes a dated record of the details of the concern and discusses what to do with the Pre-School Manager who is acting as the 'designated person'. The information is stored on the child's personal file.
- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB (now Local Multi-Agency Safeguarding Partnerships/Boards') procedures on responding to radicalisation.
- We are aware of the mandatory duty that applies to teachers, including early years practitioners, and health workers to report cases of Female Genital Mutilation to the police
- If we have concerns about a child or have a safeguarding concern we follow the Essex County Council Family Operations Hub Partner Access Map.
- We co-operate fully with taking and acting on their advice and in any subsequent investigation.
- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.

## 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;
  - 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'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.



- 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 children's social care team**

- The Pre-school Learning Alliance's publication *Safeguarding Children* contains procedures to help in making a referral to the local children's social care team, as well as template forms for recording concerns and to assist with making a referral.
- We keep a copy of this document alongside the procedures for recording and reporting set down by our Local Safeguarding Children Board, which we follow where local procedures differ from those of the Pre-school Learning Alliance.

### **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 (now Local Multi-Agency Safeguarding Partnerships/Boards') escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- We will follow local procedures published by the LSCB (now Local Multi-Agency Safeguarding Partnerships/Boards') 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 at risk, or interfere with the course of a police investigation. Advice will be sought from social care if 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 Local Safeguarding Children Board/ local Safeguarding partners 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.
- 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, 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 children's social care to work well together.
- 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.

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

### **Allegations against staff**

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone working on the premises occupied by Caterpillars Pre-School, which may include an allegation of abuse.
- We respond to any inappropriate behaviour displayed by members of staff, volunteer or any other person living or working on the premises, 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 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
- 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 respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, that may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to a senior manager within Caterpillars and the Local Authority's Designated Officer (LADO) to investigate and offer advice.
  - **LADO: 03330 139797**
- 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 the LADO in conjunction with the police.
- Suspension of a member of staff should be a neutral act and it should not be automatic. It should be considered in any case where:
  - there is cause to suspect a child is at risk of significant harm; or
  - the allegation warrants investigation by the police; or
  - the allegation is so serious that it might be grounds for dismissal.
- Where suspension is being considered any alternatives to suspension must be considered and documented in writing.
- If a Management Planning Meeting is to be held, or if local authority children's social care or the police are to make enquiries, the LADO should canvass their views on suspension and inform the employer. Only the employer, however, has the power to suspend an accused employee and they cannot be required to do so by a local authority or 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.



- If a suspended person is to return to work, the employer should consider what help and support might be appropriate (e.g. a phased return to work and/or provision of a mentor), and also how best to manage the member of staff's contact with the child concerned, if still in the workplace.”

### 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

Caterpillars Pre-School is 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 staff involved in the setting to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse 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 (LSCB now Local Multi-Agency Safeguarding Partnerships/Boards’), 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 visible to others.

### 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 so that they develop an understanding of why and how to keep safe.
- 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 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 (now Local Multi-Agency Safeguarding Partnerships/Boards') 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.
- 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 Caterpillars Pre-School designated role and tasks in supporting that child and their family, subsequent to any investigation.
- 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.

## Safeguarding Children During The Coronavirus Pandemic

- All staff remain alert to any signs that during the current Coronavirus pandemic a child in their care is suffering from or likely to be suffering from harm. This includes signs of neglect that may be caused by extraordinary circumstances due to measures to curb the spread of the virus.

## Prevent Duty

Staff are aware of need to protect children and build their resilience to radicalisation.

- Our daily routines and Early Years Foundation Stage curriculum promotes British values in the areas of understanding the world and personal, social and emotional development.
- Daily registers monitor children's attainment and we can note long absences from this.
- Staff are aware of the document The Prevent Duty June 2015
- As training becomes available staff will access this training.
- If we have a concern about a child we will follow our safeguarding procedures or contact our local police using the 101 non-emergency number.
- Further information can be found at the Essex Safeguarding Children's Board website: [www.esccb.co.uk](http://www.esccb.co.uk)

## Legal framework

### Primary legislation

- Children Act (1989 s47)



- Protection of Children Act (1999)
- The Children Act (Every Child Matters) (2004)
- Children and Social Work Act (2017)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act 2006
- Child Safeguarding Practice 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)
- Childcare (Disqualification) Regulations 2009
- Children and Families Act 2014
- Serious Crime Act 2015

#### **Further guidance**

- Working Together to Safeguard Children (2018)
- What to do if you're Worried a Child is Being Abused (DfE 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: Advice for Practitioners providing Safeguarding Services (DfE 2018)
- 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)
- Inspecting Safeguarding in Early Years, Education and Skills Settings (Ofsted 2016)
- Southend, Essex & Thurrock (SET) Safeguarding and Child Protection Procedures (SET October 2019)



This policy was adopted by Caterpillars Pre-School

in

May 2021

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Date to be reviewed

April 2022

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Signed on behalf of the management committee

*Cerise Upham*

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Name of signatory

Cerise Upham

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Role of signatory (e.g. chair/owner)

Chair of the Committee

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