

## **Safeguarding Children**

### **1.2 Safeguarding Children and Child Protection**

#### **Policy statement for St Joseph's Pre-school**

The purpose of St Joseph's Pre-school's safeguarding and child protection policy is to provide a secure framework for the workforce in safeguarding and promoting the welfare of those children/young people who attend our setting. The policy aims to ensure that:

- all our children are safe and protected from harm;
- other elements of provision and policies are in place to enable children to feel safe and adopt safe practices; and
- staff, children, committee, visitors, volunteers and parents are aware of the expected behaviours' and the settings legal responsibilities in relation to the safeguarding and promoting the welfare of all of our children.

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)<sup>1</sup>. 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, as they may be the first trusted adult to whom children report safeguarding concerns. In addition, promoting the child's welfare is included within both the setting's and staff's role.

#### **Ethos**

*'All children deserve the care and support they need to have the best start in life. Children learn and develop at a faster rate from birth to five years old than at any other time in their lives, so their experiences in early years have a major impact on their future life chances. A secure, safe and happy childhood is important in its own right. Good parenting and high-quality early learning provide the foundation children need to fulfil their potential'<sup>2</sup>*

Safeguarding in St Joseph's Pre-school is considered everyone's responsibility and our setting aims to create the safest environment within which every child has the opportunity to achieve their full potential. St Joseph's Pre-school recognises the contribution it can make in ensuring that all children registered or who use our setting feel that they will be listened to and appropriate action taken. We will do this by working in partnership with other agencies and seeking to establish effective working relationships with parents, carers and other colleagues to develop and provide activities and opportunities that will help to equip our children with the skills they need. This will include materials and learning experiences that will encourage our children to develop essential life skills and protective behaviours.

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<sup>1</sup> Section 3 – safeguarding and welfare requirements in the Statutory Framework for the Early Year Foundation Stage (latest version)

<sup>2</sup> See EYFS paragraph 1 ('Introduction')

This policy has been developed in accordance with the principles established by the Children Act 1989; and in line with the following:

- “Working Together to Safeguard Children” (latest version)
- “What to do if you are worried a Child is being Abused: advice for practitioners” 2015
- “Keeping Children Safe in Education” (KCSiE) (DfE guidance – latest version)
- Early Years Foundation Stage (EYFS) statutory framework (latest version)
- Childcare Act 2016
- “The Prevent Duty” 2016 (Counter-Terrorism and Security Act 2015)
- “Prevent Duty Guidance: England and Wales (2023)”
- “Information Sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers” (latest version)

### **Definition of safeguarding**

Safeguarding and promoting the welfare of children is defined in the DfE guidance KCSiE 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.

The Pre-school 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.

### **Responsibilities and expectations**

The management committee takes seriously its responsibility under section 11 of the Children Act and duties under “working together” to safeguard and promote the welfare of children; to work together with other agencies to ensure adequate arrangements exist within our setting to identify, and support those children who are suffering harm or are likely to suffer significant harm. We recognise that all staff and management have a full and active part to play in protecting our children from harm, and that the child’s welfare is our paramount concern.

The Committee should also ensure the following:

- that the safeguarding and child protection policy is made available to parents and carers;
- that all staff and volunteers are properly checked to make sure they are safe to work with the children who attend our setting;
- that the setting has procedures for handling allegations of abuse made against members of staff (including the Lead Practitioner) or volunteers;
- the safe and appropriate use of cameras, mobile devices (e.g. smart watches) phones, technology and on-line equipment within the setting<sup>3</sup>;
- the Counter Terrorism and Security Act 2015 which places a duty on early years and childcare providers “to have due regard to the need to prevent people from being drawn into terrorism” (The Prevent Duty) is implemented and procedures and ensuring the Fundamental British Values are implemented.

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<sup>3</sup> Policy 1.11 Use of mobile phones, digital photography and recording devices

- a Designated Safeguarding Lead (DSL) is appointed who has lead responsibility for dealing with all safeguarding issues in our setting.
  - The **Designated Safeguarding Lead (DSL)** is **Natalie Finn-Powers**. If they are not available then contact
  - The **Deputy Designated Safeguarding Leads (DDSL)** are **Kayleigh Niven** and **Marie Knight**.
- Identify the Named Member of the Committee for Safeguarding
  - **Safeguarding Committee Named Lead is the Chair person.**
- Our procedures will be annually reviewed and up-dated.
- Ensure that either the DSL or the DDSL is always available, ie. at the setting, to discuss safeguarding concerns. However, if neither is available, then this should not delay appropriate action being taken. Staff should consider speaking to a member of the Management Committee. 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 DSL<sup>4</sup>.

The responsibilities of the DSL are: -

- to ensure that the Pre-school'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 the setting are effectively responded to, recorded and referred to the appropriate agency. Child Protection records will be kept until the child is aged 21 years;
- 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 two years for all;
- 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.

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.

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<sup>4</sup> Annex B: DfE Guidance KCSiE

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’s Board, Gloucestershire Early Years service – Social Care, or the Police.** For more information with regards to contacting the police see “When to call the police: guidance for schools and colleges<sup>5</sup>. 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 St Joseph’s Pre-school’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.

Staff working with children at St Joseph’s Pre-school are advised to maintain an attitude of **it could happen here** where safeguarding is concerned. When concerned about the welfare of a child, staff should always act in the **best interests** of the child.

Knowing what to look for is vital to the early identification of abuse and neglect. If staff are unsure, they should always speak to the DSL or DDSL.

**Recognising concerns, signs and indicators of abuse**

Safeguarding is not just about protecting children from deliberate harm. For St Joseph’s Pre-school this includes such things as child safety, bullying, racist abuse and harassment, visits, intimate care and internet safety etc. However, it must be acknowledged that technology itself will not present the greatest risk, but the behaviours of individuals using such equipment will. The witnessing of abuse<sup>6</sup> can have a damaging effect on those who are party to it, as well as the child/adult subjected to the actual abuse, and in itself will have a significant impact on the health and emotional well-being of the child.

The table below outlines the four main categories of abuse as defined by the HM Government’s ‘Working Together to Safeguard Children’ document (latest version). Staff should be aware that the possible indicators are not definitive and that some children may present these behaviours for reasons other than abuse. However, it is important to know the indicators of abuse and to be alert to the **need to consult further**.

<b>Type of Abuse</b>	<b>Possible Indicators</b>
<p><b>Neglect</b> The persistent failure to meet a child’s basic physical and psychological needs, likely to result in the serious impairments 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 food, clothing and shelter;</p>	<p>Obvious signs of lack of care including: Problems with personal hygiene; Constant hunger; Inadequate clothing; Emaciation; Lateness or non-attendance at the setting; Poor relationship with peers; Untreated medical problems; Compulsive stealing and scavenging;</p>

<sup>5</sup> Visit [www.npcc.police.uk](http://www.npcc.police.uk)

<sup>6</sup> For example, seeing, hearing or experiencing its effects.

<b>Type of Abuse</b>	<b>Possible Indicators</b>
<p>protect a child from physical and emotional harm or danger;  ensure adequate supervision;  ensure access to appropriate medical care or treatment.</p>	<p>Rocking, hair twisting, thumb sucking;  Running away;  Low self-esteem.</p>
<p><b>Physical Abuse</b>  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</p>	<p>Physical signs that do not tally with the given account of occurrence conflicting or unrealistic explanations of cause repeated injuries delay in reporting or seeking medical advice.</p>
<p><b>Sexual Abuse</b>  Forcing or enticing a child 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, penetrative or non-penetrative acts and also includes involving children in watching pornographic material or watching sexual acts.</p>	<p>Sudden changes in behaviour;  Displays of affection which are sexual and age inappropriate;  Tendency to cling or need constant reassurance;  Tendency to cry easily;  Regression to younger behaviour – e.g. thumb sucking, acting like a baby;  Unexplained gifts or money;  Depression and withdrawal;  Wetting/soiling day or night;  Fear of undressing for PE.</p>
<p><b>Emotional Abuse</b>  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 children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.</p>	<p>Rejection;  Isolation;  Child being blamed for actions of adults;  Child being used as carer for younger siblings;  Affection and basic emotional care;  Giving/warmth, persistently absent or withheld.</p>

### **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 St Joseph's Pre-school's safeguarding and child protection policy and speaking to the designated safeguarding lead or a deputy.

## **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 St Joseph's Pre-school will ensure that we have in place appropriate measures such as security filtering, and an acceptable use policy linked to our E-Safety policy<sup>7</sup>. 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 sites<sup>8</sup>. 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.

St Joseph's Pre-school will be checking apps, websites and search results before using them with children or referring parents to them via email or Facebook<sup>9</sup>. We will be supervising children when they are accessing the internet including Zoom with peers who remain at home via password protected usage. Practitioners have undertaken an NDNA E-safety course to ensure their knowledge is vast and up to date.

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<sup>7</sup> Policy 1.12 E-Safety

<sup>8</sup> Policy 1.12.3 Social Media

<sup>9</sup> "Closed" page, ie. members group – invitation only

During COVID-19 (2020-22), the government have referred practitioners to the UK Council for Internet Safety Guidance: "[Safeguarding children and protecting professionals in early years settings: online safety guidance for practitioners](#)" (4 Feb 2019) Click this link to access guidance.

### **Under-age Marriage**

In England, a young person cannot legally marry until they are 16 years old (without the consent of their parents or carers) nor have sexual relationships.

### **Female Genital Mutilation (FGM)**

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures. FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003.

Other than in the excepted circumstances, it is an offence for **any person (regardless of their nationality or residence status)** to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a **UK national or permanent UK resident** (section 3 of the Act).

All practitioner staff have undertaken training with regards to FGM and this is updated when advised. If FGM is suspected, then staff will speak to the setting's DSL (or DDSL) in this respect.

### **Child on Child 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 St Joseph's Pre-school. 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.

**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.

### **Safeguarding Disabled Children including those who are deaf**

Disabled children have exactly the same human rights to be safe from abuse, neglect and exploitation, to be protected from harm 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 may have additional needs relating to physical, sensory, cognitive and/ or communication impairment (*Safeguarding Disabled Children, DCSF, July 2009*). St Joseph’s Pre-school 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 abuse of a child. In certain circumstances we consider providing extra pastoral support and attention for these children, eg. 1:1 support, along with ensuring any appropriate support for communication is in place<sup>10</sup>.

### **Unexplainable and/or persistent absences from education**

There are many reasons why we want young children to have regular attendance at St Joseph’s Pre-school. 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 St Joseph’s Pre-school, we have procedures for recording and following up any unexplained non-attendance<sup>11</sup> and know how to respond to different problems and where to access advice, support or whom to alert if concerns arise.

### **Prevent Duty**

The Counter Terrorism & Security Act 2015 (The Act)

The Act places a Prevent Duty on settings to have “due regard to the need to prevent people from being drawn into terrorism”.

Settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of Gloucestershire Safeguarding Children Partnership (GSCP).
- Make sure that staff have training that gives them 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
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in the setting

### **What to do if you are concerned**

If a child makes a disclosure or allegation of abuse against an adult or other child or young person, it is important that you:

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<sup>10</sup> For further information refer to [www.learning.nspcc.org.uk](http://www.learning.nspcc.org.uk) “Safeguarding children with special educational needs and disabilities (SEND)” updated May 2022 and “Safeguarding child protection/deaf and disabled children and young people” (update June 2024)

<sup>11</sup> Policy 1.6.1 Child non-attendance

- stay calm and listen carefully;
- reassure them that they have done the right thing in telling you;
- do not investigate or ask leading questions;
- let them know that you will need to tell someone else;
- do not promise to keep what they have told you a secret;
- inform your DSL/DDSL as soon as possible; and
- make a written record of the allegation, disclosure or incident which you must sign, date and record your position using the setting's safeguarding record log forms. These logs are a written record of all concerns, discussions and decisions made, and the reasons for those decisions.

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.

If you are concerned that a member of staff or adult in a position of trust poses a danger to a child or young person or that they might be abusing a child or young person you should report your concerns to the DSL/DDSL. Where those concerns relate to the DSL, however, this should be reported to the Chair of the Committee using St Joseph's Pre-school's Whistle blowing policy<sup>12</sup>. See also the flowchart outlining 'Actions where there are concerns about a child' courtesy of KCSiE.

### **St Joseph's Pre-school's Gloucestershire Encompass Commitment**

Operation Encompass is a national police and education early intervention safeguarding partnership which supports children who experience Domestic Abuse.

Children are now recognised as victims of domestic abuse in their own right within the Domestic Abuse Act 2021. A child is regarded as a victim of domestic abuse in the following circumstances:

- where a child sees or hears the abuse;
- experiences the effects of domestic abuse;
- is related to the person being abused or the perpetrator.

Operation Encompass helps police and schools/pre-schools work together to provide emotional and practical help to children (KCSiE). As part of the Pre-school's commitment to keeping children safe, we have signed up to implement the principles and aims of the **Gloucestershire Encompass Model**.

In signing up to the Gloucestershire Encompass, the Committee and Lead Practitioner:

- endorse the Gloucestershire Encompass Model and support the Key Adults in our pre-school to fulfil the requirements of the Gloucestershire Encompass Protocol;

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<sup>12</sup> Policy 1.10.1 Whistleblowing

- promote and implement Gloucestershire Encompass processes and use these in accordance with internal safeguarding children processes; and
- recognise the sensitive nature of the information provided to ensure that this is retained in accordance with the principles of data protection.

See Appendix 3 with regards to what happens to an “Operation Encompass List” and Appendix 4 for the flowchart of what the Pre-school is expected to do should they receive notification from MASH.

All staff have undertaken relevant training with regards to Operation Encompass<sup>13</sup>.

### **Whistleblowing**

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so. All staff should be aware of their duty to raise concerns about the attitude or actions of colleagues and appropriate advice will be sought from GSCP where necessary.

### **Managing Allegations**

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 St Joseph’s Pre-school. 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 of 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 Lead Practitioner 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.

Allegations are made for a variety of reasons:

- abuse has actually taken place;
- something has happened to the child that reminds them of a past event – the child is unable to recognise that the situation and people are different; children can misinterpret your language or your actions;
- some children recognise that allegations can be powerful and if they are angry with you about something they can make an allegation as a way of hitting out;
- an allegation can be a way of seeking attention; and
- an individual has behaved or may have behaved in a way that indicates they may not be suitable to work with children<sup>14</sup>.

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<sup>13</sup> Operation Encompass – Key Adult Briefing

<sup>14</sup> DfE Guidance KSCiE

If an allegation is made against an adult in a position of trust whether they be members of staff or volunteers this should be brought to the immediate attention of the DSL who will advise the Chair of the Committee. In the case of the allegation being made against the DSL this will be brought to the immediate attention of the Chair of the Committee. The DSL/Chair of the Committee will need to discuss with the Local Authority Designated Lead (LADO)<sup>15</sup> the nature of the allegations made against the adult, in order for the appropriate action to be taken. This may constitute an initial evaluation meeting or strategy discussion depending on the allegation being made. The Chair of the Committee will need to:

- refer to the LADO immediately via the referral/consultation form within one working day of it coming to our attention. Consider safeguarding arrangements of the child or young person to ensure they are away from the alleged abuser;
- contact the parents or carers of the child/young person if advised to do so by the LADO;
- consider the rights of the staff member for a fair and equal process of investigation, particularly if the allegations are deemed 'unfounded';
- advise Ofsted of allegation within 14 days of the allegation;
- 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;
- act on any decision made in any strategy meeting; and
- advise the Disclosure and Barring Service (DBS) where a member of staff has been disciplined, removed from working in regulated activity with children or dismissed as a result of the allegations being founded<sup>16</sup>.

A copy of "**What to do if you're worried a child is being abused, Advice for Practitioners**" booklet is kept in the safeguarding documents file. This sets out the guidelines on dealing with incidents, disclosures and the procedures that must be followed.

If there is concern about the work/attitude/behavior of another professional working for another agency with regards to safeguarding, the St Joseph's Pre-school will follow the guidance given by GSCP in their 'Escalation of professional Concerns guidance' (see Appendix 2).

To report a concern about a professional working with Children (Allegation Management), please contact either Nigel Hatten (LADO) 01452 426994 or Tracey Brooks/ Jenny Kadodia (Allegation Management Co-ordinators) 01452 426320.

#### *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 what disciplinary action is

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<sup>15</sup> A referral/consultation form will be completed within one working day of the allocation coming to our attention and send to [LADO@gloucestershire.gov.uk](mailto:LADO@gloucestershire.gov.uk)

<sup>16</sup> Legal duty to advise DBS. Failure is a criminal offence under section 38 Safeguarding Vulnerable Groups Act 2006

appropriate against the individual who made it as per the setting's Code of Conduct<sup>17</sup> and Disciplinary procedure<sup>18</sup>.

### **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 the 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 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 St Joseph's Pre-school 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.

### **Agency Staff**

St Joseph's Pre-school will obtain written notification from the agency that we use to confirm that the agency has carried out the DBS checks on an individual who will be working at the setting. This will be recorded in the setting's Single Central Record (SCR).

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<sup>17</sup> Policy 2.2.1 Code of Conduct

<sup>18</sup> Policy 2.1.1. Disciplinary Procedure

Where the position requires a barred list check this must be obtained by the agency prior to appointing the individual. The Pre-school will ensure that they check that the person presenting themselves for work is the same on whom the checks have been made.

Whilst St Joseph's Pre-school 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. They will also inform the Agency Staff's employer, so that any potential patterns of inappropriate behaviour can be identified.

The Named safeguarding Committee member 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 Pre-school will inform the agency of its process for managing allegations – supplying them with a copy of this policy.

### **Confidentiality**

We recognise that all matters relating to child protection are confidential.

- All staff, committee members and volunteers receive a copy of St Joseph's Pre-school's confidentiality policy 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.
- The DSL will disclose personal information about a child or young person to other members of staff on a need to know basis only.
- However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or well-being or that of another.
- We will always undertake to share our intention to refer a child to GSCP with their parents/carers consent unless to do so could put the child at greater risk of harm, or impede a criminal investigation. If in doubt, we will consult with the GSCP.
- We will make no names consultations with the GSCP to discuss concerns we may have, but we understand that if they then ask for a name we will disclose those details and it will become an enquiry.

### *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. Fears about sharing information **must not** be allowed to stand in the way of the need to promote welfare and protect the safety of children. Staff are aware that they have access to personal data about children and their families which is categorised as "special" and adhere to requirements set out in this policy and Policy 1.4 Confidentiality

Where a child leave the Pre-school, the DSL should ensure 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.

## **Safer Recruitment and Selection**

It is a requirement for all agencies to ensure that all staff, including volunteers, recruited to work with children and young people are properly selected and checked. At St Joseph's Pre-school we ensure that we refer Policy 2.1.5 Safer Recruitment in this respect.

## **Disqualification by association**

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. At St Joseph's Pre-school we will ensure that we will refer to Policy 2.1 Employment and Staffing in this respect.

## **Training**

The DSL and DDSL receive specific safeguarding training every 2 years. The remaining staff members and volunteers will also have access to safeguarding training at least every two years in line with GSCP as well as regular safeguarding updates from our DSL. We will also, as part of our induction, issue information in relation to this Safeguarding policy and any policy related to safeguarding and promoting our children/young people's welfare to all newly appointed staff and volunteers. We may also consider whether any staff need to undertake annual refresher training during any 2 year period to help maintain basic skills and keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting.

Our DSL will undertake regular updates on safeguarding (at least annually) and further safeguarding training including Group 3 GSCP multi-agency Safeguarding course or Group 3 Refresher Courses. The training will be undertaken at least every two years which updates their awareness and understanding of the impact of the wide agenda of safeguarding issues. This will support both the DSL to be able to better undertake their role and support the setting in ensuring our safeguarding arrangements are robust and achieving better outcomes for the children in our setting. This includes taking part in multi-agency training in addition to safeguarding training.

Our Committee will have access to safeguarding training and our Named member of the Committee for Safeguarding 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 our Safeguarding policy is reviewed annually, in order to keep it updated in line with local and national guidance/legislation.

We include our Safeguarding Policy in St Joseph's Pre-school's enrolment pack, and a copy of this policy is on the parents' notice board and on the Pre-school's website<sup>19</sup>. 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.

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<sup>19</sup> [www.st-josephs-preschool-nympsfield.co.uk](http://www.st-josephs-preschool-nympsfield.co.uk)

## Wellbeing

St Joseph's Pre-school has a duty under Section 40 of the Childcare Act 2006 to comply with the welfare requirements of the EYFS. Pre-school staff are alert to any issues of concern in the child's life, being 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.

The Pre-school has considered 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. St Joseph's Pre-school's DDSL has undertaken "The world is still a safe place – supporting children's wellbeing during the pandemic" through PATA online training.

St Joseph's Pre-school also have a specific policy in relation to Staff Wellbeing<sup>20</sup>.

### *Consent for sharing information*

When parents do not provide consent for health information to be shared with the pre-school, it can create challenges. Naturally we will make reasonable adjustments to accommodate the child's health needs without full information. We can have a named person in pre-school responsible for the child's health needs who can facilitate communication between home, pre-school and health professional. However, without parents/carers consent for information to be shared with the pre-school it may mean that we are not fully able to meet the needs of the child and could result in us contacting partner agencies for advice and support.

### **Mobile Devices (ie. Smart watches and tablets), Phones and Cameras**

St Joseph's Pre-school has policies and procedures in place with regards to the use of mobile devices, phones and cameras in the setting and on visits etc.<sup>21</sup>

### **Useful Contacts:**

- Gloucestershire Safeguarding Children Partnership [www.GSCP.org.uk](http://www.GSCP.org.uk)
- Gloucestershire Early Years and Childcare Service [www.gloucestershire.gov.uk/early-years-service](http://www.gloucestershire.gov.uk/early-years-service)
- Children's social care team (Glos): 01452 426565
- Child Exploitation and Online Protection Command [www.ceop.police.uk/safety-centre/](http://www.ceop.police.uk/safety-centre/)
- NSPCC <https://www.nspcc.org.uk/preventing-abuse/safeguarding/> or helpline: 0800 800 5000 (8am to 8pm Monday to Friday), email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- [Thinkuknow](#) from NCA-CEOP which provides support for the children's workforce, parents and carers on staying safe online.

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<sup>20</sup> See 2.6 Staff Wellbeing

<sup>21</sup> Policy 1.11 Use of mobile phones, digital photography and recording device

## Early Help<sup>22</sup>

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 (latest version)).

Some early help is provided through "universal services", such as education and health services. They are universal services because they are available to all families, regardless of their needs. Other early help services are coordinated by a local authority and/or their partners to address specific concerns within a family and can be described as targeted early help.

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:

- 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 bereaved;
- is showing signs of being drawn into anti-social or criminal behavior, 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 radicalized 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 abuse<sup>23</sup>;
- 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.

All staff should be aware of indicators of abuse, neglect and exploitation 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).

For more information with regards to Early Help see:

- "Working together to safeguard children" (latest version) – for further guidance on effective assessment of the need for early help.

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<sup>22</sup> Early help is a system of support which aims to support children and families as soon as problems emerge. Some early help support is described as 'targeted early help' and is provided to children and families who are identified by practitioners to have multiple or complex needs requiring a specialist and/or multi-agency response but where statutory intervention is not needed.

<sup>23</sup> 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, and are related to either the victim or perpetrator of the abuse, or either the victim or perpetrator of the abuse has parental responsibility for that child.

[www.gloucestershire.gov.uk/health-and-social-care/children-young-people-and-families/early-help-for-children-young-people-and-families](http://www.gloucestershire.gov.uk/health-and-social-care/children-young-people-and-families/early-help-for-children-young-people-and-families)

Gloucestershire Social Services – Children and Families helpdesk

- [www.gloucestershire.gov.uk/children](http://www.gloucestershire.gov.uk/children)
- Phone: 01452 426565
- Email: [childrenshelpdesk@gloucestershire.gov.uk](mailto:childrenshelpdesk@gloucestershire.gov.uk)

**Police Central Referral Unit:** 0845 605 116

### **Gloucestershire Safeguarding Children Board**

- Local Authority Designated Lead (LADO): Nigel Hatton, 01452 426994
- Children’s practitioners advice line – to speak to a qualified social worker: 01452 426565 (option 3)
- When a child is at significant risk contact Front Door on 01452 426565 (option 1)

### **Legal framework**

- General Data Protection Regulation 2018
- Data Protection Act 2018
- Human Rights Act 1998
- Domestic Abuse Act 2021

### **Further guidance**

- Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (latest version)
- What to do if you’re worried as child is being abused, Advice for Practitioners (DfE March 2015)
- DfE Statutory Guidance: “Disqualification under the Childcare Act 2006” (updated 31 August 2018)

### **Associated policies and procedures**

- 1.4 Confidentiality
- 1.5 Information Sharing
- 1.6 Uncollected child
- 1.10 Making a complaint
  - 1.10.1 Whistleblowing
  - 1.11.1 Acceptable use of Technology
  - 1.12.1 E-safety
- 2.1 Employment and Staffing
  - 2.1.5 Safer Recruitment
  - 2.2.1 Code of Conduct
- 2.6 Staff Wellbeing
- 3.2 Health & Safety General Standards

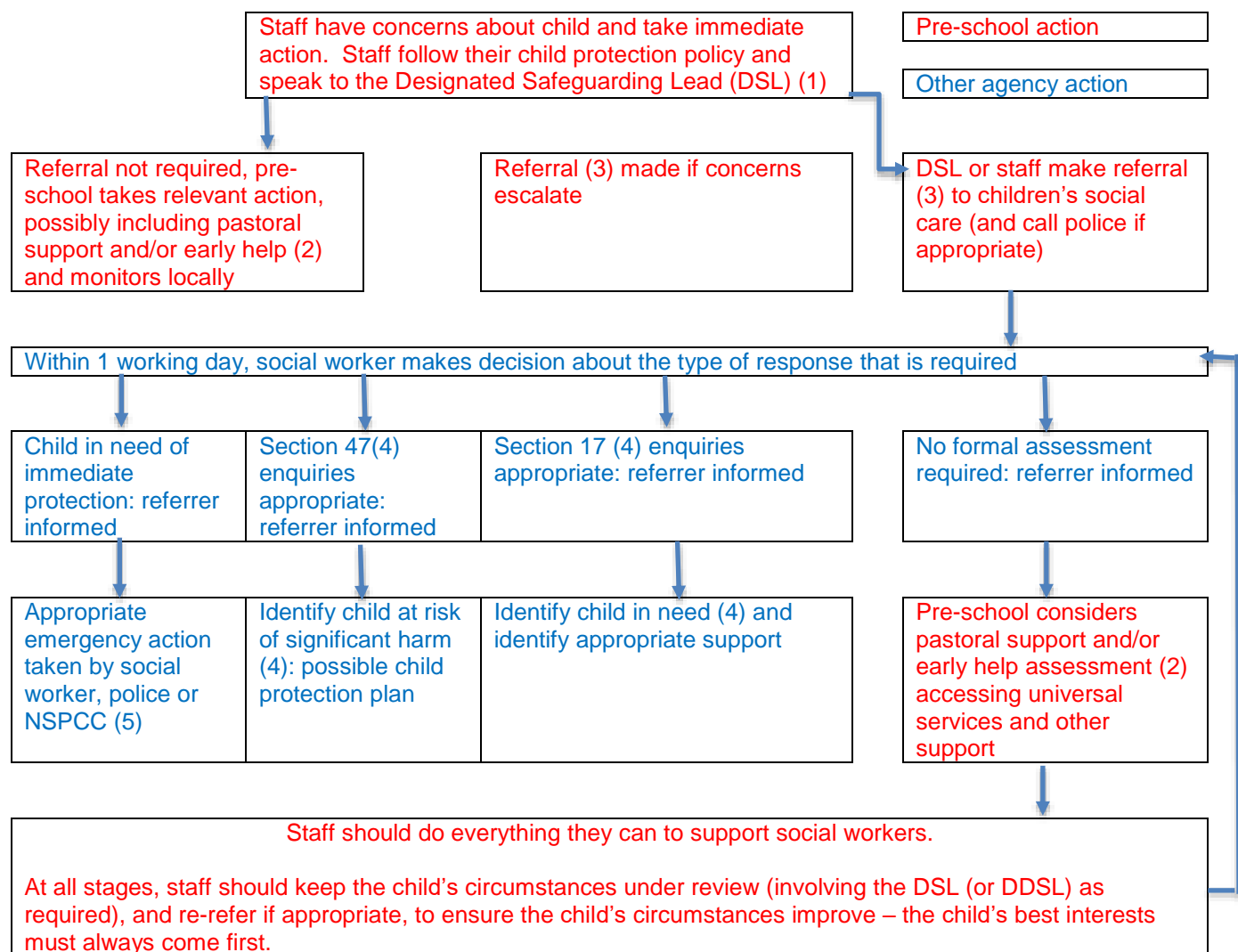
5.4 Data Protection

Version Number	Author	Purpose of change	Date
1.0	E Kemp	Reviewed	Mar 2018
2.0	K Coupe	Comprehensively reviewed and updated in line with GDPR & DPA 2018, compliance with guidance and legislation and inclusion of version control	7 Nov 2018 Committee meeting
3.0	K Coupe	Comprehensively reviewed and updated in line with Keeping Children Safe in Education 2018 and Ofsted guidance: Inspecting Safeguarding in early years, education and skills settings (Oct 2018)	27 Feb 2019 Committee meeting
4.0	C.Ajayi N Powers	Updated to take account of: Covid-19 pandemic; changes to the DfE Guidance “Keeping Children Safe in Education” (Sept 2020); wording re. agency staff amended and wording included with regards to “children who need a social worker”.	06 Aug 2020 Committee meeting
5.0	K Coupe, N Powers & A Shipton	Updated as follows: <ul style="list-style-type: none"> <li>• Inclusion of a statement with regards to the Pre-school’s “Gloucestershire Encompass” commitment;</li> <li>• re-jig order so “Gloucestershire Encompass” comes before “Whistleblowing”;</li> <li>• Keeping Children Safe in Education 2020 (updated January 2021 post EU exit), Working towards Safeguarding Children 2018 (updated 9 December 2020);</li> <li>• In relation to one to one situations and staff being vulnerable to allegations or complaints; and</li> <li>• Reference to the new Safer Recruitment Policy replacing Safer Recruitment section in this policy</li> </ul>	29 April 2021 Committee via email (quorate)
6.0	K Coupe	updated as follows: <ul style="list-style-type: none"> <li>• Any mention of LSCB or GSCB amended to Local Safeguarding Partners (LSP) or Gloucestershire Safeguarding Children Partnership (GSCP).</li> <li>• Inclusion of sentence about all associated with the Pre-school’s “duty of care”.</li> </ul>	08 July 2021 Chair (A Hitchings)
7.0	K Coupe H Elliott	Updated in light of revised Keeping Children Safe in Education (Sept 2021)	13 Oct 2021 Chair (A Hitchings)
8.0	K Coupe	Updated reference to Facebook – use of closed page. As per advice from Early Years Gloucestershire	01 Dec 2022 Committee Member (A Shipton)
9.0	K Coupe	Update in light of revised Keeping Children Safe in Education (Sept 2022)	19 July 2022 Committee Member (G Ind)

<b>Version Number</b>	<b>Author</b>	<b>Purpose of change</b>	<b>Date</b>
10.0	K Coupe	Inclusion of section entitled “Disqualification by association” with reference to 2.1 Employment & Staffing	05 Nov 2022 Committee Member (L Finn)
11.0	K Coupe	More information with regards to the Gloucestershire Local Authority Designated Officer (LADO) together with a hyperlink to the Gloucestershire Safeguarding Children Partnership website	23 Jan 2023 Committee Member (L Finn)
12.0	K Coupe & N Finn-Powers	Reviewed and updated as follows: <ul style="list-style-type: none"> <li>• updated DDSL’s name due to marriage;</li> <li>• deleted section which quoted text from a Government document which has now been withdrawn</li> <li>• checked links and references to guidance to ensure correct. Removed any obsolete references.</li> </ul>	06 Nov 2023 Committee Member (S Webb)
13.0	K Coupe	Updated in line as follows: <ul style="list-style-type: none"> <li>• with regards to changes to statutory guidance set out in “Working together to Safeguard Children” updated 2023;</li> <li>• References to paragraphs in the Early Years Foundation Stage updated;</li> <li>• wording quoted from paragraph 1 ‘Introduction’ under the section entitled “Ethos” updated; and</li> <li>• Designated Safeguarding Lead and Deputy Designated Safeguarding Lead names updated</li> </ul>	22 Feb 2024 Committee Member (S Long)
14.0	K Coupe & N Finn-Powers	Wording included with regards to “Consent for sharing information” – as advised by the DSL Hub	26 June 2024 Committee Member (L Finn-Powers)
15.0	K Coupe	Updated to reflect changes Keeping Children Safe in Education 2024	23 July 2024 Committee Member (L Finn-Powers)
16.0	K Coupe	Amended to reflect safeguarding training will be every 2 years – as per EYFS 2025.	27 Jan 2025 Committee Member (H Heaven)
17.0	K Coupe	Update information on Operation Encompass following training (“Operation Encompass – Key Adult Briefing); and As per EYFS Sept 25, inclusion under “Training” that sometimes staff will be required to undertake an annual refresher training during any 2 year period	18 June 2025 Committee Member (L Finn-Powers)
18.0	K Coupe	Updated to reflect that there are now two DDSLs at the setting	29 Jan 2026 Committee Member (L Finn-Powers)

<b>Version Number</b>	<b>Author</b>	<b>Purpose of change</b>	<b>Date</b>
19.0	K Coupe	Reference to "first trusted adult" in line with "Working together to safeguard children"	20 April 2026 Committee Member (S Long)

## 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 is support for children of all ages that improves a family's resilience and outcomes or reduces the chance of a problem getting worse. 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)