

# Safeguarding and Welfare Requirements Policy

## **Statement of intent**

St. Gabriel's Pre-School we believe that every child is entitled to a safe and happy environment. All adults associated with St. Gabriel's Pre-School are committed to this statement. Anyone using St. Gabriel's will also accept these principles and should anyone have any concerns the advice of professional agencies will be sought.

## **Aims**

Our aims are to:

- create an environment in our pre-school 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.

## **Key Documents Referred to and Underpinning this Policy are:**

- The Rehabilitation of Offenders Act
- The Children Act 1989 and 2004
- Human Rights Act 1998
- Data Protection Act 1984
- The Protection of Children Act 1999
- The Children (NI) Order
- The Children (Scotland) Order
- The Children and Families Act 2014
- Safeguarding Vulnerable Act 2006
- The Protection of Freedoms Act 2012
- 'Working Together to Safeguarding Children' 2018 (DFE)
- Keep children safe in Education (September 2021)

**The Children Act 1989** introduced the concept of "**Significant Harm**" as the threshold that justifies compulsory intervention in family life in the best interests of children. The Local Authority is under a duty to make enquiries (or cause for enquiries to be made) where it has reasonable cause to suspect a child is suffering or likely to suffer significant harm, (section 47).

Safeguarding and promoting the welfare of children is defined for the purpose of statutory guidance under the Children Act 1989 and 2006 respectively as:

- Protecting children from maltreatment.
- Preventing impairment of children's health or development.
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- Undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

## **What is Abuse?**

Abuse refers to ill-treatment or to any other likely human action that damages a child's prospects of safe and healthy development into adulthood.

It is often categorised in terms of:

**Physical abuse** – is any physical injury, hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, cuts, bruises, or fractures that have not been accidentally caused and includes where parent/carer fabricates symptoms of, or deliberately induces illness in a child. ("Working Together to Safeguard Children" 2018)

**Emotional abuse** – is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capacity, as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. This may also include witnessing domestic violence. Emotional harmed children may appear to be attention seeking, anti social, aggressive, socially isolated and have low esteem. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone. ("Working Together to Safeguard Children" 2018)

**Sexual abuse** – involves forcing or enticing a child to take part in sexual activities. This may include physical contact of penetrative (rape, buggery, touching, or oral sex) or non-contact, involving children looking at, or in the production of, sexual online images or watching sexual activities. This may become apparent from direct statements a child makes or is suggested from inappropriate sexualised language or play. Sexual is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. ("Working Together to Safeguard Children" 2018)

**Neglect** – is a failure to meet a child's basic physical and or psychological needs or to protect them from harm. Includes failure to thrive, weight loss and slow development. We will be alert to children who have undue absences from scheduled day care sessions. As defined in ("Working Together to Safeguard Children" 2018)

## **Liaison with other bodies**

- We will work with First Response
- We follow the guidelines of "What to do if you're worried a child is being abused" and the Government's statutory guidance 'Working Together to Safeguard Children' which is available for staff and parents to see.
- We notify the registration authority (Ofsted) of any incident or accident and any changes in our arrangements which affect the well-being of children.
- We have procedures for contacting the local authority on child protection issues, to ensure that it is easy, in any emergency, for the pre-school and social services to work well together.
- The Designated Safeguarding Leads are aware of the issues surrounding FGM and forced Marriage
- Advice and signposting are available for accessing additional help, e.g. NSPCC's helpline, Childline services, Forced Marriage Unit
- If a report is to be made to the authorities, we will take guidance from the first response team and then any allocated Social Worker in deciding whether we must inform the child's parents at the same time.

## **Staffing**

- The designated lead is: **Mrs. Theresa Miller.**
- We provide adequate and appropriate staffing resources to meet the needs of children.
- All staff members and students have a copy of our 'Staff Guidelines for Handling Children during Pre-School Sessions' and Behaviour Management Policy.
- 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 checks 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.
- We abide by Ofsted requirements in respect of references and the Disclosure and Barring Services, previously (Criminal Records Bureau checks CRB) for staff, to ensure that no disqualified person or unfit person works at the pre-school or has access to the children. The information must be provided to Ofsted as soon as reasonably practicable but at latest within 14 days of the date the provider became aware of the information.
- All appointments, both paid and voluntary, will be subject to a probationary period and will not be confirmed unless the Pre-School is confident that the applicants can be safely entrusted with children. Accredited Safer Recruitment training has been undertaken by members of Voluntary Management Group.
- Newly appointed staff and volunteers will have a robust induction into child protection procedures when they join the pre-school. They will be made aware of the Staffordshire Safeguarding Children Board procedures ([www.staffsscb.org.uk](http://www.staffsscb.org.uk))
- All staff will also attend the Level 1 Safeguarding and Promoting the Welfare of Children and Young People training. Updated every three years and recorded. Designated Safeguarding Leads will attend Staffordshire Safeguarding Board Courses at Level Two at least every 2 years.
- We abide by the 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.
- All staff members personal mobile phones, cameras and video phones must be switched off during working hours and are never used for the purpose of taking photographs of the children in our care.
- We have procedures for recording the details of visitors and contractors to the pre-school. Visitors and contractors to the Pre-School are requested to show their I.D., sign in on arrival record the time and date the visitor's record and turn mobile phones/cameras off and leave in a secure box in the office. (See our Mobile Telephone Policy).
- As visitor's leave the premises they will need to sign out and record the time.
- We take security steps to ensure that we have control over who comes into the pre-school so that no unauthorised person has unsupervised access to the children.

## **Staff Responsibilities**

Staff will report on a 'Cause for Concern' from any changes they observe in a child's behaviour, physical condition, or appearance. Staff must be alert to any issues for concern in the child's life at home or elsewhere. This specific and confidential record must be created and held separate from the usual on-going records of children's progress and development.

They will record the name and age of the child, timed and dated factual observation which describes objectively the child's behaviour/appearance.

## **The Designated Safeguarding/Child Protection Lead Theresa Miller, the 2nd Designated Safeguarding/Child Protection Lead Karen Konopka**

The designated person roles and responsibilities are to ensure:

- The policy and procedures are known to staff and parents and understood
- All staff are aware of up-to-date child protection issues and have had appropriate training

- All staff understand their role in keeping a record of injuries on a child's arrival to the Pre-school and any unusual comments made from a child are recorded and reported to the designated person
- All staff keep information, verbal or written, confidential in the main office locked in a cabinet
- All staff members must disclose any convictions, cautions, court orders, reprimands and warnings which affect their suitability to work with children whether received before or during their employment at the setting.

### **Disciplinary Action**

Where a member of staff, supply staff or student is dismissed from the pre-school or internally disciplined because of misconduct relating to a child, we notify the **Designated Officer (LADO) 0800 1313 126** to discuss the allegations. The LADO advice will be followed with regard to appropriate support and reassurance offered to the member of staff involved.

The whistle blowing procedure requires that employees must acknowledge their individual responsibilities to bring matters of concern to the attention of the Managers. Reporting suspected cases of staff misconduct can be difficult.

However, individuals should feel confident about raising concerns, particularly where the welfare of children in their care may be at risk.

### **Training**

We seek out training opportunities for all adults involved in the pre-school 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 pre-school.

### **Planning - Prevent Abuse by Means of Good Practice**

The layout of the room allows for constant supervision.

- Adults will not be left alone with individual children or with small groups of children. Any adult who needs to take a child aside, for example inappropriate behaviour must do so in front of another adult.
- We introduce key elements of safeguarding children into our early years foundation stage, so that children can develop understanding of why and how to keep safe.
- Children will be encouraged to develop a sense of autonomy and independence through adult support in making choices and in finding names for their own feelings and acceptable ways to express them. This will enable children to have the self-confidence and the vocabulary to resist inappropriate approaches.
- We create within the pre-school a culture of value and respect for the individual. We ensure that this is carried out in a way that is appropriate for the ages and stages of our children.
- Parents are requested to inform the Pre-School if their child is absent. If a child is absent without a reason being given, the Manager/Deputy Manager who will telephone the parents to identify the reason for the absence. This will be recorded and kept in the telephone log of Absence Book.
- We ask parents to record any injuries children have on arrival

### **Complaints**

- We ensure that all parents know how to complain about staff or volunteer action within the pre-school, which may include an allegation of abuse.
- We follow the guidance of the first response team when investigating any complaint that a member of staff or student has abused a child.
- We follow all the disclosure and recording procedures when investigating an allegation that a member of staff or student has abused a child as if it were an allegation of abuse by any other person.

### **Responding to suspicions of abuse**

- We acknowledge that abuse of children can take different forms - physical, emotional, sexual and neglect.
- When children are suffering from physical, sexual, or emotional abuse, this may be demonstrated through changes in their behaviour, or in their play.
- Where such changes in behaviour occur, or where children's play gives cause for concern, the pre-school investigates.
- We allow investigation to be carried out with sensitivity. Staff in the pre-school takes care not to influence the outcome either through the way they speak to children or ask questions of children.
- Where a child shows signs and symptoms of 'failure to thrive' or neglect, we make appropriate referrals.

### **Disclosures - Talking to and listening to children**

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 uncritically at the child's pace,
- take what is said seriously,
- reassure the child that they are right to tell,
- the member of staff does not question the child,
- tell the child that you must pass this information on,
- make a careful record of what was said

You should NEVER:

- take photographs of injuries
- examine marks/injuries solely to assess whether they may have been caused by abuse (there may be a need to give appropriate first aid)
- investigate or probe, aiming to prove or disprove possible abuse – never ask leading questions
- make promises to children about confidentiality or keeping 'secrets'
- assume that someone else will take the necessary action
- jump to conclusions or react with shock, anger or horror
- speculate or accuse anybody
- confront another person (adult or child) allegedly involved
- offer opinions about what you have been told
- fail to pass the information on to the correct person
- ask a child to sign a written copy of the disclosure or a 'statement'.

For children with communication difficulties or who use alternative/augmented communication systems, staff may need to take extra care to ensure that signs of abuse and neglect are identified and interpreted correctly, but concerns should be reported in exactly the same manner as for other children.

### **Recording suspicions of abuse and disclosures**

Well kept records are essential in situations where it is suspected or believed that a child may be at risk from harm.

Records should:

- The child's name.
- The child's address.
- The age of the child.
- State who was present, time, date, and place
- Use the child's words wherever possible
- Be factual/state exactly what was said

- Differentiate clearly between fact, opinion, interpretation, observation and/or allegation
- Be written in ink and signed by the recorder.

These records are signed and dated and kept in a separate confidential file. If the child moves to another setting or school, these records will be suitably redacted in regard to the identification of other children or adults and sent in a timely and secure manner to the Designated Safeguarding Lead of the receiving setting or school.

All members of staff know the procedures for recording and reporting.

### **Informing Parents**

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 first response team 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.

### **Confidentiality**

Confidentiality is an issue that needs to be understood by all those working with children, particularly in the context of child protection. This is a complex area and involves consideration of a number of pieces of legislation.

You can never guarantee confidentiality to a child as some kinds of information may need to be shared with others. Professionals can only work together to safeguard children if there is an exchange of relevant information between them. This has been recognised in principle by the courts. However, any disclosure of personal information to others, including children's social care departments, must always have regard to both common and statute law.

Normally, personal information should only be disclosed to third parties (including other agencies) with the consent of the subject of that information (Data Protection Act 1998 European Convention on Human Rights, Article 8). Wherever possible, consent should be obtained before sharing personal information with third parties. In some circumstances, however, consent may not be possible or desirable, but the safety and welfare of the child dictate that the information should be shared.

The law requires the disclosure of confidential information necessary to safeguard a child or children. Under Section 47 of the Child Act 1989 statutory agencies have a duty to co-operate. Therefore, if the Police or Social Care/Services are conducting a Section 47 investigation under the 1989 Children Act, staff must share requested relevant to the investigation. Legal advice should be sought if in doubt from the County Legal Services Department.

When children transfer to a new pre-school/school at any time other than key transition points, it may be necessary to inform other partners.

### **Attendance at Child Protection Conferences**

The Designated Safeguarding Lead or their deputy will be expected to attend the initial Child Protection Conference and Reviews and provide a written report. A suggested template for this report is available on [Staffordshire Education Safeguarding Advice](#). Parents should be informed of what is in the report as there should be no surprises about the information shared at Conference.

If a child is made subject to a Child Protection Plan, it may be more relevant for the child's key person to attend the subsequent core group meetings and they will be given appropriate support around safeguarding issues by the Designated Safeguarding Lead.

### **Support to families**

- St. Gabriel's Pre-school takes every step in its power to build up trusting and supportive relations among families, staff and students in the group.
- The pre-school 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 first response team.
- 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.

### **Use of Digital/Video Images at St. Gabriel's Pre-School**

The use of digital/video images plays an important part in learning activities. Children and staff may use digital cameras to record evidence of activities in and out of pre-school. These images may then be as part of the children's development, displays and on the website. St. Gabriel's Preschool will comply with the Data Protection Act and request parents/carers permission before images are published via a third part e.g. in a newspaper or information booklet – explicit permission is required

We recognise that some parents/carers will want to record productions e.g. Christmas play or social events. In this case as long as every parent of the children involved, consents it will be allowed with the express limitation that it is used for family viewing at home and not published on any social media sites. Should a member of staff at any point ask for the filming to stop parents/carers will be expected to comply immediately.

To comply with the Data Protection Act 1998, staff should ensure that the appropriate permissions are in place before photographing or recording any child. These permissions can be found in the office.

### **Mobile Phone Policy and Procedures**

To protect children from harm by ensuring the appropriate management and use of mobile phones by everyone who comes into contact with school the following should be adhered to:

- All personal mobile phones should not be used where children are present
- Visitors and other professionals, contractors and parents/carers must be made aware by signs and verbal reinforcement that they are not to use their mobile phone where children are present
- Under no circumstances are images, videos or audio recordings to be made
- Staff are advised to provide their workplace contact number to their family for use in the event of an emergency

### **Extremism**

As part of our safeguarding ethos, we encourage children to respect different faiths and beliefs. We ensure that partisan political views are not promoted in the teaching of any subject in the pre-school.

### **Links with other policies**

This policy document should also be considered within the context of other policies and documents relating to our work with children.

**Telephone: FIRST RESPONSE free on; 0800 1313 126**  
**8.30am-5.30pm Monday-Thursday**  
**8.30am-4.30pm Friday**

**In an emergency outside these hours call: 0845 6042886**

**Fax: 01785 854223 or email: [Firststr@staffordshire.gov.uk](mailto:Firststr@staffordshire.gov.uk)**

**The Local Authority contact:  
Education Safeguarding Officer  
Tipping Street  
Stafford ST16 2DH  
Telephone: 01785 278997**

**The National Business Unit  
Ofsted  
Piccadilly Gate  
Store Street  
MANCHESTER  
M1 2WD  
Telephone Ofsted: 0300 123 12**