

4. Safeguarding Children and Child Protection

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V1.0	April 2012	Original adopted	Cttee	-	
V2.0	April 2015	Updated	Cttee	-	
V3.0	Oct 2015	Reviewed	K Jones		
V4.0	Nov 2015	Updated	C Timbrell	Dropbox.com Website	Nov 2016
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V7.0	29 Apr 2019	Updated in line with Keeping Children Safe in Education 2018 & Pre-school mobile phone	K Coupe & E Roberts	Dropbox.com Website	Apr 2020
V8.0	30 Aug 20	Updated in line with Keeping Children Safe in Education 2020 & COVID-19	K Coupe	Dropbox.com Website	Sept 2021
V9.0	19 Apr 21	Updated with regards to (a) Working Together to Safeguard Children 2018 (updated 9 Dec 2020); (b) words tweaked under GDPR/DPA re parental consent & sharing info & Early Help; (c) DBS checks etc; (d) frequency of Safer Recruitment Training and more info on managing allegations.	K Coupe	Dropbox.com Website	June 2022
V10.0	25 Apr 22	Update as follows: • reference to Gloucestershire Safeguarding Children Board (GSCP) to Gloucestershire Safeguarding Children Partnership (GSCP) and Local Safeguarding Children Board (LSCB) to Local Safeguarding Partners (LSP). Plus inclusion of “duty of care” wording. • Keeping Children Safe in Education (updated	K Coupe & D Burton	Dropbox.com Website	April 2023

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		Sept 2021) and Home Office Statutory Guidance on Prevent duty (updated Apr 2021). Inclusion of statement re review and Associated policies/procedures – as per GSCP section 175/157 safeguarding Audit 2022			
V11.0	25 Jan 2023	Reviewed and updated with regards to Keeping Children Safe in Education 2022	E Roberts. R Powell & K Coupe	Dropbox.com Website	25 Jan 2024
V12.0	14 May 2024	Reviewed and updated as follows: • Obsolete paragraph on COVID-19 guidance removed; • reference to the Government’s “Education Against Hate” website.	K Coupe E Roberts & R Powell	Dropbox.com Website Hard copy	May 2025

Statement of intent

North Nibley Preschool wants to work with children, parents and the community to ensure the safety of children and to give them the very best start in life.

The Preschool employs a zero-tolerance approach with regards to all safeguarding and child protection issues. It is acknowledged that even if there are no reported cases, staff and the Management Committee do not take the view that it does not or would not happen at the setting.

We will review this policy on line and ensure we follow current practice.

Definition of safeguarding

Safeguarding and promoting the welfare of children is defined in the DfE guidance “Keeping Children Safe in Education” as:

- protecting children from maltreatment;
- preventing impairment of children’s mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

As an early years provider, we have a duty under section 40 of the Childcare Act 2006 to comply with the welfare requirements of the Early Years Foundation Stage (EYFS)¹. Everyone working with children has a “duty of care” to keep children safe and protect them from harm. This means that all adults have a duty to report child protection or welfare concerns to Children Services or the police. Key workers have a duty of care to the children allocated to them. In addition, promoting the child’s welfare is included within both the setting’s and staff’s role.

¹ Section 3 – safeguarding and welfare requirements in the Statutory Framework for the Early Year Foundation Stage (updated Jan 2024)

Aims

Our aims are to:

- create an environment in our Preschool which encourages children to develop a positive self-image, regardless of race, language, religion, culture or home background;
- help children to establish and sustain satisfying relationships within their families, with peers, and with other adults;
- encourage children to develop a sense of autonomy and independence;
- enable children to have the self-confidence and the vocabulary to resist inappropriate approaches; and
- work with parents to build their understanding of and commitment to the welfare of all our children.

The legal framework for this work is:

Primary legislation

- The Prevent Duty Departmental advice for schools and childcare providers
- Prevent Duty Guidance: for England and Wales (latest version)
- Inspecting Safeguarding in Early Years, Education and Skills (Ofsted latest version)
- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (2018)
- 'What to do if you are worried a child is being abused' – advice for practitioners (HMG 2006 – updated 2015)
- The Children Act (1989 s47)
- Working Together to Safeguard Children (HMG latest version)
- Protection of Children Act (1999)
- Childcare Act (2006)
- Safeguarding Vulnerable Groups Act (2006)
- Human Rights Act (1998)
- Counter-Terrorism and Security Act (2015)

Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- The Equalities Act (2010)
- General Data Protection Regulations (2018)
- Domestic Violence, Crime and Victims (amendment) Act 2004
- *Further guidance*
- Every Child Matters – Green Paper (2003)
- Early Help Practice Guidance (updated 2019)
- Keeping children safe in education – statutory guidance for schools and colleges (latest version)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2007)
- Female genital mutilation risk and safeguarding – guidance for professionals (DoH May 2016)
- Adoption and Children's Act (updated 2021)
- Disclosures and Barring Service (www.gov.uk)
- NSPCC website (www.nspcc.org.uk)
- United Nations Convention on the Rights of the Child, UK (1992)

Liaison with other bodies

- We work within the Gloucestershire Safeguarding Children Partnership's (GSCP) guidelines.
- We notify the registration authority, Office for Standards in Education, Children's Services and Skills (Ofsted), of any incident or accident and any changes in our arrangements which affect the well-being of children.
- If we have a child welfare concern, we follow the procedure outlined in the "Child Protection Process (Nov 2021) issued by the GSCP for contacting the local authority on child protection

issues. This is available separately as an Appendix to this policy. We also follow the GSCP's Allegations Management Procedure (see separate Appendix 1).

- Both this document and the appendix are available for staff and parents to see. They can be found on our website (www.northnibleypreschool.co.uk) and a paper version is held at the setting.
- If a report is to be made to the authorities, we act within the GSCP's guidance in deciding whether we must inform the child's parents at the same time.
- We have a copy of 'What to do if you are worried a child is being abused – advice for practitioners' (HMG 2006, revised 2015), for parents and staff. All staff are familiar with what to do if they have concerns.

Methods

Staffing and volunteering

- Our Designated Safeguarding Lead (DSL) who coordinates child protection issues is **Elaine Roberts**, her Deputy (DDSL) in this regard is **Rebecca Powell**. Our Designated Officer (a committee member) who oversees this work is the setting's **Setting support officer**.
- We ensure that either the DSL or DDSL is always available, ie. at the setting, to discuss safeguarding concerns. However, if neither are available, then this should not delay appropriate action being taken. Staff should consider speaking to the setting support officer. In these circumstances, any action taken will be shared with the DSL (or DDSL) as soon as is practically possible.
- All staff, and in particular new staff, receive information on the role of the DSL².
- We provide adequate and appropriate staffing resources to meet the needs of children.
- Applicants for posts within the Pre-school are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974. Candidates are informed of the need to carry out enhanced checks with the Disclosures and Barring Service (DBS) before posts can be confirmed. Where applications are rejected because of information that has been disclosed, applicants have the right to know and to challenge incorrect information.
- At North Nibley Preschool we will ensure that we have a member of staff/committee on every recruitment panel who has received the appropriate safer recruitment training³. This training is required to be updated every 5 years. As suggested, for good practice we update the training every 3 years.
- We abide by Ofsted requirements in respect of references and police checks for staff and volunteers, to ensure that no disqualified person or unfit person works at North Nibley Pre-school or has access to the children.
- All staff are contractually obliged to safeguard the children in their care. This may sometimes mean disclosing information about people in an individual's personal life which they may prefer not to disclose. The setting ensure that it refers No 18 Employment and Staffing in this respect.
- DBS checks will be undertaken should a staff member have a break in service for more than 3 months or the setting has concerns. However, this is not applicable should the member of staff be on paternity/maternity leave, unless it is extended unpaid maternity leave, or if they are not working at the setting due to government requirements, eg the coronavirus pandemic 2020/21 where the COVID exemption would apply.
- Volunteers do not work unsupervised and are DBS checked.
- All staff and volunteers are required to complete an 'On-going Suitability to Work with Children' form when they start at the Preschool and then on an annual basis.
- All staff are required to complete an "Annual Criminal Declaration" at the start of each preschool year.
- All committee members are required to complete an "Ongoing Suitability for Committee Members and Trustees" form on an annual basis.
- We abide by the Protection of Children Act (1999) and Safeguarding Vulnerable Groups Act (2006) requirements in respect of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of child protection concern.
- We have procedures for recording the details of visitors to the Preschool.

² Annex B: DfE Guidance "Keeping Children Safe in Education"

³ See Policy 29 Safer Recruitment for more information.

- We take security steps to ensure that we have control over who comes into the Preschool so that no unauthorised person has unsupervised access to the children.
- Personal mobile phones with cameras are not be used in session and are kept switched off and inside bags. All staff mobile telephones are switched off and kept in personal bags throughout the session⁴.
- The Preschool's mobile phone is the single point of contact for parents during session times. The phone is locked away after session.
- When the staff and children go out for walks locally, the Play Leader will take the Preschool's mobile phone with them in case of emergencies.
- Photographs of children will only be taken on North Nibley Preschool's own camera(s) or I-pad and where it relates to agreed learning and management activities.
- Digital images are stored on the Preschool I-pad or laptop and deleted when no longer required, but all images are deleted at the end of the Preschool year.
- Written permission is obtained from parents/carers before any images of their children are used for any purpose.

The responsibilities for the DSL are:

- to ensure that the Preschool's child protection policies are known, understood and used appropriately, and that these policies are reviewed at least annually as a minimum and updated as necessary;
- to ensure that all safeguarding issues raised in setting are effectively responded to, recorded and referred to the appropriate agency. Child Protection records will be kept until the child is aged 21years;
- all adults, (including volunteers) new to our setting will be made aware of this policy and the procedures for child protection, the name and contact details of the DSL and have these explained, as part of their induction into the setting;
- be responsible for arranging the settings safeguarding training for all staff and volunteers who work with the children and young people. The DSL must ensure that the safeguarding training takes place at least every three years for all, 2 years for the DSL and DDSL;
- to attend or ensure that a senior member of staff who has the relevant training and access to appropriate supervision, attends where appropriate, all child protection case conferences, reviews, core groups or meetings where it concerns a child in our care and to contribute to multi-agency discussions to safeguard and promote the child's welfare;
- for ensuring the acceptable, safe use and storage of all camera technology, images, and mobile phones through the implementation, monitoring and reviewing of the appropriate policies and procedures;
- interpreting and implementing the Fundamental British Values;
- from September 2020, following the Covid-19 pandemic which resulted in the preschool closing for a short time before reopening; and
- Disciplinary Action Where a member of staff or a volunteer is dismissed from the Preschool or internally disciplined because of misconduct relating to a child, we notify the DBS so that the name may be included on a barred list⁵.

Training

We seek out training opportunities for all adults involved in the Preschool to ensure that they are able to recognise the signs and symptoms of possible physical abuse, emotional abuse, sexual abuse and neglect and so that they are aware of the local authority guidelines for making referrals. We ensure that all staff know the procedures for reporting and recording their concerns in the Preschool. All early years staff carry out mandatory training at the beginning of the academic year such as, FGM, prevent, etc. All staff update their training every 3 years (as per GSCP guidelines), with the DSL and DDSL updating their every 2 years.

⁴ See Policy 11 Health and Safety

⁵ Legal duty to advise DBS. Failure is a criminal offence under section 38 Safeguarding Vulnerable Groups Act 2006

As part of our induction programme, we expect all staff who work with children in the setting to complete the Gloucestershire safeguarding children partnership free online learning package entitled 'Recognising and Preventing FGM'.⁶ Early years staff update this training annually.

Our Committee will have access to safeguarding training and our Designated Officer will also undertake additional safeguarding awareness training at least every three years. They will also be advised to undertake additional training to support their employers' role in Handling Allegations against adults who work with children and young people, including our staff and volunteers.

Our safeguarding arrangements are reported on an annual basis to our Management Committee and this Safeguarding Policy is reviewed annually, in order to keep it updated in line with local and national guidance/legislation.

We include our Safeguarding and Child Protection Policy in North Nibley Preschool's Welcome Pack, and a copy of this policy is on the parent's notice board and available from the Preschool's website. In addition, every August parents of children who are due to attend the setting are sent an electronic copy prior to the start of the Autumn term. We are also able to arrange for our policy to be made available to parents whose first language is not English, on request.

Planning

The layout of the room allows for constant supervision.

Curriculum

- We introduce key elements of child protection into our teaching so that children can develop understanding of why and how to keep safe.
- We create within the Preschool a culture of value and respect for the individual. In accordance with Department for Education (DfE) requirements we also promote the fundamental British Values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.
- We ensure that this is carried out in a way that is appropriate for the ages and stages of our children. We do this by providing a secure and accessible environment in which all our children can flourish and in which all contributions are considered and valued.
- We will ensure that we follow the current Prevent Duty guidance from the DfE. The DSL will be aware of how to make a referral to the Channel programme. All staff will ensure that the children are safe from terrorist and extremist material when accessing the internet. Staff will follow the "notice, check, share" procedure outlined in the Prevent Duty GOV.UK awareness training.

Complaints

- We ensure that all parents know how to complain about staff or volunteer action within the Preschool, which may include an allegation of abuse.
- We follow the guidance of the GSCP when investigating any complaint that a member of staff or volunteer has abused a child.
- We follow all the disclosure and recording procedures when investigating an allegation that a member of staff or volunteer has abused a child as if it were an allegation of abuse by any other person.
- If we, North Nibley Preschool, have a concern about a person within another professional body, either with regards to abuse or not following safeguarding procedures. Then we will follow the advice given in GSCP's Escalation of Professional Concerns Guidance (June 2018) – see Appendix 2.

⁶ See [Home - Gloucestershire Safeguarding Children Partnership \(melearning.university\)](https://www.melearning.university/)

Responding to Suspicions of Abuse

- We acknowledge that abuse of children can be different forms - physical, emotional, sexual and neglect.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through:
 - significant changes in behaviour;
 - deterioration in their general well-being;
 - their comments which may give cause for concern, or the things they say (direct or indirect);
 - 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 take into account factors affecting parental capacity, such as social exclusion, domestic violence, parent's drug or alcohol abuse, mental or physical illness or parent's learning disability.
- All staff, but especially the DSL (and DDSL) will consider whether children are at risk of abuse or exploitation in situations outside their families. We acknowledge that extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms.
- We are aware of other factors that affect children's vulnerability such as abuse of disabled children, fabricated or induced illnesses, child abuse linked to beliefs in spirit possession, sexual exploitation of children such as through internet abuse and Female Genital Mutilation (FGM) that may affect or may have affected children and young people using our provision.
 - *Ritualistic Abuse*: Some faiths believe that spirits and demons can possess people (including children). What should never be considered is the use of any physical or psychological violence to get rid of the possessing spirit. This is abusive and will result in the criminal conviction of those using this form of abuse even if the intention is to help the child.
 - *Child Sexual Exploitation (CSE)*: The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person(s)) receive something as a result of them performing and/or others performing on them, sexual activities. In all cases those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidations are common, involvement in exploitative relationships being characterised in the main by the child's or young person's limited availability of choice.
 - *Female Genital Mutilation (FGM)*: FGM is child abuse and a form of violence against women and girls. FGM is illegal in the UK⁷. Other than in exceptional circumstances, it is an offence for any person (regardless of their nationality or residence status) to:
 - perform FGM;
 - assist a girl to carry out FGM on herself; or
 - assist a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident.If FGM is suspected, then staff will speak to the setting's DSL (or DDSL) in this respect.
 - *Peer on Peer abuse*: All staff are aware that children can abuse other children, and that it can happen both inside and outside of the setting and online. This kind of abuse within an early years setting is most likely to include, but may not be limited to:
 - bullying;
 - physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;Such abuse is not tolerated by North Nibley Preschool. All staff acknowledge the important role they have to play in preventing it and responding where they believe a child may be at risk from it.
- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or maybe victims of child trafficking. While this may be less likely to affect young children in our care we may become aware of these factors affecting older children and young people who we may come into contact with.

⁷ Female Genital Mutilation Act 2003

- *Forced Marriages (FM)*: FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014. A FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. FM is when someone faces physical pressure. This is very different to an arranged marriage where both parties give consent. This includes:
 - taking someone overseas to force them to marry (whether or not the forced marriage takes place);
 - marrying someone who lacks the mental capacity to consent to the marriage (whether they are pressured or not).
- *Honour Based Violence (HBV)*: Is 'a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community'. It is important to be alert to signs of distress and indications such as self-harm, absence from setting, infections resulting from FGM, isolation from peers, being monitored by family, not participating in setting activities. Where it is suspected that a child/young person is at risk from HBV, North Nibley Pre-school will report those concerns to the appropriate agency in order to prevent this form of abuse taking place.
- *Trafficked Children*: Child trafficking involves moving children across or within national or international borders for the purpose of exploitation. Where North Nibley Pre-school is made aware of a child suspected of or actually being trafficked/exploited we will report our concerns to the appropriate agency.
- We actively protect children and teach them to value British Values by recognising and valuing the universal uniqueness of all individuals and we are mindful to instil learning and resilience to protect children against the development of extremist and radicalised thinking and behaviour. Failure to promote these will lead to the setting's early years funding being removed by the local authority⁸.
- Where we believe a child in our care or known to us may be affected by any of these factors we follow the procedure for reporting child protection concerns.
- Where such evidence is apparent, the child's key person makes a dated record of the details of the concern and discusses what to do with the Designated Person. The information is stored on the child's personal file.
- We refer concerns to the local authority children's social care department and co-operate fully in any subsequent investigation. [NB: in some cases this may mean the police or another agency identified by the GSCP].
- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.
- We take account of the need to protect young people aged 16-19 as defined by the Children Act (1989). This may include students or school children on work placement, young employees or young parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or to intervene where one may have been or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.
- See also the flowchart outlining 'Actions where there are concerns about a child' courtesy of Keeping Children Safe in Education (KCSiE)⁹, which can be found at the end of this document.

All child protection concerns need to be acted on **immediately**. If you are concerned that a child may be at risk or is actually suffering abuse, you must tell the DSL, do not assume that someone else is taking action and sharing information that might safeguard a child. Options available include:

- managing any support for the child internally;
- undertaking an early help assessment;
- making a referral to statutory services.

Notwithstanding this, **all adults, including the DSL, have a duty to refer all known or suspected cases of abuse to the relevant agency including the Gloucestershire Safeguarding Children**

⁸ See Gloucestershire County council local provider agreement (latest version) para 15.4

⁹ see page 22

Board, Gloucestershire Early Years Service – Social Care, or the Police. Where a disclosure is made to a visiting staff member from a different agency, eg. Early Years Consultants, Health Visitors, it is the responsibility of that agency staff to formally report the referral to North Nibley Preschool's DSL in the first instance and to follow their organisation's procedures. Any records made should be kept securely on the Child's Protection file. Parents should be aware and can access this record unless to do so would increase the risk to the child or impede a potential investigation.

Children who need a social worker (Child in Need and Child Protection Plans)

Where a child is suffering, or is likely to suffer from harm, a referral to children's social care (and if appropriate the police) is made immediately. Referrals will follow the local referral process.

Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health. The child's social worker will attend termly meetings with the DSL and DDSL, parents/carers and other professionals involved with the child or family. If it is a Family Social Worker who is involved, the setting will have Team Around the Family (TAF) meetings. If a Social Worker is involved, then it will be Children in Need (CIN) meetings. The child will therefore be placed on a My Plan and depending on their needs being met, may work their way through the Gloucestershire Pathway if this is for the purpose of Early Help. If the purpose is low level Child Protection, then the plan will be a Child in Care (CIC) plan.

Mental Health

All staff are aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. However, staff at the setting are well placed to observe children day-to-day and identify those whose behaviour suggest that they may be experiencing a mental health problem or be at risk of developing one.

Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behaviour and education – all setting staff have been appropriately trained.

If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following North Nibley Preschool's safeguarding and child protection policy and speaking to the DSL (or DDSL).

Disclosures

Where a child makes a disclosure to a member of staff, that member of staff:

- offers reassurance to the child;
- listens to the child; and
- gives reassurance that she or he will take action.

The member of staff does not question the child.

Procedure for an allegation being made against a member of staff

We are aware of the possibility of allegations being made against members of staff or volunteers that are working or may come into contact with children and young people whilst at North Nibley Preschool. Allegations will usually be that some kind of abuse has taken place. This could include inappropriate behaviour displayed by members of staff or other persons working with the children such as inappropriate sexual comments, excessive one to one attention beyond the requirements their role and

responsibilities, inappropriate sharing of images. They can be made by children and young people or other concerned adults.

Staff working in one to one situations with children at the setting, including visiting staff from external organisations can be more vulnerable to allegations or complaints. One to one situations are only used where necessary and with the knowledge and consent of the Playleader and/or Chair and parents/carers.

To safeguard both children and adults, a risk assessment in relation to the specific nature and implications of one to one work will always be undertaken. Each assessment will take into account the individual needs of the child and will be reviewed regularly.

If an allegation is made against an adult in a position of trust whether they be members of staff or volunteers then the following procedure would apply:

- reports should be made directly to the Chairperson;
- the Chairperson, with support from the Setting Support Officer, will immediately inform the Local Authority Designated Officer (LADO) at the GSCP¹⁰ followed by Ofsted and Social Services. In some circumstances the police will be informed;
- the member of staff involved may be suspended immediately on full pay until investigations have been completed;
- ensure that the appropriate disciplinary procedures are followed including whether suspending a member of staff from work until the outcome of any investigation if this is deemed necessary;
- we will always consider the rights of the staff member for a fair and equal process of investigation, this is vital, especially if the allegation(s) is 'unfounded'.

If there is concern about the work/attitude/behaviour of another professional working for another agency with regards to safeguarding, then North Nibley Pre-school will follow the guidance given by GSCP in their 'Escalation of professional concerns guidelines – June 2018' (see Appendix 2).

Dealing with a 'low level' concern

The term 'low-level' concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the pre-school may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns are shared responsibly and with the right person, ie. either the DSL (or DDSL) or, if concern is with the DSL (or DDSL), the Chairperson, and recorded and dealt with appropriately. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the

¹⁰ LADO: Nigel Hatton – 01452 426994

individual wishes to remain anonymous then that should be respected as far as reasonably possible. Records are kept confidential and securely, in line with DPA and GDPR requirements.

By ensuring that 'low level' concerns are dealt with effectively should also protect other staff/volunteers who are working in or on behalf of North Nibley Preschool and prevent potential false allegations or misunderstandings.

The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Recording suspicions of abuse and disclosures

All concerns, discussions and decisions made, and the reasons for those decisions, are recorded in writing. Staff make a record of:

- The child's name, address and age;
- The date and time of the observation or the disclosure;
- An objective record of the observation or 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 a separate confidential file, which is kept secure and with restricted access for authorised personnel only. All members of staff know the procedures for recording and reporting.

Safeguarding Disabled Children

Disabled children have exactly the same human rights to be safe from abuse and neglect, to be protected from harm and achieve Every Child Matters outcomes as non-disabled children. Disabled children do, however, require additional action. This is because they experience greater risks and '*created vulnerability*' as a result of negative attitudes about disabled children and unequal access to services and resources, are prone to isolation, and because they have additional needs relating to physical, sensory, cognitive and/or communication impairment (*Safeguarding Children, DCSF, July 2009*).

At North Nibley Preschool we will ensure that our disabled children are listened to and responded to appropriately where they have concerns regarding abuse. In order to do this, we will ensure that our staff and volunteers receive the relevant training to raise awareness and have access to specialist staff in the event they have concerns regarding the abuse of a child.

Children Missing in Education

There are many reasons why we want young children to have regular attendance at North Nibley Preschool. As well as supporting their learning and development, we want to try to make sure that children are kept safe, their wellbeing is promoted and they do not miss out on their entitlements and opportunities. In a small minority of cases, good attendance practice may also lead to the early identification of more serious concerns for a child or family and may have a vital part to play in keeping a child or other family members safe from harm.

At North Nibley Preschool, we have procedures for recording and following up any unexplained non-attendance¹¹ and know how to respond to different problems and where to access advice, support or whom to alert if concerns arise.

¹¹ Policy 43 Child Non-attendance

Procedure for an allegation being made against a parent or other adult or where there is a suspicion of abuse against a child.

In the event of such an allegation the following procedure would apply:

- reports should be made directly to the Chairperson;
- parents are normally the first point of contact. If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the GSCP does not allow this. This will usually be the case where the parent is the likely abuser. In these cases the investigating officers will inform parents;
- the Chairperson, with support from the Setting Support Officer, will immediately inform the LADO at the GSCP followed by Ofsted and Social Services. In some circumstances the police will be informed.

Unsubstantiated, unfounded, false or malicious allegations

If an allegation or report (including a 'low-level concern') is determined to be unsubstantiated, unfounded, false or malicious, the LADO (where applicable) and the investigating manager will consider whether the child/person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. In such circumstances, a referral to children's social care may be appropriate. If a report by a member of staff is shown to be deliberately invented or malicious, the pre-school will consider whether any disciplinary action is appropriate against the individual who made it as per the setting's Code of Conduct¹².

Agency Staff

Whilst North Nibley Preschool are not the employer of agency staff, the setting still has a duty to such individuals and will ensure that any allegations against such staff are dealt with properly. The DSL or the DDSL will collect the facts when an allegation is made and liaise with the LADO to determine a suitable outcome.

The Chairperson, with support from the Setting Support Officer, will discuss with the agency whether it is appropriate to suspend the supply teacher whilst they carry out their investigation.

When using an agency, the Preschool will inform the agency of its process for managing allegations – supplying them with a copy of this policy.

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 GSCP.

All staff, committee members and volunteers receive a copy of North Nibley Preschool's confidentiality policy¹³ and are required to sign a confidentiality agreement which, in the case of staff is kept in the personnel file, and for committee members and volunteers, with the setting's single central record.

General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018 (DPA)

The GDPR and DPA do not prevent, or limit the sharing of information for the purposes of keeping children safe and consent is not required when sharing information for safeguarding and protecting the welfare of a child, for example when there is imminent harm to the child. However, consent is still needed if a referral is being made for Early Help through MASH (Multi-agency Safeguarding Harm). Fears about sharing information **must not** be allowed to stand in the way for the need to promote welfare and protect the safety of children. For more guidance see 'Flowchart of when and how to share information' courtesy of 'Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers 2018', at the end of this document.

¹² Policy 31 Code of Conduct

¹³ Policy 7 Confidentiality

Where a child leaves the Preschool, the DSL should ensure that their child protection file is transferred to the new setting/school as soon as possible, ensuring secure transit, and confirmation of receipt should be obtained.

Support to families

- North Nibley Preschool takes every step in its power to build up trusting and supportive relations among families, staff and volunteers in the group.
- The Preschool continues to welcome the child and the family whilst investigations are being made in relation to abuse in the home situation.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child only if appropriate under the guidance of the GSCP.
- With the proviso that the care and safety of the child is paramount, we do all in our power to support and work with the child's family.

Useful contacts:

Gloucestershire Safeguarding Children Partnership www.GSCP.org.uk

- Gloucestershire Early Years and Childcare Service www.gloucestershire.gov.uk/early-years-service
- Gloucestershire Children's Social Care Team: 01452 426565
- Child Exploitation and Online Protection Command www.ceop.police.uk/safety-centre/
- NSPCC website www.nspcc.org.uk/preventing-abuse/safeguarding/ or helpline: 0800 028 0285 (8am to 8pm Monday to Friday), email: help@nspcc.org.uk.

E-Safety

Children and young people can be exploited and suffer bullying through their use of modern technology such as the internet, mobile devices, phones and social networking sites. In order to minimize the risks to our children and young people North Nibley Preschool will ensure that we have in place appropriate measures such as security filtering, and an acceptable use policy linked to our E-Safety policy¹⁴. We will ensure that staff are aware of how not to compromise their position of trust in or outside of the setting and are aware of the dangers associated with social networking sites¹⁵. Our E-safety policy will clearly state that mobile phone, camera or electronic communications with a child or family at our setting is not acceptable other than for approved setting business. Where it is suspected that a child is at risk from internet abuse or cyber bullying we will report our concerns to the appropriate agency.

North Nibley Preschool will be checking apps, websites and search results before using them with children or referring parents to them via email or Facebook. We will be supervising children when they are accessing the internet including Zoom with peers who remain at home via password protected usage. Staff are aware of the DfE's "[Educate against hate](http://www.educate-against-hate.org.uk)" website.

Mobile devices (ie. smart watches and tablets), phones and cameras

North Nibley Preschool has policies and procedures in place with regards to the use of mobile devices, phones and cameras in the setting and on visits¹⁶.

Early Help

Early help is about children, young people and families getting the right help at the right time, before issues get worse, ie. 'providing support as soon as a problem emerges at any point in a child's life' (chapter 1 Working Together to Safeguard Children).

Any child may benefit from Early Help, but all staff should be particularly alert to the potential need for Early Help for a child who:

¹⁴ Policy 37 E-Safety

¹⁵ Policy 23 Social Networking

¹⁶ Policy 31 Code of Conduct

- is disabled or has certain health conditions and has specific additional needs;
- has special educational needs (whether or not they have a statutory Education, Health and Care Plan);
- has a mental health need;
- is a young carer;
- is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups;
- is frequently missing/goes missing from care or from home;
- is at risk of modern slavery, trafficking or exploitation;
- is at risk of being radicalised or exploited;
- has a family member in prison, or is affected by parental offending;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health issues and domestic abuse¹⁷;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care;
- is at risk of 'honour'-based abuse such as Female Genital Mutilation;
- is a privately fostered child; or
- is persistently absent from the pre-school.

North Nibley Preschool has a duty under Section 40 of the Childcare Act 2006 to comply with the welfare requirements of the Early Years Foundation Stage (EYFS). Preschool staff are aware of indicators of abuse, neglect and any other issues of concern in a child's life, so that they are able to identify cases of children who may be in need of help or protection. It is acknowledged that in most cases, multiple issues will overlap with one another, therefore staff will always be vigilant and always raise any concerns with the DSL (or DDSL).

Preschool staff are also well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

For more information with regards to Early Help see:

- [GloSFamilies Directory](#)
- Information is also available by contacting the Family Information Service on 01452 427362.

Multi-Agency Safeguarding Hub (MASH) & Community Social Work Team

- [Multi-Agency Safeguarding Hub \(MASH\) & Community Social Work Team - Gloucestershire Safeguarding Children Partnership](#)
- Phone: 01452 426565 and select option 3.

Well-being re COVID-19

As more children return to early years providers, settings should consider the mental health, pastoral or wider wellbeing support children may need, including with bereavement, and how to support them to transition into the setting after a long period of absence. North Nibley Preschool's refers to Public Health England Guidance "[Guidance for parents and carers on supporting children and young people's mental health and wellbeing during the coronavirus \(COVID-19\)](#)". (updated 21 April 2020) – specifically the section entitled "Helping children and young people cope with stress".

Legal framework

- General Data Protection Regulation 2018
- Data Protection Act 2018

¹⁷ The Domestic Abuse Act 2021 recognises the impact of domestic abuse on children, as victims in their own right, if they see, hear or experience the effects of abuse.

- Human Rights Act 1998

Further guidance

- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (July 2018)
- What to do if you're worried as child is being abused, Advice for Practitioners (HM Government 2016)
- Working Together: Gloucestershire's Multi-Agency Arrangements to Safeguard Children (GSCP April 2019)
- Home Office Statutory Guidance: "Revised Prevent duty guidance: for England and Wales" latest version

Associated policies or procedures

- No 5 : Non-collection of children
- No 6 : Complaints procedure
- No 7 : Confidentiality
- No 11 : Health & Safety Policy
- No 18 : Employment and staffing
- No 21 : Information Communication and Technology
- No 22 : Whistleblowing
- No 29 : Safer recruitment
- No 31 : Code of conduct
- No 37 : E-safety

Supporting documentation – see separate Appendices to policy:

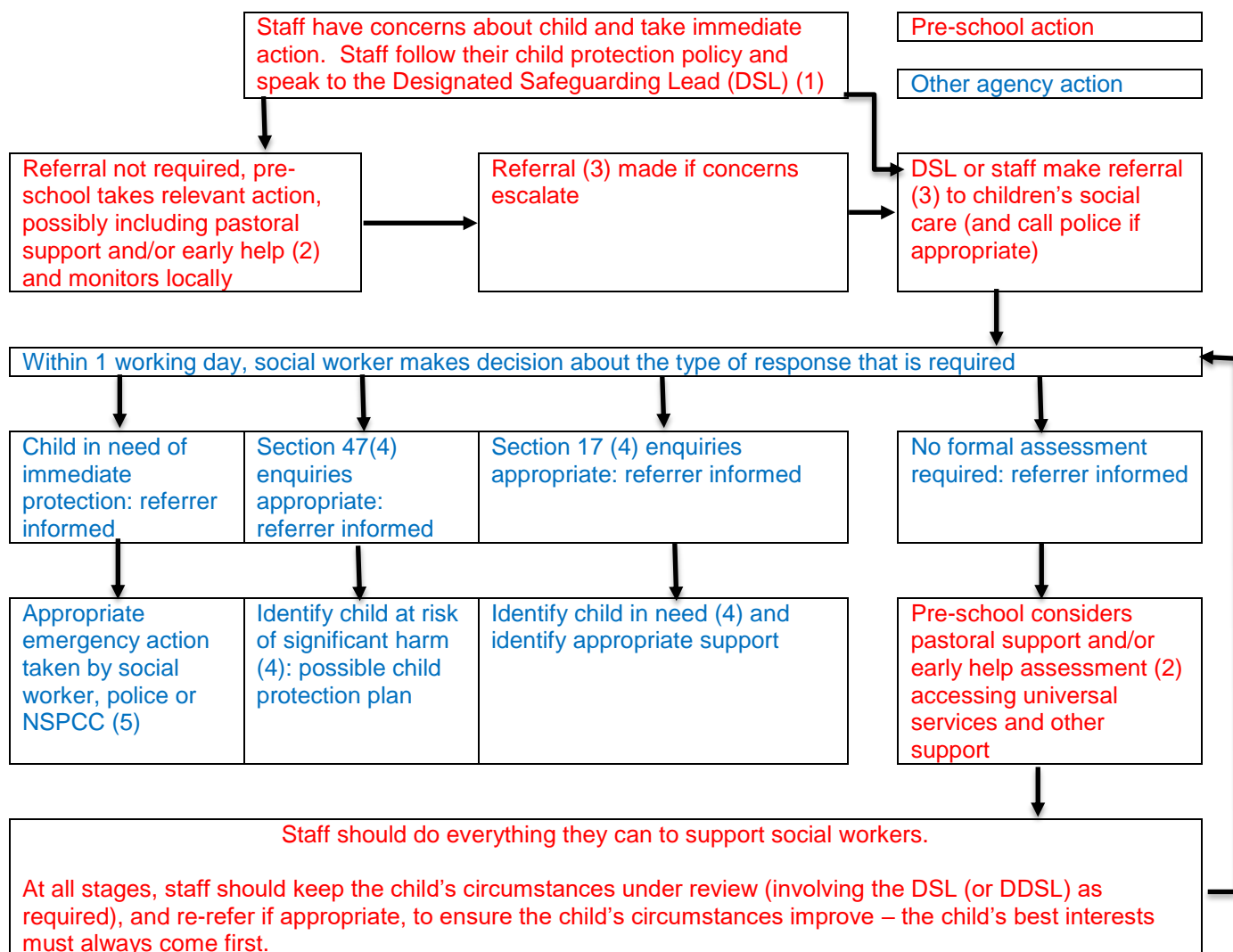
Appendix 1:

GSCP's "Child Protection Process (December 2015)" including GSCP's "Allegations Management Procedure (November 2013)"

Appendix 2:

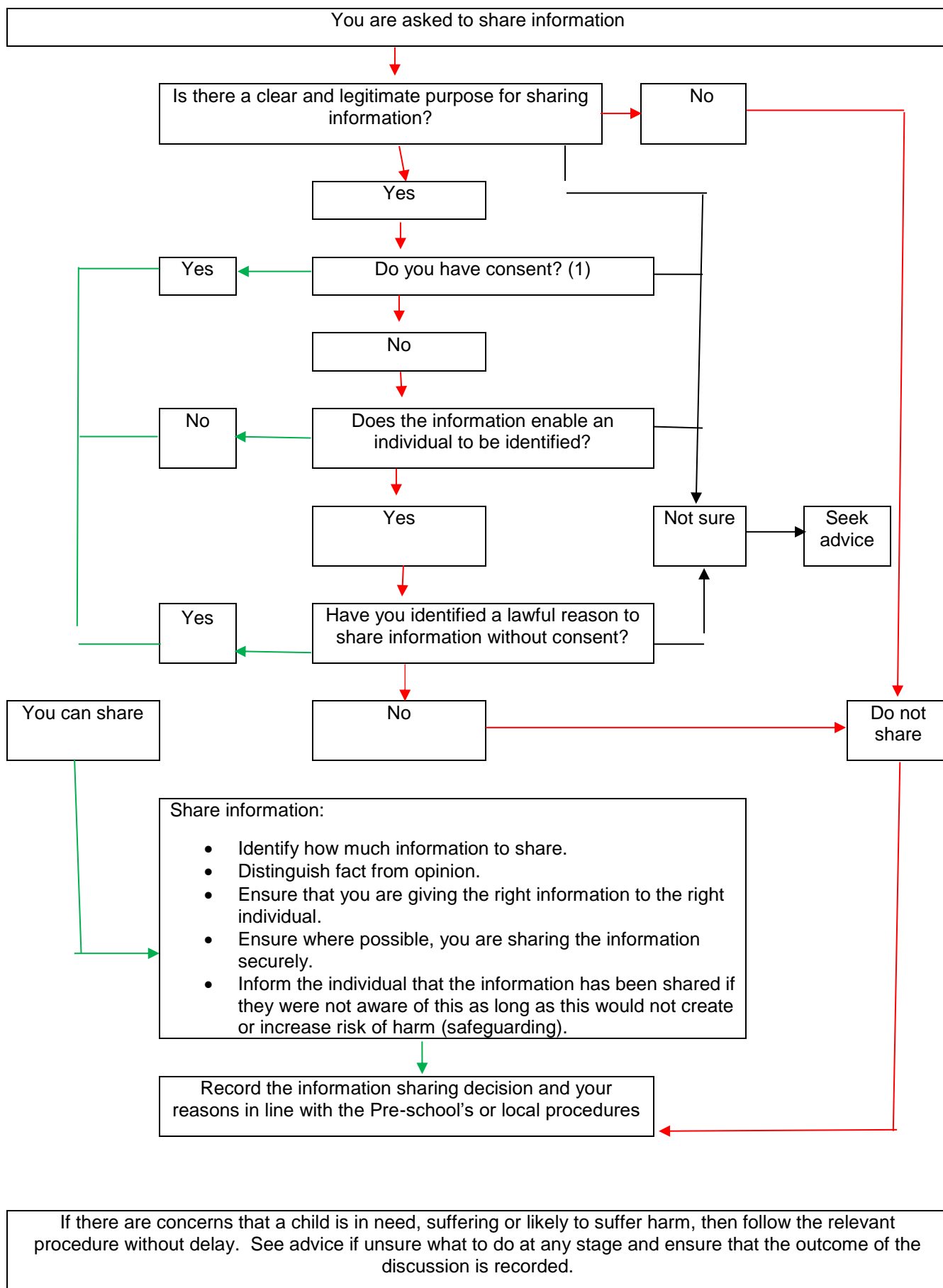
GSCP Escalation of professional concerns guidance (June 2018)

Actions where there are concerns about a child



- (1) In cases which also involve a concern or an allegation of abuse against a staff member. See Part Four of KCSiE.
- (2) Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter One of Working Together to Safeguard Children provides detailed guidance on the early help process.
- (3) Referrals should follow the process set out in the local threshold document and local protocol for assessment. Chapter One of Working Together to Safeguarding Children.
- (4) Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989. Under Section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child is suffering or likely to suffer significant harm, it has a duty to make enquiries to decide whether to take action to safeguard or promote the child's welfare. Full details in Chapter One of Working Together to Safeguard Children.
- (5) This could include applying for an Emergency Protection Order (EPO)

Flowchart of when and how to share information



(1) Consent must be unambiguous, freely given and may be withdrawn at any time.