



NORTH STAR NURSERY AND HOLIDAY CLUB SAFEGUARDING CHILDREN AND CHILD PROTECTION POLICY

This Safeguarding Children and Child Protection Policy is written in compliance with all relevant legislation and guidance from the Local Safeguarding Children's Board and Swindon Borough Council Early Years Safeguarding Policy guidance.

1. Principles

“The welfare of the child is paramount” – Children’s Act 1989

Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them.

North Star Nursery aims to provide a high quality setting which is welcoming, safe and stimulating, and where children are able to enjoy learning and grow in confidence. We will take all necessary steps to keep children safe and well and ensure the suitability of adults who have contact with them. We will promote good health, manage behaviour, and maintain records, policies and procedures.

The management and staff are committed to:

- Ensuring North Star Nursery practises safer recruitment in checking the suitability of staff and volunteers with reference to the South West Child Protection Procedures <http://www.online-procedures.co.uk/swcpp/contents/safer-recruitment>.
- Following North Star Nursery's Code of Conduct (Safer Working Practice Guidance for Adults who Work with Children).
- Establishing and maintaining a safe environment.
- Supporting children who have been abused and carrying out specific actions in accordance with the agreed child protection support plan.
- Providing a curriculum and experiences to enable children to develop the skills they need to stay safe from abuse including online abuse.
- Ensuring staff and volunteers are able to identify children who may benefit from Early Help, i.e. identifying potential problems as they emerge and implementing strategies to avoid them escalating.
- Ensuring that staff and volunteers are aware of the signs and symptoms of abuse, know the correct procedure for referring concerns (see Appendix 2)
- Ensuring that all staff and volunteers are aware of the procedures to follow if they have a concern about another adult or a member of staff (see “Whistleblowing” p.10 and Appendix 3) and receive appropriate training to carry out these procedures.
- Working in partnership with other agencies. This includes sharing information effectively, attending child protection conferences, core groups and other relevant meetings and preparing reports for conference.
- Working in partnership with parents/carers.

2. Child Protection

Staff understand that safeguarding and promoting the welfare of children is **everyone's** responsibility they will be alert to any issues or concerns in the child's life at home or elsewhere. They will be aware that children with special educational needs or disability are particularly vulnerable to being abused. They will maintain an attitude of “it could happen here” where safeguarding is concerned and they will always act in the best interests of the child.

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children's health and development;

- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

All action will be taken in line with the following local and national legislation/guidance:

- South West Child Protection Procedures (SWCPP), <http://www.online-procedures.co.uk/swcpp/>
- The Statutory Framework for the Early Years Foundation Stage – Safeguarding and Welfare Requirements 2014
- The Children Act 2004 and 2006
- Working Together to Safeguard Children March 2015
- What to Do If You're Worried a Child is Being Abused March 2015
- Local Safeguarding Children Board guidance, www.swindonlscb.org.uk
- Information Sharing: Advice for practitioners providing safeguarding services- March 2015
- The Prevent Duty-Departmental advice for schools and childcare providers-July 2015

Our Safeguarding Children and Child Protection Policy applies to all staff, managers, committee members and volunteers working in the setting.

This policy relates to and should be read in conjunction with those policies listed on p.16 of this policy.

North Star Nursery's Designated Safeguarding Lead (DSL) is *Julie Jones*.

North Star Nursery's Deputy Designated Safeguarding Lead is (DDSL) is *Sharon Toolen or a member of the Senior Team*.

During working hours, there will be a DSL or deputy available at all times for staff to discuss concerns.

Staff will be alert to any issues or concerns in the child's life at home or elsewhere.

The DSL will take lead responsibility for safeguarding children, ensuring that all policies and procedures are implemented and shared with all staff. They will liaise with local statutory children's services, and with the Local Safeguarding Children's Board. They will provide support, advice and guidance to other staff on an on-going basis, and on any specific safeguarding issue as required.

The DSL and the deputy will attend level 3 training as a minimum and this will be refreshed every two years. The DSL and the deputy will regularly (as a minimum annually) update their knowledge and skills; this may be through attendance at update sessions, online training, newsletters, etc.

3. Staff Training and Supervision

All staff will attend level 1 (basic awareness) training every 3 years. They will receive regular safeguarding updates through staff meetings and newsletters, etc.

Training courses can be accessed by visiting the following websites www.swindonlscb.org.uk and <http://schoolsonline.swindon.gov.uk/Pages/Home.aspx>

Training will enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. (See Appendix 1 for Definitions of Abuse-Working Together 2015).

3.1 Induction training

All new staff will receive induction training to help them understand their roles and responsibilities. Induction training will include, as a minimum, information about emergency evacuation procedures, safeguarding/child protection procedures, North Star Nursery's Equality and Diversity Policy, and the Health and Safety Policy.

All staff will receive regular supervision and appraisals. Supervision will provide support, coaching and training and the opportunity for discussion of sensitive issues.

At least one person who has a current paediatric first aid certificate will be on the premises at all times when children are present, and will accompany children on outings.

All staff are required to have a sufficient understanding and use of English to ensure the well-being of children in their care.

4. Signs and symptoms of possible abuse

Child abuse manifests itself in a variety of different ways. There is no clear dividing line between one type of abuse and another. Children may show symptoms from one or all of the categories. All staff have child protection awareness and will be vigilant to signs and evidence of physical, sexual and emotional abuse or neglect.

Signs and symptoms of possible abuse may include:

Physical Abuse

- Unexplained injuries or burns, particularly if they are recurrent.
- Improbable excuses given to explain injuries.
- Refusal to discuss injuries.
- Untreated injuries.
- Admission of punishment which appears excessive.
- Fear of parents being contacted.
- Bald patches in the head.
- Withdrawal from physical contact.
- Arms and legs kept covered in hot weather.
- Fear of returning home.
- Fear of medical help.
- Self-destructive tendencies.
- Aggression towards others.
- See also Female Genital Mutilation below

Failure to Thrive

- Child's weight falling below expected centile.
- Height often falling below centile.
- Skin dry and pale.
- Hair thin and straw like.
- Lack of energy, listless.
- May drink a lot of juice.

- Refuses food. Vomiting and diarrhoea.
- Failure to meet milestones of development.
- Lack of concentration.
- Behavioural problems.

Neglect

- Constant hunger.
- Poor personal hygiene.
- Constant tiredness.
- Poor state of clothing.
- Emaciation.
- Frequent lateness or non-attendance
- Untreated medical problems.
- Destructive tendencies.
- Low self-esteem.
- Neurotic behaviour (e.g. rocking, hair twisting, thumb sucking).
- No social relationships.
- Compulsive stealing or scavenging.

Emotional Abuse

- Physical, mental and developmental lags.
- Admission of punishment which appears excessive.
- Over-reaction to mistakes.
- Sudden speech disorders.
- Fear of new situations.
- Inappropriate emotional responses to painful situations.
- Neurotic behaviour (e.g. rocking, hair twisting, thumb sucking).
- Self-mutilation.
- Fear of parents being contacted.
- Compulsive stealing.
- See also Female Genital Mutilation below.

Sexual Abuse

- Fearful about certain people like relatives or friends.
- Not allowed to have friends round.
- Soreness/bleeding in the genital or anal areas or in the throat.
- Finding excuses not to go home or to a particular place.
- Having recurring nightmares /afraid of the dark.
- Unable to concentrate, seem to be in a world of their own.
- Chronic ailments such as stomach pains and headaches.
- Sexually abuses or shows inappropriate sexual behaviour towards a sibling or friend.
- Exhibits a sudden change in attitudes at school.
- Appears withdrawn, isolated, or excessively worried.
- Demonstrates outbursts of anger or irritability.
- Fearful of undressing.

5. Other Types of Abuse

All staff will have an awareness of the safeguarding issues below:

5.1 Peer on Peer Abuse

We recognise that:-

- Safeguarding issues can manifest themselves via peer on peer abuse.
- This is most likely to include, but is not limited to, bullying, gender-based violence, sexual assaults and sexting.
- This form of abuse should never be tolerated or passed off as 'banter' or 'part of growing up'.

We will ensure that children are appropriately supervised at all times to avoid these issues arising.

5.2 Radicalisation and Extremism

North Star Nursery realises that it has a duty to protect children from radicalisation and any form of violent extremism in line with government guidance "Prevent Duty" (June 2015).

In fulfilling this duty North Star Nursery will work closely with the LSCB and will have regard to;

- Assessing the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. This will be based on an understanding, shared with partners, of the potential risk in the local area. North Star Nursery will protect children from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk, and intervening as appropriate;
- staff training so that staff have the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism and are shared by terrorist groups. Staff will know where and how to refer children and young people for further help
- Our Technology Policy will ensure children are safe from terrorist and extremist material when using technology by establishing appropriate levels of monitoring. At North Star Nursery, children do not have access to the internet.
- Promoting fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs which are already implicitly embedded in the 2014 Early Years Foundation Stage.

As with managing all other safeguarding risks, staff who have concerns about a child, should follow the safeguarding procedures outlined below and discuss with the Designated Safeguarding Lead.

5.3 Female Genital Mutilation (FGM)

FGM comprises all procedures involving partial or total removal of the external female genital organs or any other injury to the female genital organs for non-medical reasons. FGM is most often carried out on young girls between infancy and 15 years of age.

FGM is child abuse. It causes significant harm and constitutes physical and emotional abuse. FGM is a violation of a child's right to life, their bodily integrity as well as their right to health.

FGM is against the law in the UK. It is also an offence to take a child out of the UK for the purpose of FGM.

UK communities most at risk include Kenyan, Somalian, Sudanese, Sierra Leonean, Egyptian, Nigerian and Eritrean. Non-African communities that practise FGM include Yemeni, Afghani, Kurdish, Indonesian and Pakistani.

Suspicious may arise in a number of ways that a child is at risk of FGM. These include:

- Knowing that a mother has undergone FGM.

- A girl talks about plans to have a “special procedure” or to attend a special occasion to “become a woman”.
- A girl’s parents state that they or a relative will take the child out of the country for a prolonged period.
- A girl may talk about a long holiday to her country of origin or another country where the practice is prevalent.

Signs that a child may have already undergone FGM include:

- Difficulty walking, sitting or standing.
- Spending longer than normal in the bathroom or toilet due to difficulties urinating.
- Soreness, infection or unusual presentation notice by practitioner when changing a nappy or helping with toileting.
- For older children, spending long periods of time away from a classroom during the day with bladder or menstrual problems.
- Having frequent urinary or menstrual problems.
- Prolonged or repeated absences from nursery.
- A prolonged absence from nursery with noticeable behaviour changes (e.g. withdrawal or depression).
- Being particularly reluctant to undergo normal medical examinations.
- Asking for help, but not being explicit about the problem due to embarrassment or fear.

Safeguarding girls at risk of harm through FGM poses specific challenges because the families involved may give no other cause for concern, for example with regard to their parenting responsibilities or relationships with their children. However, there remains a duty for all professionals to act to safeguard girls at risk.

In cases where FGM is suspected to have taken place or is believed to be about to take place, sensitivity needs to be shown in dealing with the child and their family. Despite the harm it causes, many women from FGM-practising communities consider FGM normal to protect their ‘cultural identity’ and therefore do not consider it to be harmful or a form of abuse.

If you are concerned that a child is at risk of, or has undergone, FGM the Child Protection Procedures outlined in this Policy should be followed. Contact Swindon Family Contact Point on 01793 466903 or at FCP@swindon.gov.uk. If you believe that a child is in immediate danger always dial 999.

The NSPCC has a 24 hour helpline to provide advice and support to victims of FGM or to anyone who may be concerned a child is at risk: tel: 0800 028 3550.

Further information regarding FGM can be found at:
<http://schoolsonline.swindon.gov.uk/sc/cp/Safeguarding%20Policies/Multi-Agency%20FGM%20Guidelines.pdf>

5.4 Child Sexual Exploitation (CSE)

We recognise CSE as a form of sexual abuse where children are sexually exploited for money, power or status. It can involve violent, humiliating and degrading sexual assaults. In some cases, young people are persuaded or forced into exchanging sexual activity for money, drugs, gifts, affection or status. Consent cannot be given, even where a child believes they are voluntarily engaging in sexual activity with the person who is exploiting them. CSE can happen online.

6. Disclosures

How to respond if a child confides in you

- Remain calm, accessible and receptive.
- Listen carefully and fully, without interrupting, except to clarify.
- Allow the child to make the disclosure at their own pace and in their own way.
- Do not probe for information or interrogate the child. It is alright to ask for clarification but leading questions should not be asked. The interviewing of children must be undertaken by trained Social Workers or Police Officers.
- Do not make assumptions.
- Be aware of your own non-verbal messages, expressions, make no observable judgement.
- Make it clear that you are taking what they say seriously.
- Acknowledge their courage and reassure them they are doing the right thing.
- Let them know that you will help them and what may happen.
- Ensure the child is safe, comfortable and not left alone.
- Do not make promises that cannot be kept; such as promising not to tell anybody else - the child needs to know that you have to talk to someone who will be able to help them.
- Make a note of what was said and who was present, use the child's actual words and record this as soon as possible. Record the information as accurately as you can, including the timing, setting and those present, as well as what was said. Do not exaggerate or embellish what you have heard in any way.
- Inform the Designated Safeguarding Lead (within the same working day) and Ofsted immediately of allegations of serious harm or abuse against a child in our care. Follow their direction.
- Inform parents of action taken, if this will not put the child at further risk.
- **N.B. All information recorded is confidential, be discreet, need to know only basis to support the child and their family.**

Following a disclosure of abuse children will be supported in the setting. All children will be allocated a key person with whom they can develop a close relationship and who can tailor opportunities to the individual needs of each child. We will work closely with other agencies in implementing the actions of a child protection plan designed to support and protect the child. We will attend all child protection conferences, core groups and strategy meetings to support the child and family as necessary. If this happens, staff should inform the Management Committee.

Staff should not deal independently with suspected or actual child abuse.

Child	Staff	Senior staff	Nursery Manager and Social Services
Discloses (open or closed)	<ul style="list-style-type: none"> • Professional • Listen and comfort • Reassure, keep child safe • Record in child's words ASAP • Maintain confidentiality • Don't make promises 	<ul style="list-style-type: none"> • Maintain confidentiality • Support staff • Seek advice • Make referral • Secure records 	<ul style="list-style-type: none"> • Support staff, seek advice, make the referral and written follow up. • Seek counselling and training for staff. • Inform the Management Committee. • Inform Ofsted immediately.

7. Procedures for Referral

Any member of staff or visitor to the setting who receives a disclosure of abuse or suspects that abuse may have occurred **must** report it immediately to the DSL or if unavailable to the DDSL. In the absence of either of the above, the matter should be brought to the attention of the most senior member of staff.

The DSL/DDSL/senior staff member will inform Children's Services by telephone.

Family Contact Point/MASH	01793 466903
Emergency Duty Service	01793 436699
Ofsted	0300 123 1231

A telephone referral will be confirmed in writing within 24 hours using the form RF1 (electronic copy available at:

<http://www.swindonlscb.org.uk/wav/Pages/Forms.aspx>

The referral will be shared with the parent/carer, and where appropriate with the child/young person, unless to do so may place the child at increased risk of significant harm, in which case advice should be sought from Family Contact Point.

If a child discloses physical or sexual abuse, where the alleged abuser is either a family member or someone resident within the household, Family Contact Point will be consulted before informing parents.

If the child is already subject to a Child Protection Plan the allocated Social Worker will be contacted and they will advise when, and by whom, the parents will be informed (see Appendix 2 – Flowchart)

8. Early Help

Where staff have concerns about a child (as opposed to a child being in immediate danger) they will follow the early help process. This will include identifying emerging problems, discussing concerns with the DSL, sharing information with other professionals to support early identification and assessment and in some cases acting as the lead professional in undertaking an Early Help Record and Plan.

9. Record Keeping – Child Protection

Any member of staff receiving a disclosure of abuse, or noticing possible abuse, will make an accurate record as soon as possible, noting what was said or seen, putting the event into context, and giving the date, time and location. All records must be dated and signed and discussed with the designated person for child protection.

- All hand-written records will be retained, even if they are subsequently typed up in a more formal report.
- Written records of concerns about children will be kept, even where there is no need to make a referral immediately.
- Any injuries will be marked on a body map, **photographs will never be taken** (Appendix 4).
- Where concerns do not meet the threshold for a referral to Children's Social Care, consideration will be given to the appropriateness of completing an Early Help Record and Plan (EHRP)
- All records relating to child protection concerns will be kept in a secure place and will remain confidential. They do not form part of the children's developmental records and must be kept separate from other records.
- A chronology will be kept at the front of each individual child protection file. It will be reviewed and updated whenever a new concern is raised or additional relevant information becomes available, noting any action taken.
- The quality of child protection records will be monitored by the DSL and the management.
- Where a child transfers to school or moves to a new setting, child protection documentation will be passed within 14 days to the receiving school/setting, preferably by hand. If hand delivery is not possible, postal delivery will be followed up with a telephone conversation. The original documents will be transferred separately from general records to ensure they reach the DSL, and a receipt for handover will be obtained.

- The setting passing on the records will obtain a receipt from the new setting once the handover is complete.
- Records will be retained in line with the Local Authorities Guidance on the Transfer and Retention of Child Protection Records (LSCB website).

10. Parental Involvement

We are committed to helping parents/carers understand their responsibility for the safety and welfare of all children.

Parents/carers can access the Safeguarding and Child Protection Policy on the North Star Nursery website at http://northstarnursery.co.uk/policies_forms/SafeguardingandChildProtectionPolicy.pdf or in the folder in the corridor. Parents will be made aware of the policy during their induction meeting and will sign a statement to say they understand North Star Nursery's child protection responsibilities.

Child protection or welfare concerns will usually be discussed with parents/carers. Where a referral to social care is needed, the agreement of parents/carers will be sought before making the referral, unless to do so may place the child at increased risk of harm. If a child is subject to a child protection plan, then the allocated social worker will be informed as soon as possible. A lack of agreement from the parent/carer will not stop a referral going ahead.

11. Use of Technology

North Star Nursery has a written Technology Policy for the acceptable use of mobile phones, cameras and other digital media in the nursery. The Safeguarding Children and Child Protection Policy should be read in conjunction with the Technology Policy. The Nursery's Code of Conduct also provides staff with guidelines for the use of social media outside of the Nursery.

- The only mobile phones to be used are the work mobile phones and these must only be used with the permission of the manager. The work mobiles will be open to scrutiny at all times
- The work mobiles will only be used in designated areas for example not in toilets, changing areas or sleeping areas.
- Staff mobiles and other digital media will be kept in staff lockers and will not be carried on a person when children are present. Staff may only use appliances in the staff room during staff breaks or before and after sessions, when children are not present.
- Visitors, parents, contractors, etc. are made aware that phones and other digital media are not to be used in the nursery building and that no photographs, videos or audio recordings are permitted in the setting.
- Staff will take photographs of children using work cameras; no personal cameras will be used. Work cameras will be open to scrutiny at all times.
- Photographs will not be taken in sensitive areas such as toilets or nappy changing areas.
- Written permission will be obtained from parents/carers for appropriate use of photographs/digital images to record children's progress.
- Children's images should only be taken off site securely with the prior permission of the manager in line with the Technology Policy.

Children will be taught about keeping safe online through educating them about safe online procedures and by educating their parents about the dangers of the internet through leaflets, posters, newsletters etc. Where children have access to the internet, we will ensure that they are protected from harmful and inappropriate online material by putting effective monitoring and filtering in place.

12. The Curriculum

We will provide a curriculum that encourages children to talk and be listened to. Children will be provided with opportunities to develop the skills they need to recognise and stay safe from abuse across all areas of learning. Children will learn that their views are valued and respected.

13. General Information and Records – Data Protection and Confidentiality

We will maintain records and obtain and share information with parents/carers, health professionals, the police, social services and Ofsted as appropriate and in line with “Information sharing: Advice for practitioners providing safeguarding services”- March 2015.

Confidential information and records about staff and children are held securely and only accessible and available to those who have a right or professional need to see them. We are aware of our responsibilities under the Data Protection Act (DPA) 1998 and the Freedom of Information Act 2000. We will register with the Information Commissioner’s Office as appropriate. All staff read the setting’s “Confidentiality Policy” as part of their induction procedure. Information will be shared on a strictly “need to know” basis.

We will enable a regular two-way flow of information with parents/carers, and between providers if a child is attending more than one setting.

Records relating to individual children will be retained for a reasonable period of time after they have left the Nursery / Holiday Club (3 years). Accident forms will be held for 21 years and 3 months in accordance with Health and Safety (First Aid) Regulations 1981.

14. Safer Staff Recruitment

We will ensure that staff working with children are suitable to fulfil the requirements of their roles. We have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those working on the premises) are suitable. We request enhanced Disclosure and Barring Service checks and disqualification checks for all staff prior to commencing work. We comply with recruitment procedures as set out in the South West Child Protection Procedure.

Interview panels will have at least one person who has completed Safer Recruitment Training. There will be a safeguarding statement in all job advertisements and job descriptions. Any gaps in employment history or unaccounted for periods of time will be fully investigated. References will be requested prior to interview. At least one of the references will be from the applicant’s most recent childcare placement.

All staff are informed that they 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 North Star Nursery). We will not allow people, whose suitability has not been checked to have unsupervised contact with children being cared for. Staff are also asked to disclose if they or anyone living or working in their household has ever been disqualified from childcare. Furthermore, at every staff job chat and appraisal, staff are formally asked to disclose whether there have been any changes to their suitability to work with children. Employees must disclose to the management if they have any convictions, cautions, court orders, reprimands or warnings which may affect their suitability to work with children (received before or during employment at North Star Nursery and Holiday Club). In addition, at each appraisal and job chat, staff are formally asked to disclose if they have been disqualified from registration, or if they live in the same household as another person who is disqualified or if a disqualified person is employed in their household.

- North Star Nursery records information about staff qualifications, identity checks, disqualification and vetting processes that have been completed (including the Disclosure and Barring Service reference number, the date a disclosure was obtained and details of who obtained it) on a central register.
- The Nursery has appointed all **Senior Staff** as Child Protection Officers, (senior members of staff will also be available to support Holiday Club staff). They have received suitable training from the LSCB. A designated committee member also has Child Protection awareness, to be able to support staff.
- In addition, **all staff** are made aware of this policy and possible signs and symptoms of abuse on induction and suitable level 1 training is sought and attended once in post.
- Senior staff will be responsible for liaising with Social Services, the Child Protection Committee and Ofsted in any child protection matter.

- All staff and volunteers receive regular training and updates on guidance and procedures from Children and young people's workforce, PSLA, South West Child Protection Procedures (SWCPP), Local Safeguarding Children's board (LSCB) and NSPCC.
- In their contract of employment, all staff are made aware of their responsibility to report concerns to senior staff in respect of disclosure or discovery of child abuse. Opportunities are reiterated during job chats and staff meetings.
- Each room will display the contact details for local child protection and safeguarding support network and the flow charts indicating "What to do if you are worried a child is being abused or neglected" and "Allegations Against Staff", for easy reference.
- Any member of staff, a student or volunteer under investigation for the alleged abuse of a child, will be subject to the Disciplinary Procedure.

Nursery and Holiday Club staff are in close contact with the children in their care. They see them regularly, talk and play with them, listen to them and build up trusting relationships. They are in a prime position to notice radical changes in behaviour or worrying marks and bruises and to hear children talk about experiences which give cause for alarm.

Recognising and coping with a case of child abuse is a very stressful experience, but everyone should understand that their first responsibility is to the child. Staff have a duty in law to take action if child abuse is suspected.

15. Safe caring

North Star Nursery's Code of Conduct sets out clear guidelines for staff with regard to safe and appropriate care of children.

If a child or young person makes inappropriate contact with a member of staff, student or volunteer, this will be recorded on an Accident/Incident Form and brought to the attention of the DSL immediately.

Staff will never carry out personal tasks that a child can do for themselves. Where this is essential, staff will assist a child whilst accompanied by a colleague. There may be specific personal care that is necessary for a child with special needs where a Personal Care Plan will be set up and followed to include the clarification of contact. Nursery staff will apply sun creams and prescribed creams following written permission from parents. Holiday club staff will supervise children to ensure safe use and application, assisting if necessary according to child's age and ability.

Staff will be mindful of how and where they touch children, taking into account their age and emotional understanding. Unnecessary or potentially inappropriate physical contact will be avoided at all times. When administering first aid and clothing needs to be removed, another adult or older child will be asked to accompany, where possible.

Never assume a visitor or volunteer is acceptable. Establish their identity. Complete CRB/DBS forms and follow up references.

Nursery practitioners will educate children about inappropriate touching, safe touching and accidental touching, using age appropriate stories, books and scenarios.

Nursery practitioners will, as part of Personal, Social and Emotional Development, teach children skills to keep themselves safe from strangers, uncomfortable situations and who to turn to for safety.

15.1 Volunteers, students and staff awaiting clearance

- Will not work alone with children.
- Will not go off site with children except to support paid staff in organised activities.
- Will not be given unnecessary confidential information regarding the children.
- Will be discouraged from engaging the children in unsafe or inappropriate activities.

Staff will record volunteers' and students' attendance and contact details. Those who do not have CRB/DBS clearance will need to provide evidence for recording in the Central Single Record File and are chaperoned at all times whilst in the building.

16. WHISTLE BLOWING

16.1 Allegations against a North Star Nursery staff member, volunteer or student

North Star Nursery follows the South West Child Protection Procedures and the LSCB Escalation Policy for managing allegations against staff. We also have regard to the Public Interest Disclosure Act 1998 which encourages people to raise concerns about misconduct or malpractice in the workplace, in order to promote good governance and accountability in the public interest.

16.2 What is whistle blowing?

Whistle blowing is raising a concern about malpractice within an organisation.

16.3 Reasons for whistle blowing

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself.

16.4 Who is responsible for whistle blowing?

Staff must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult, this is particularly important where the welfare of children and young people may be at risk.

You may be the first to recognise that something is wrong, but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young people who are targeted. These children and young people need someone like you to safeguard their welfare.

Don't think what if I'm wrong – think what if I'm right

16.5 What stops people from whistle blowing?

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

16.6 Whistle Blowing Referral Process – see Appendix 3 for quick reference guide

In the event of an allegation being made, staff will follow the South West Child Protection Procedures www.swcpp.org.uk for managing allegations against staff.

- 1. As soon as an allegation is made you should contact the Local Authority Designated Officer (LADO) on 01793 463854 to discuss the allegation.**
2. Ofsted will be informed of the allegation within 14 days.
3. The LADO will advise on the appropriate action to be taken.

4. Staff/volunteers will report an allegation about a member of staff immediately to the manager or most senior member of staff on duty, unless they are the subject of the allegation. The manager/senior member of staff will then proceed as above.
5. Where the allegation is against the manager, the member of staff/volunteer will contact the LADO as above.
6. An allegation must not be discussed with the alleged perpetrator or other members of staff/committee, unless advised to do so by the LADO.
7. In exceptional circumstances it may be necessary to protect the child, by contacting the police, before contacting the LADO.
8. The setting will make a referral to the Disclosure and Barring Service if at the end of the allegation process a member of staff or volunteer is removed from their position, or if they leave while under investigation.
9. All staff will be directed to read the "Guidance for Safer Working Practice for Adults who Work with Children and Young People." <http://www.swindonlscb.org.uk/lscb-index/lscb-professionals-home/lscb-professionals-protocols.htm>
10. All staff will read the Safeguarding Children and Child Protection Policy as part of their induction procedure. They will be aware of the procedure for reporting concerns about other staff or unsafe practice. They will also know how to contact the NSPCC whistleblowing helpline on 0800 028 0285 or by email help@nspcc.org.uk

OFSTED have a dedicated whistle-blowing helpline and you may contact them on 0300 123 3155 for advice on what steps to follow.

It is helpful to gather the following information before contacting the Local Authority:

- Name and role of person reporting allegation to the LA
- Contact telephone numbers
- Date of alleged incident
- Name, DOB and address of child/young person (if applicable)
- Name and role of person reporting incident to setting
- Name, DOB, address and relevant employment history of adult subject to allegation and role within the setting
- Nature of allegation
- Are there any evident injuries? Did the child need medical attention?
- Has the parent been informed? Has parent contacted police?
- Has school contacted police?
- Is adult aware of the allegation?
- Is there an on-going risk to children?
-

Do not delay making the phone call to the LADO because you have been unable either to gather some of this information or make contact with the Early Years Safeguarding Adviser.

The LADO contacted will record notes and advise on the appropriate action to be taken.

It may be clear in some circumstances that the first contact needs to be the police or social care when a child appears to have been harmed or is at risk of significant harm.

North Star Nursery must inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (whether the allegations relate to abuse committed on the premises or elsewhere). Ofsted must also be informed of the actions taken in respect of the allegations. Notification must be made as soon as possible but at the latest within 14 days.

16.7 What happens after you "blow the whistle"?

- You should be given information on the nature and progress of any enquiries.
- Your line manager has a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations may be considered a disciplinary offence
- Any allegation will be treated under stage 3 "*Serious breaches of discipline and gross misconduct*" of the Disciplinary Procedures in the staff handbook (23.4.3).

- The employee will be suspended as a precautionary measure whilst an investigation is carried out. This is not intended to imply an assumption of guilt, and this will be made clear to the employee, student/volunteer, but for the safety of the child and the accused.

16.8 Self-reporting

There may be occasions when an employee has a personal difficulty, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare of safety of children or young people

- **Stage 1** - Discuss with Line Manager
- **Stage 2** - If the issue is unresolved or there is not a satisfactory outcome refer the matter to next in Line Manager. On conclusion of the investigation and follow up action the information will be kept secure and confidential in accordance with the Data Protection Act (1998)
- **Stage 3** – Once the internal procedures have been exhausted the matter can be referred to an external body or their Member of Parliament. Careful consideration should be given to referring matters outside the organisation as inappropriate disclosure of information i.e. such as release of information to the media will be investigated and possible action under the disciplinary procedure may follow.

Each member of staff will have a quarterly “Job Chat” with the Nursery Manager and there will be opportunity at these to share any concerns regarding safeguarding within the nursery or any personal difficulties.

16.9 Supporting those involved

Parents and or carers of a child or children involved should be informed of an allegation as soon as possible. They should be kept informed about the progress of the case and told the outcome where there is not a criminal prosecution. This includes the **outcome** of disciplinary process, not the information and account of the decision.

In cases where a child may have suffered significant harm, or there may be a criminal prosecution, children’s social care, or the police, should consider what support the child involved may need.

The setting should also keep the person who is the subject of the allegations informed of the progress and consider what support is appropriate for the individual. If the person is suspended, the setting should also keep the individual informed about developments at the setting. If the person is a member of a Union, they should be advised to contact that body at the outset.

Every effort should be made to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated/considered.

16.10 Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, your Local Authority Designated Officer (for North Star Nursery this is Jo Radford at Swindon Borough Council tel: 01793 463854) or Ofsted (0300 123 1231). You can also seek advice from the Senior Designated Lead for child protection at North Star Nursery.

16.11 Resignations and “Compromise agreements”

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children including any in which the person concerned refuses to cooperate with the process. Wherever possible the person should be given a full opportunity to answer the allegation and make representations about it.

A so called “compromise agreements” by which a person agrees to resign, the setting agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where that is appropriate.

16.12 Record keeping

It is important that a clear and comprehensive summary of any allegations made is kept on a person’s confidential personnel file, and a copy provided to the person concerned. The purpose of the record is to enable accurate information to be given in response to any further requests for a reference if the person moves on. It will provide clarification in cases where a future CRB Disclosure reveals information from the police about an allegation that did not result in a criminal conviction. And it will help prevent unnecessary reinvestigation if, an allegation re-surfaces after a period of time. The record should be retained at least until the person reaches normal retirement age or for a period of 10 years from the date of the allegation if that is longer.

16.13 Suspension

The possible risk of harm to children posed by an accused person needs to be effectively evaluated and managed-in respect of the child(ren) involved in the allegations and any other children within the individual’s home, work and community. In some cases that will require the setting to consider suspending the person until the case is resolved.

As a non-maintained setting registered with Ofsted, we will under standard 12.2 inform Ofsted of any allegation made against a member of staff. Advice from Ofsted will then be followed.

If an allegation is determined to be false, then the matter should be referred to children’s social care to determine whether the child concerned is in need of services, or may have been abused by someone else. If the allegation is malicious, a decision will be made as to disciplinary action against the child.

REFERENCES

Swindon Borough Council Early Years Child Protection Policy Template September 2016

The Prevent Duty – Department for Education Departmental advice for schools and childcare providers June 2015

Working together to safeguard children - A guide to inter-agency working to safeguard and promote the welfare of children (March 2015)

Female Genital Mutilation (FGM) Pocket Guide – Safeguarding Swindon’s Children

HM Government Guide to Multi-Agency Practice Guidelines: Female Genital Mutilation 2011

Getting it right (policies and procedures from 4children)

Child Protection (PsLA information sheets 30 and 30a)

Local Safeguarding Children’s Board- (LSCB) www.swindonlscb.org.uk

What to do if you’re worried a child is being abused. (Summary)-Department of Health.

South West Child Protection Procedures – www.swcpp.org.uk

SSSP- update news sheets

Dfes publication: Safeguarding children in Education, dealing with allegations of abuse against staff

Ofsted – update links and documents

Guidance for Safer Working Practice for Adults who Work with Children and Young People
<http://www.swindonlscb.org.uk/lscb-index/lscb-professionals-home/lscb-professionals-protocols.htm>

Guidance on Allegations for Early Years Providers Swindon Borough Council

Allegations against Staff Flowchart September 2014
<http://schoolsonline.swindon.gov.uk/sc/cp/Safeguarding%20Policies/Alleged%20Abuse%20by%20Staff%20Flowchart%20-%20September%202014.doc>

This policy links to:	<ul style="list-style-type: none"> Code of Conduct Medications Policy Positive Behaviour Management Policy Guidelines for Physical Intervention Childhood Ailments Policy No Smoking Policy Allergy Inclusion Policy Sunsmart Sun Protection Policy First Aid Policy Risk Assessment Policy Communication Policy Data Protection Act Statement – Clients Data Protection Act Statement – Staff Data Protection Act Privacy Statement Ratio Maintenance Policy Confidentiality Policy Special Educational Needs and Disabilities Policy Technology Policy Acceptable Use Policy Staff Handbook Walks, Outings and Off-Site Procedures Asthma Policy Health and Safety Statement for Staff Equality and Diversity Policy Complaints Procedure HIV and AIDS Awareness Policy Student Partnership Nappy Changing Procedure Accident Form Parental Consent Forms for Nursery Parental Consent Forms for Holiday Club Staff Qualifications Parent Partnership Safer Recruitment & Induction Policy/Staff Training & Development Policy
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Policy Review History	
October 2014	v.1
October 2015	v.2
October 2016	v.3

APPENDIX 1

Definitions of Abuse “Working Together” 2015

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Emotional Abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to the child that they are worthless, unloved or inadequate, or valued in so far as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations of the child, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another or serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of a child. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

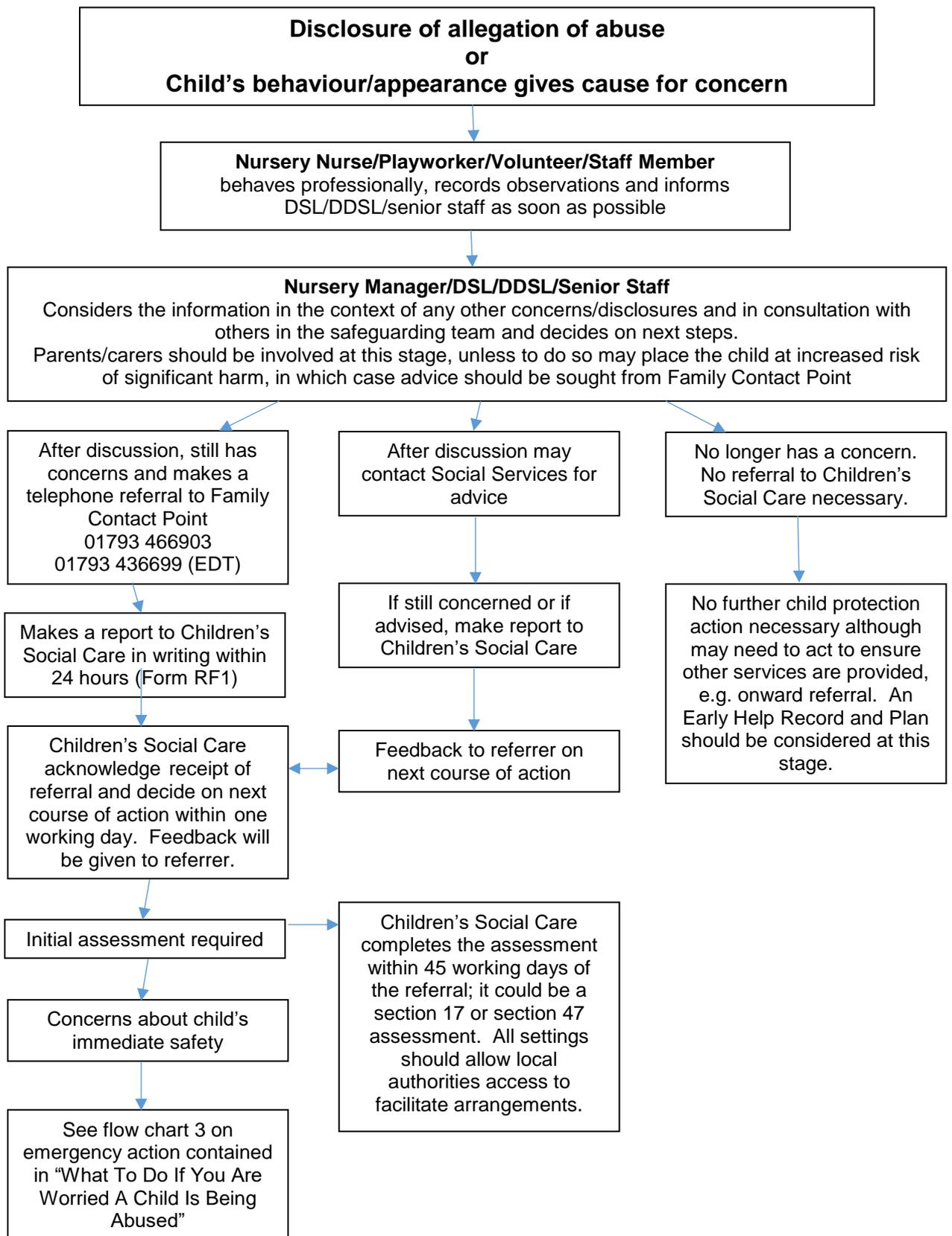
Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

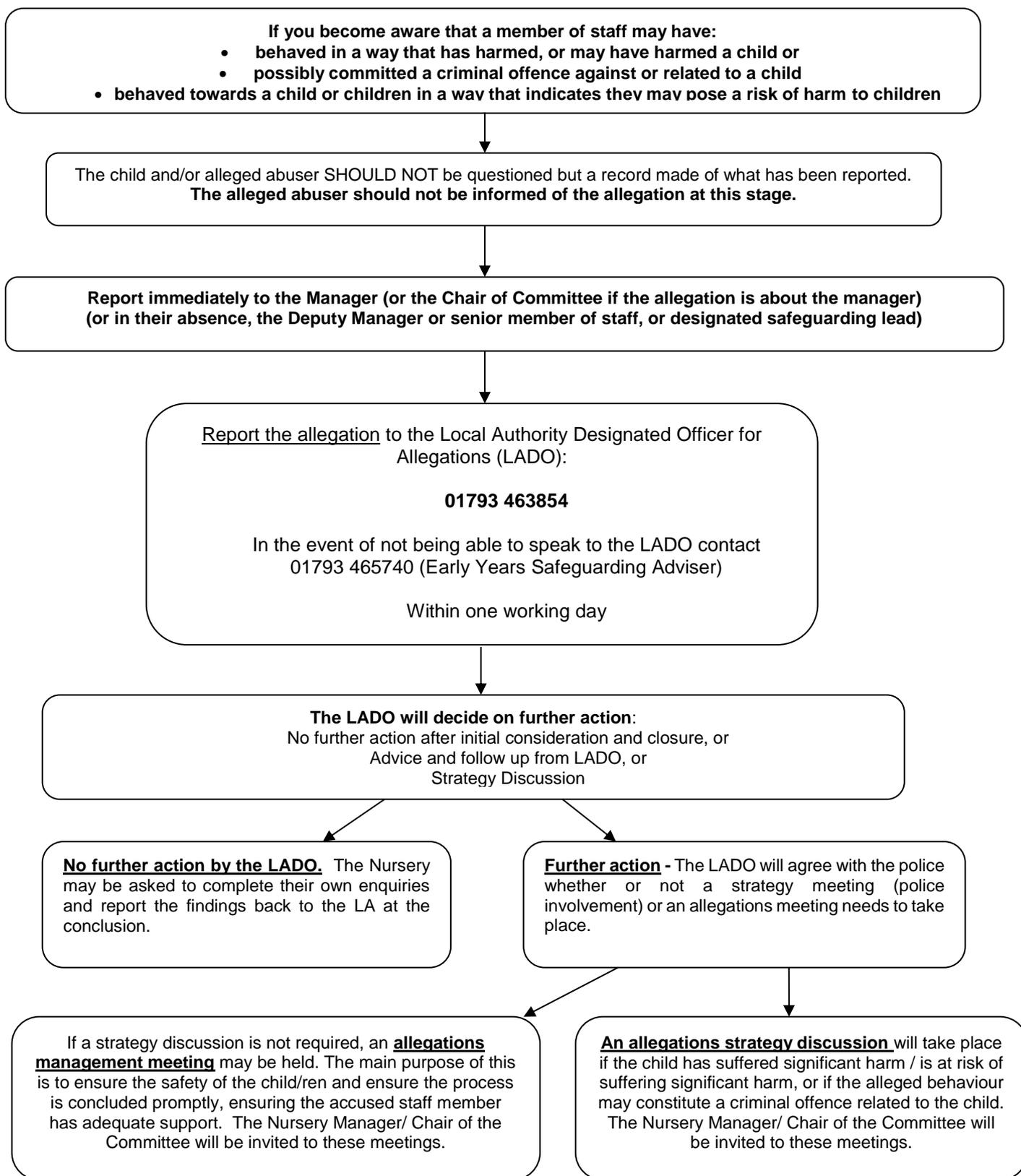
Neglect

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. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Ensure access to appropriate medical care or treatment.
- Respond to a child’s basic emotional needs.



Alleged Abuse by Staff Flowchart



This document is intended for use as a guide. Please refer to:

1. [Keeping Children Safe in Education April 2014](#)
2. The Multi-Agency South West Child Protection Procedures at www.swcpp.org
3. Swindon LSCB guidance [A guide for employers contributing to strategy discussions or allegations management meetings Sept 13](#)

