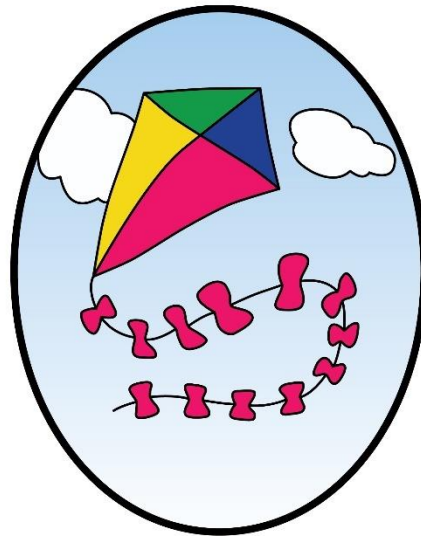


# 2019 Child Protection and Safeguarding Policy for Highmoor Nursery School



This policy was adopted on 1<sup>st</sup> February 2019

This policy will be updated on 1<sup>st</sup> February 2020

The policy must be reviewed and updated at least every 12 months.

Highmoor Nursery School recognises its responsibility for safeguarding and child protection.

# Child Protection and Safeguarding Policy 2019

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# Child Protection and Safeguarding Policy 2019

## PART 1

### Introduction

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

- [Keeping Children Safe in Education](#) 2018
- [Working Together to Safeguard Children](#) 2018
- [Framework for the Assessment of Children in Need and their Families](#) 2000
- [What to do if you are worried a Child is being Abused](#) 2015
- [Oxfordshire Safeguarding Children Board \(OSCB\)](#) guidelines
- [The Early Years Foundation Stage Statutory Framework](#) 2017

The Owner takes seriously her responsibility under Section 11 of the Children Act and duties under [Working Together to Safeguard Children](#) to promote the welfare of children and to work together with other agencies to ensure adequate arrangements exist within the setting to identify, and support those children who are suffering harm or are likely to suffer harm.

I recognise that all staff and the Owner have a full and active part to play in protecting pupils from harm, and that the child's welfare is our paramount concern.

Our setting should provide a safe, caring, positive and stimulating environment that promotes the social, physical and moral development of the individual child, free from discrimination or bullying, where children can learn and develop happily.

This policy applies to all staff and volunteers working in our setting.

All staff will sign to confirm they have read and understood this policy.

### Terminology

- **Safeguarding and promoting the welfare of children** refers to the process of protecting children from abuse or neglect, preventing the impairment of their health or development, ensuring that children grow up in circumstances consistent with the provision of safe, effective and nurturing care and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.
- **Child Protection** refers to the processes undertaken to meet statutory obligations laid out in the [Children Act 1989](#) and associated guidance (see [Working Together to Safeguard Children, An Interagency Guide to Safeguard and Promote the Welfare of Children](#)) in respect of those children who have been identified as suffering, or being at risk of suffering harm.

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- **Staff** refers to all those working for or on behalf of the setting, full time or part time, in either a paid, voluntary or contracted capacity.
- **Child** refers to all young people who have not yet reached their 18th birthday.
- **Parent** refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents
- **DSL** refers to the Designated Safeguarding Lead

## Aims of this policy

- To demonstrate the setting's commitment with regard to safeguarding children
- To provide all staff with the necessary information to enable them to meet their statutory responsibilities to promote and safeguard the wellbeing of children
- To ensure consistent good practice across the setting

## The role of staff

Our staff are particularly important as they are in a position to identify concerns early, provide help for children and prevent concerns from escalating.

- **All** staff have a responsibility to provide a safe environment in which children can learn.
- Our setting has a **DSL** who will provide support to staff to carry out their safeguarding duties and who will liaise closely with other services such as children's social care. The DSL (and any deputies) are most likely to have a complete safeguarding picture and be the most appropriate person to advise on the response to safeguarding concerns.
- **All staff** should be prepared to identify children who may benefit from early help. Early help means providing support as soon as a problem emerges at any point in a child's life, from the earliest years through to the teenage years.
- Any staff member who has a concern about a child's welfare should follow the referral processes (detailed on page 7). Staff should expect to support Social Workers and other agencies following any referral.

# Child Protection and Safeguarding Policy 2019

## What staff need to know

**All staff** members are made aware of the systems within our setting which support safeguarding. These are explained to them as part of their induction and include:

- This Child Protection and Safeguarding policy
  - The staff Code of Conduct (sometimes called Staff Behaviour Policy)
  - The role of the DSL (including the identity of the DSL and any deputies).
  - Whistleblowing policy
  - Managing allegations about staff or volunteers
  - The safeguarding response to children who go missing from education
  - What to do if they have a concern about a child
  - The Personal Care Policy
  - The Health and Safety Policy
- 
- **All staff** should receive appropriate safeguarding and child protection training which is regularly updated. In addition, all staff should receive safeguarding and child protection updates (for example, via email, e-bulletins and staff meetings), as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
  - **All staff** are made aware of the early help process, and understand their role in this.
  - **All staff** are aware of the process for making child protection referrals to children's social care and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role that they might be expected to play in such assessments.
  - **All staff** know what to do if a child tells them he/she is being abused or neglected. Staff understand how to maintain an appropriate level of confidentiality. They understand that this means only to involve those who need to be involved, such as the DSL (or a deputy) and children's social care.
  - **All staff** will have regard to our obligations to prevent our children from being drawn into extremism or terrorism. We recognise that this is our statutory duty under the Counter Terrorism and Security Act 2015 ([The Prevent Duty](#)). All staff will receive training on understanding the Prevent Duty (See page 27)
  - **All staff** will never promise a child that they will not tell anyone about the allegation/disclosure that the child has made, as this may ultimately not be in the best interests of the child

# Child Protection and Safeguarding Policy 2019

## What staff should look out for

**Any** child may benefit from early help, but our staff are particularly alert to the potential need for early help for a child who:

- is a young carer;
- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- is showing signs of being drawn in to 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 misusing drugs or alcohol themselves;
- Is at risk of modern slavery, trafficking or exploitation;
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;
- has returned home to their family from care;
- is showing early signs of abuse and/or neglect;
- is at risk of being radicalised or exploited;
- is a privately fostered child.
- **All** staff are aware of the indicators of abuse and neglect so they are able to identify children who may be in need of help or protection (see part 2 of this policy for the definitions)
- Staff at our setting are advised to maintain an attitude of “**it could happen here**” where safeguarding is concerned. When concerned about the welfare of a child, staff members 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 members are unsure, they should **always** speak to the DSL (or deputy).
- **Government advice:** What to do if you are worried a child is being abused- Advice for practitioners provides more information on understanding and identifying abuse and neglect.  
<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

# Child Protection and Safeguarding Policy 2019

## What staff should do if they have concerns about a child

If staff have **any concerns** about a child's welfare, they should act on them immediately. See page 31 for a flow chart setting out the process for our staff when they have concerns about a child.

If staff have a concern, they should follow this child protection policy and speak to the DSL (or deputy).

Options will then include:

- managing any support for the child internally via the setting's own pastoral support processes;
- an early help assessment;
- a referral for statutory services, for example as the child might be in need, is in need or suffering or likely to suffer harm.

The DSL or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the DSL (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.

Our staff should not assume a colleague or another professional will take action and share information that might be critical in keeping children safe. They should be mindful that early information sharing is vital for effective identification, assessment and allocation of appropriate service provision.

### Early help

If early help is appropriate, the designated safeguarding lead (or deputy) will generally lead on liaising with other agencies and setting up an inter-agency assessment as appropriate. Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services, if the child's situation does not appear to be improving or is getting worse.

### Statutory assessments

***Where a child is suffering, or is likely to suffer from harm, it is important that a referral to children's social care (and if appropriate the police) is made immediately.***

### Female Genital Mutilation mandatory reporting duty for teachers

Whilst our staff should speak to the DSL (or deputy) with regard to any concerns about female genital mutilation (FGM), there is a specific **legal** duty on **teachers**. If a **teacher**, in the course of their work in the profession, discovers that an act of

# Child Protection and Safeguarding Policy 2019

FGM appears to have been carried out on a girl under the age of 18, the teacher **must** report this to the police.

## **What Staff Should do if a child is in danger or at risk of harm**

### **To report a new concern - Immediate Concerns about a Child**

The Multi-Agency Safeguarding Hub (MASH) is the front door to Children's Social Care for all child protection and immediate safeguarding concerns. If there is an immediate safeguarding concern, for example:

- Allegations/concerns that the child has been sexually/physically abused
- Concerns that the child is suffering from severe neglect or other severe health risks
- Concern that a child is living in or will be returned to a situation that may place him/her at immediate risk
- The child is frightened to return home
- The child has been abandoned or parent is absent

call the MASH immediately **Tel: 0345 050 7666**.

Emergency Duty Team (outside office hours): **0800 833 408**

A No Names Consultation should **not** be used for the above scenarios.

### **No name Consultations**

If you would like to make a no names consultation contact the **Locality and Community Support Service (LCSS)** on:

- North Tel: 0345 2412703
- Central Tel: 0345 2412705
- South Tel: 0345 2412608

### **Record keeping**

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. If in doubt about recording requirements, staff should discuss with the DSL (or deputy).

### **Why is all of this important?**

It is important for children to receive the right help at the right time to address risks and prevent issues escalating. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action. Examples of this poor practice include:

- failing to act on and refer the early signs of abuse and neglect;
- poor record keeping;
- failing to listen to the views of the child;
- failing to re-assess concerns when situations do not improve;
- not sharing information;
- sharing information too slowly; and
- a lack of challenge to those who appear not to be taking action.



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## What staff should do if they have concerns about another staff member

If staff have concerns about another staff member then;

- this must be referred to the Manager.
- where there are concerns about the manager this should be referred to the owner as appropriate.
- In the event of allegations of abuse being made against the manager, where the manager is also the owner, as is the case at Highmoor Nursery, allegations should be reported directly to the designated officer(s) at the local authority. Staff may consider discussing any concerns with the Setting's designated safeguarding lead and make any referral via them. If the DSL is also the manager, the deputy DSL should be involved.
- Full details of the Designated Officer can be found in Part 2 of this Policy.
- The name of any member of staff considered not suitable to work with children will be notified to the DBS (Disclosure and Barring service), with the advice of ACAS/LAWCALL and LADO

## What staff should do if they have concerns about safeguarding practices within the Setting

- **All staff** and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the setting safeguarding regime and that such concerns will be taken seriously by the Owner/Manager.
- Appropriate whistleblowing procedures, which are suitably reflected in staff training and staff behaviour policies, should be in place for such concerns to be raised with the setting's Owner.
- Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:
  - General guidance can be found at <https://www.gov.uk/whistleblowing>
  - The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

# Child Protection and Safeguarding Policy 2019

## **PART 2**

### **Key personnel at our Setting:**

The **Designated Safeguarding Lead (DSL)** for child protection in this setting is:

Gwen Pragnell

Contact details:

07968088641/01491642162 or [gwen@highmoornursery.co.uk](mailto:gwen@highmoornursery.co.uk)

The **Deputy Designated Safeguarding Leads (DSL)** in this setting is:

Sam Symons

Contact details:

07802312457/01491642162 or [sam.symons@icloud.com](mailto:sam.symons@icloud.com)

Kera Fullick

Contact details:

07456659471/01491642162 or [keragrace@live.co.uk](mailto:keragrace@live.co.uk)

**The Manager is:**

Gwen Pragnell

Contact details:

07968088641/01491642162 or [gwen@highmoornursery.co.uk](mailto:gwen@highmoornursery.co.uk)

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## Roles and responsibilities

All settings must nominate a senior member of staff (DSL) to coordinate child protection arrangements and this person is named in this policy guidance. Highmoor Nursery ensures that the designated safeguarding lead or a deputy should always be available (during opening hours) to discuss safeguarding concerns. We will also ensure that there are adequate and appropriate measures in place to cover out of hour/out of term activities.

## The Owner

The Owner of Highmoor Nursery School undertakes the regular review of safeguarding related policies and procedures that operate within Highmoor Nursery School.

The Owner has a crucial role in monitoring and challenging staff on the effectiveness of safeguarding arrangements.

The Owner ensures that:

- A DSL for safeguarding and child protection is a member of the senior leadership team and has undertaken the approved OSCB training in inter-agency working, in addition to generalist child protection training
- Child protection policy and procedures that are consistent with OSCB requirements, are reviewed annually and made available to parents on request
- Procedures for dealing with allegations of abuse made against members of staff, including allegations made against the Manager are in place
- At least one person on an interview panel is trained in Safer Recruitment
- Safer recruitment procedures are in place that include the requirement for appropriate checks in line with national guidance
- A training strategy is in place that ensures all staff complete OSCB approved generalist training at three-yearly intervals. The DSL and Deputy DSL's should complete Designated Lead Safeguarding training at two-yearly intervals
- Regular update sessions for staff regarding safeguarding take place, keeping staff up to date with any changes and ensuring that safeguarding remains a priority within the setting
- Arrangements to ensure that all temporary staff, contract staff and volunteers are made aware of the Setting's arrangements for safeguarding and child protection
- The Owner/Manager nominates a member of staff to be responsible for liaising with the local authority and other agencies in the event of an

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allegation being made against the owner or manager. This would usually be the Deputy Manager

- The Early Years Safeguarding Self-Assessment form is completed annually in line with the [Early Education Funding Term and Conditions](#) and returned to the local authority if/when requested. Any weaknesses or areas of concern identified in the Self-Assessment will be rectified without delay

## **The Manager:**

- Ensures that the safeguarding and child protection policy and procedures are implemented and followed by all staff
- Allocates sufficient time and resources to enable the DSL and deputy to carry out their roles effectively, including the assessment of pupils and attendance at strategy discussions and other necessary meetings
- Ensures that all staff feel able to raise concerns about poor or unsafe practice and that such concerns are handled sensitively and in accordance with the setting's whistle blowing procedures
- Ensures that children's safety and welfare is addressed through the curriculum.

## **The Manager and Owner ensure that the DSL:**

- Is appropriately trained.
- Acts as a source of support and expertise to the Highmoor Nursery School community
- Has an understanding of OSCB procedures
- Keeps written records of all concerns when noted and reported by staff or when disclosed by a child, ensuring that such records are stored securely and reported onward in accordance with this policy guidance, but kept separately from the child's general file
- Refers cases of suspected neglect and/or abuse to children's social care or police in accordance with this guidance and local procedure
- Notifies children's social care if a child with a child protection plan is absent for more than two days without explanation
- Ensures that when a child with a child protection plan leaves Highmoor Nursery School, their information is passed to their new Setting and the child's social worker is informed

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- Attends and/or contributes to child protection conferences in accordance with local procedure and guidance
- Coordinates the Setting's contribution to child protection plans
- Develops effective links with relevant statutory and voluntary agencies
- Ensures that all staff sign to indicate that they have read and understood this policy
- Ensures that the child protection policy is updated annually
- Liaises with the manager (where the role is not carried out by the manager) as appropriate
- Keeps a record of staff attendance at child protection training
- Makes this policy available to parents

## **Deputy DSL(s)**

The Deputy DSL is appropriately trained and, in the absence of the designated safeguarding lead, carries out those functions necessary to ensure the ongoing safety and protection of children. In the event of the long-term absence of the designated person, the deputy will assume all of the functions above.

## **All staff will:**

Follow the Oxfordshire Safeguarding Children Board Procedures/Local Authority guidance in all cases of abuse, or suspected abuse (these can be found at [www.OSCB.org.uk](http://www.OSCB.org.uk)).

All staff will therefore:

- Understand that our responsibility to safeguard children requires that we all appropriately share any concerns that we may have about children.
- Support the child's development in ways that will foster security, confidence and resilience
- Provide an environment in which children and young people feel safe, secure, valued and respected, feel confident and know how to approach adults if they are in difficulties.
- Provide a systematic means of monitoring children known or thought to be at risk of harm, and ensure we contribute to assessments of need and support plans for those children where appropriate.

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- Ensure that detailed and accurate written records of concerns about a child are kept even if there is no need to make an immediate referral. See guidance on record keeping:
- [http://portal.oxfordshire.gov.uk/content/public/CYPF/Setting/behaviour\\_attendance/safeguarding\\_child\\_protection/Keeping\\_Child\\_Protection\\_Records.doc](http://portal.oxfordshire.gov.uk/content/public/CYPF/Setting/behaviour_attendance/safeguarding_child_protection/Keeping_Child_Protection_Records.doc)

## Supporting Children

- Highmoor Nursery School recognises that a child who is abused, who witnesses violence or who lives in a violent environment may feel helpless and humiliated, may blame him/herself, and find it difficult to develop and maintain a sense of self-worth
- Highmoor Nursery School accepts that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn

Highmoor Nursery School will support all children by:

- Encouraging the development of self-esteem and resilience in every aspect of life
- Promoting a caring, safe and positive environment
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children
- Carrying out 'no name' consultations with the LCSS (Locality Community Support Service) where appropriate
- Carrying out EHA's (Early Help Assessments) where appropriate to identify what support can be put in place for the child and family
- Notifying Social Care as soon as there is a significant concern. This includes contacting the Multi-Agency Safeguarding Hub (MASH)
- Notifying Social Care when a child/young person attending Highmoor Nursery School is privately fostered
- Providing continuing support to a child (about whom there have been concerns) who leaves Highmoor Nursery School by ensuring that such concerns and the setting's medical records are forwarded under confidential cover to the Designated Person at the child's new setting immediately.

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## **Confidentiality**

- All matters relating to child protection are confidential
- The Designated Person 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 Social Care with their parents /carers 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 Schools Safeguarding Team or Social Care on this point
- We will undertake 'no names' consultations with our LCSS team 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 a referral

## **Supporting Staff**

- We recognise that staff working in the setting who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and upsetting
- We will support such staff by providing an opportunity to talk through their anxieties with the DSL and to seek further support. This could be provided by another trusted colleague, Occupational Health, and/or a representative of a professional body or trade union, as appropriate
- In consultation with all staff, we have adopted a code of conduct for staff at Highmoor Nursery School. This forms part of staff induction and is in the staff handbook. We understand that staff should have access to advice on the boundaries of appropriate behaviour
- We recognise that our DSL(s) should have access to support and appropriate workshops, courses or meetings as organised by the Local Authority.

## **Allegations against staff**

- All staff should take care not to place themselves in a vulnerable position with a child. It is always advisable for interviews or work with individual children or parents to be conducted in view of other adults

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- We understand that a child or young person may make an allegation against a member of staff. If such an allegation is made, the member of staff receiving the allegation will immediately inform the Manager or the most senior member of staff available
- The Manager on all such occasions will discuss the content of the allegation with the Designated Officer's team for the Local Authority (LADO), **before taking any action.** In our county the named Designated Officer is:

Alison Beasley, Designated Officer (01865 815956),

LADO team 01865 810603 or

[Lado.safeguardingchildren@oxfordshire.gov.uk](mailto:Lado.safeguardingchildren@oxfordshire.gov.uk)

## **Contact must be made with the Designated officer or one of the assistant Designated Officer's before any internal investigation is commenced**

- If the allegation made to a member of staff concerns the owner or manager themselves, the person receiving the allegation will immediately inform the Designated Officers team, without notifying the manger first
- Our setting will follow the procedures for managing allegations against staff, as outlined in Keeping Children Safe in Education 2018
- Suspension of the member of staff against whom an allegation has been made needs careful consideration, and we will consult with the Designated Officers team and LA before making any decisions around suspension
- Highmoor Nursery School agreement for other users requires that the organiser will follow LA procedures for managing allegations against staff and, where necessary, the suspension of adults from premises

## **See flowchart Appendix B for further details**

### **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 the Designated Officers Team where necessary
- See full details in our whistleblowing policy



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## Physical Intervention/Positive Handling

- Our policy on physical intervention/positive handling by staff is set out separately, as part of our Behaviour Policy
- Such events should be recorded and signed by a witness
- We recommend that staff who are likely to need to use physical intervention should be appropriately trained
- We understand that physical intervention of a nature which is both unreasonable and disproportionate to the circumstances and or causes injury or distress to a child may be considered under child protection or disciplinary procedures
- See full details in our physical intervention policy

## Anti-Bullying

- Our policy on the prevention and management of bullying is set out in a separate policy and acknowledges that to allow or condone bullying may lead to consideration under child protection procedures. Bullying is a safeguarding matter that, if left unresolved can become a child protection matter. Our setting will take seriously any bullying concerns and both investigate and take action to protect pupils where appropriate
- We will liaise with the anti-bullying co-ordinator from OCC where appropriate <http://Setting.oxfordshire.gov.uk/cms/content/anti-bullying>
- See full details in our anti-bullying policy

## Health & Safety

- Our Health & Safety policy, reflects the consideration we give to the protection of our children both physically within the Highmoor Nursery School environment and, for example, in relation to internet use, and when away from the Nursery when undertaking trips and visits
- See full details in our health and safety policy

## Children with Special Educational Needs

At Highmoor Nursery School we recognise that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

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- assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- children with SEN and disabilities can be disproportionately impacted by things like bullying- without outwardly showing any signs; and
- communication barriers and difficulties in overcoming these barriers.

## Types of abuse and neglect

**All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label. In most cases multiple issues will overlap with one another.**

- **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.
- **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- **Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via

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the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

- **Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

## Specific safeguarding issues

- **All** staff have an awareness of safeguarding issues, some of which are listed below. Staff are made aware that behaviours linked to the likes of drug taking, alcohol abuse, truancy and sexting put children in danger.
- **All** staff are made aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but not limited to: bullying (including cyber bullying), physical abuse such as hitting, kicking, shaking, biting, hair pulling or otherwise causing physical harm, sexual violence/sexual harassment, sexting (also known as youth produced sexual imagery) and initiation/hazing type violence and rituals. Staff are clear about our policy and procedures with regards to peer on peer abuse.
  - **We** are aware that safeguarding incidents and/or behaviours can be associated with factors outside the Setting and/or can occur between children outside the Setting. All staff, but especially the designated safeguarding lead (or deputy) should be considering the context within which such incidents and/or behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child's life that are a threat to their safety and/or welfare. Children's social care assessments should consider such factors so it is important that Setting and colleges provide as much information as possible as part of the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

**Appendix A contains important additional information about specific forms of abuse and safeguarding issues.**

# Child Protection and Safeguarding Policy 2019

## **Online safety and acceptable use of technology including mobile phones and cameras**

At Highmoor Nursery School we recognise that it is crucial to safeguard our children from potentially harmful and inappropriate online material. As such we ensure appropriate filters and appropriate monitoring systems are in place.

Our Acceptable Use of the Internet policy, set out in a separate document, reflects the consideration we give to keeping children safe when they are using the internet.

### **Use of Mobile Phones and cameras**

Staff and children will not carry or use personal mobile phones and cameras within the settings working hours. Visitors will not use mobile phones or their own cameras when on the premises.

For further guidance see the separate mobile phone and camera policy.

### **Allegations of abuse made against other children (Peer on Peer abuse)**

Our staff recognise that children are capable of abusing their peers. In a situation where child abuse is alleged to have been carried out by another child, our child protection procedures should be adhered to for both the victim and the alleged abuser; this means it should be considered as a child care and protection issue for both children.

Please see our full Managing allegations against other pupil's/Peer on Peer abuse policy for further details.

### **Opportunities to teach children about safeguarding**

Within Highmoor Nursery School we ensure our children are taught about keeping themselves safe, including online, through teaching and learning opportunities, as part of a broad and balanced curriculum.

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## Dealing with Disclosures

**If a child asks to speak to you about a problem do not promise confidentiality but explain that it may be necessary to consult a colleague.**

### Receive

Always stop and listen straight away to someone who wants to tell you about incidents or suspicions of abuse. Listen quietly and actively, giving your undivided attention. Allow silences when needed. Do not show shock or disbelief but take what is said seriously.

### Reassure

Stay calm, no judgements, empathise. **Never make a promise that you can keep what a child has said a secret.** Give reassurance that only those who need to know will be told. Reassure the young person that they were right to tell you.

### React

React to the child only as far as is necessary for you to establish whether or not you need to refer this matter, but don't interrogate for full details.

Don't ask leading questions – keep the open questions e.g. "is there anything else you want to say?"

If you need to try to get more details again keep to open questions, "tell me a bit more about that"

**If you do ask questions remember to record the questions you ask as well as the responses the young person gives**

Do not criticize the perpetrator; the child may have affection for him/her.

Explain what you will do next – inform DSL, keep in contact.

### Record

If possible, make brief notes about what they are actually telling you at the time. Keep these notes, however rough they are. If you are unable to make notes at the time write down what was said as soon as you can.

Record what was actually said by the child, rather than your interpretation of what they are telling you, be factual at all times

Record the date, time, place and any noticeable nonverbal behaviour.

### Report

Report the incident to the DSL and do not tell any other adults or children what you have been told.

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**Never attempt to carry out an investigation of suspected abuse by interviewing the child or any others involved. This is a highly skilled role and any attempts by yourself could affect possible criminal proceedings.**

## Record Keeping

The DSL is responsible for ensuring that the necessary paperwork is completed and sent to the relevant people and stored in a safe and confidential place. This means that the records will be a coherent factual record of the concerns that are stored on individual children in a clear chronological order.

[http://Setting.oxfordshire.gov.uk/cms/sites/Setting/files/folders/folders/documents/safeguarding/Keeping\\_Child\\_Protection\\_Records.doc](http://Setting.oxfordshire.gov.uk/cms/sites/Setting/files/folders/folders/documents/safeguarding/Keeping_Child_Protection_Records.doc)

Front page chronologies should be used and be part of all individual safeguarding files.

Information to be recorded:

- Child's name and date of birth
- Child in normal context
- The incident with dates and times
- A verbatim record of what the child or young person has said
  - If recording bruising/injuries indicate position, colour, size, shape and time on body map.
- Action taken.

Please also refer to your recording guidelines policy.

## Information Sharing

Sharing information is an intrinsic part of any frontline practitioners' job when working with children and young people. More information including the 7 Golden Rules for information sharing can be found in the following document (updated to be in line with GDPR and Data Protection Act 2018).

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

## Monitoring and Review of this policy

All visitors in a professional capacity will have access to a copy of this policy and will have the opportunity to consider and discuss the contents. The policy will also be available to parents.

The policy will be reviewed annually. **All staff should have access to this policy and sign to the effect that they have read and understood its contents.**

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## **Appendix A: Definitions**

### **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed. There are two age appropriate guides to support children 5-11 year olds and 12-17 year olds.

They explain each step of the process and support any special measures that are available. There are diagrams illustrating the courtroom structure and the use of video links is explained.

Making child arrangements via the family courts following separation can be stressful and entrench conflict in families. This can be stressful for children. The Ministry of Justice has launched an online child arrangements information tool with clear and concise information on the dispute resolution service. This may be useful for some parents and carers.

### **Children missing from education**

All staff should be aware that children going missing, particularly repeatedly, can act as a vital warning sign of a range of safeguarding possibilities. This may include abuse and neglect, which may include sexual abuse or exploitation and child criminal exploitation. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation or risk of forced marriage.

Early intervention is necessary to identify the existence of any underlying safeguarding risk and to help prevent the risks of a child going missing in future.

Staff should be aware of Highmoor Nursery School's unauthorised absence and children missing from education procedures, as appropriate to an Early Years setting.

### **Children with family members in prison**

Approximately 200,000 children have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children.

### **Child criminal exploitation: county lines**

Criminal exploitation of children is a geographically widespread form of harm that is a typical feature of county lines criminal activity: drug networks or gangs groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Key to identifying potential involvement in county lines are missing episodes, when the victim may have been trafficked for the purpose of transporting drugs and a referral to the National Referral Mechanism<sup>12</sup> should be considered. Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years;
- can affect any vulnerable adult over the age of 18 years;
- can still be exploitation even if the activity appears consensual;
- can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;

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- can be perpetrated by individuals or groups, males or females, and young people or adults; and
- is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

## **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 or persons) receive something, (e.g. food, accommodation, drugs, alcohol, cigarettes, affections, gifts, money) as a result of them performing and/or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. 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, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009).

## **Key Facts about CSE**

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities.
- Any person can be targeted but there are some particularly vulnerable groups: Looked after Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.

Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

## **Good practice – Individuals**

- Recognise the symptoms and distinguish them from other forms of abuse
- Treat the child/young person as a victim of abuse
- Understand the perspective/behaviour of the child/young person and be patient with them
- Help the child/young person to recognise that they are being exploited
- Collate as much information as possible
- Share information with other agencies and seek advice / refer to Social Care



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## Good practice – Organisations

- Ensure robust safeguarding policies and procedures are in place which cover CSE
- Promote and engage in effective multi-agency working to prevent abuse
- Work to help victims move out of exploitation
- Cooperate to enable successful investigations and prosecutions of perpetrators

## Domestic abuse

The cross-government definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological;
- physical;
- sexual;
- financial; and
- emotional

Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result. Domestic abuse affecting young people can also occur within their personal relationships, as well as in the context of their home life.

## Homelessness

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. The designated safeguarding lead (and any deputies) should be aware of contact details and referral routes in to the Local Housing Authority so they can raise/progress concerns at the earliest opportunity. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour, as well as the family being asked to leave a property. Whilst referrals and or discussion with the Local Housing Authority should be progressed as appropriate, this does not, and should not, replace a referral into children's social care where a child has been harmed or is at risk of harm.

The Homelessness Reduction Act 2017 places a new legal duty on English councils so that everyone who is homeless or at risk of homelessness will have access to meaningful help including an assessment of their needs and circumstances, the development of a personalised housing plan, and work to help them retain their accommodation or find a new place to live. The following factsheets usefully summarise the new duties: Homeless Reduction Act Factsheets. The new duties shift focus to early intervention and encourage those at risk to seek support as soon as possible, before they are facing a homelessness crisis.

In most cases Highmoor Nursery School staff will be considering homelessness in the context of children who live with their families, and intervention will be on that basis. However, it should also be recognised in some cases 16 and 17 year olds could be living independently from their parents or guardians, for example through their exclusion from the family home, and will require a different level of intervention

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and support. Children's services will be the lead agency for these young people and the designated safeguarding lead (or a deputy) should ensure appropriate referrals are made based on the child's circumstances. The department and the Ministry of Housing, Communities and Local Government have published joint statutory guidance on the provision of accommodation for 16 and 17 year olds who may be homeless and/ or require accommodation:

## **So-called 'honour-based' violence**

So-called 'honour-based' violence (HBV) encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including female genital mutilation (FGM), forced marriage, and practices such as breast ironing. Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take. All forms of HBV are abuse (regardless of the motivation) and should be handled and escalated as such. Professionals in all agencies, and individuals and groups in relevant communities, need to be alert to the possibility of a child being at risk of HBV, or already having suffered HBV.

**Actions** If staff have a concern regarding a child that might be at risk of HBV or who has suffered from HBV, they should speak to the DSL (or deputy). As appropriate, they will activate local safeguarding procedures, using existing national and local protocols for multiagency liaison with police and children's social care. Where FGM has taken place, since 31 October 2015 there has been a mandatory reporting duty placed on **teachers** that requires a different approach (see following section).

## **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 exceptional 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).

## **Forced marriages (FM)**

FM is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014.

An FM is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure

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to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

FM is illegal in England and Wales. 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're pressured to or not)

## Prevent

The Counter Terrorism & Security Act 2015

The Act places a Prevent duty on Highmoor Nursery School to have "due regard to the need to prevent people from being drawn into terrorism". The education and childcare specified authorities in Schedule 6 to the Act are as follows:

- The proprietors of maintained Settings, non-maintained special Settings, maintained nursery Settings, independent Settings (including academies and free Setting) and alternative provision academies, PRUs, registered early years providers, registered late years providers and some holiday schemes.

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 the Local Safeguarding Children Board.
- 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 Highmoor Nursery School
- Please see the links below for further guidance and information around this

The Prevent Duty for Schools and Childcare Providers

<https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>

**ALL staff should complete online training**

<https://www.elearning.prevent.homeoffice.gov.uk/>

[http://course.ncalt.com/Channel\\_General\\_Awareness/01/index.html](http://course.ncalt.com/Channel_General_Awareness/01/index.html)

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## **Sexting**

Flowchart for Setting

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/b ehavioursupportservice/SextinginSchools-FlowchartofConcern.pdf>

Information booklet

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/b ehavioursupportservice/SextinginSchools-InformationBooklet.pdf>

## **Risk assessment**

<http://schools.oxfordshire.gov.uk/cms/sites/schools/files/folders/folders/documents/b ehavioursupportservice/SextinginSchools-RiskAssessment.pdf>

## **Sexual violence and sexual harassment between children**

### **Context**

Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

Staff should be aware of the importance of:

- making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up;
- not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”; and
- challenging behaviours (potentially criminal in nature), such as grabbing bottoms, breasts and genitalia, flicking bras and lifting up skirts. Dismissing or tolerating such behaviours risks normalising them.

## **What is Sexual violence and sexual harassment?**

### **Sexual violence**

It is important that Highmoor Nursery School staff are aware of sexual violence and the fact children can, and sometimes do, abuse their peers in this way. When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003/19 as described below:

**Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

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**Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**What is consent?** Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

## **Sexual harassment**

When referring to sexual harassment we mean 'unwanted conduct of a sexual nature' that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
- sexual "jokes" or taunting;
- physical behaviour, such as: deliberately brushing against someone, interfering with someone's clothes (Highmoor Nursery School should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence.

It may include:

- non-consensual sharing of sexual images and videos;
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media; and
- sexual exploitation; coercion and threats

## **The response to a report of sexual violence or sexual harassment**

The initial response to a report from a child is important. It is essential that all victims are reassured that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

If staff have a concern about a child or a child makes a report to them, they should follow the referral process as set out in this policy. As is always the case, if staff are in any doubt as to what to do, they should speak to the DSL (or a deputy).

## **Children in need**

A child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their

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welfare. Children in need may be assessed under section 17 of the Children Act 1989.

## **Children suffering or likely to suffer significant harm**

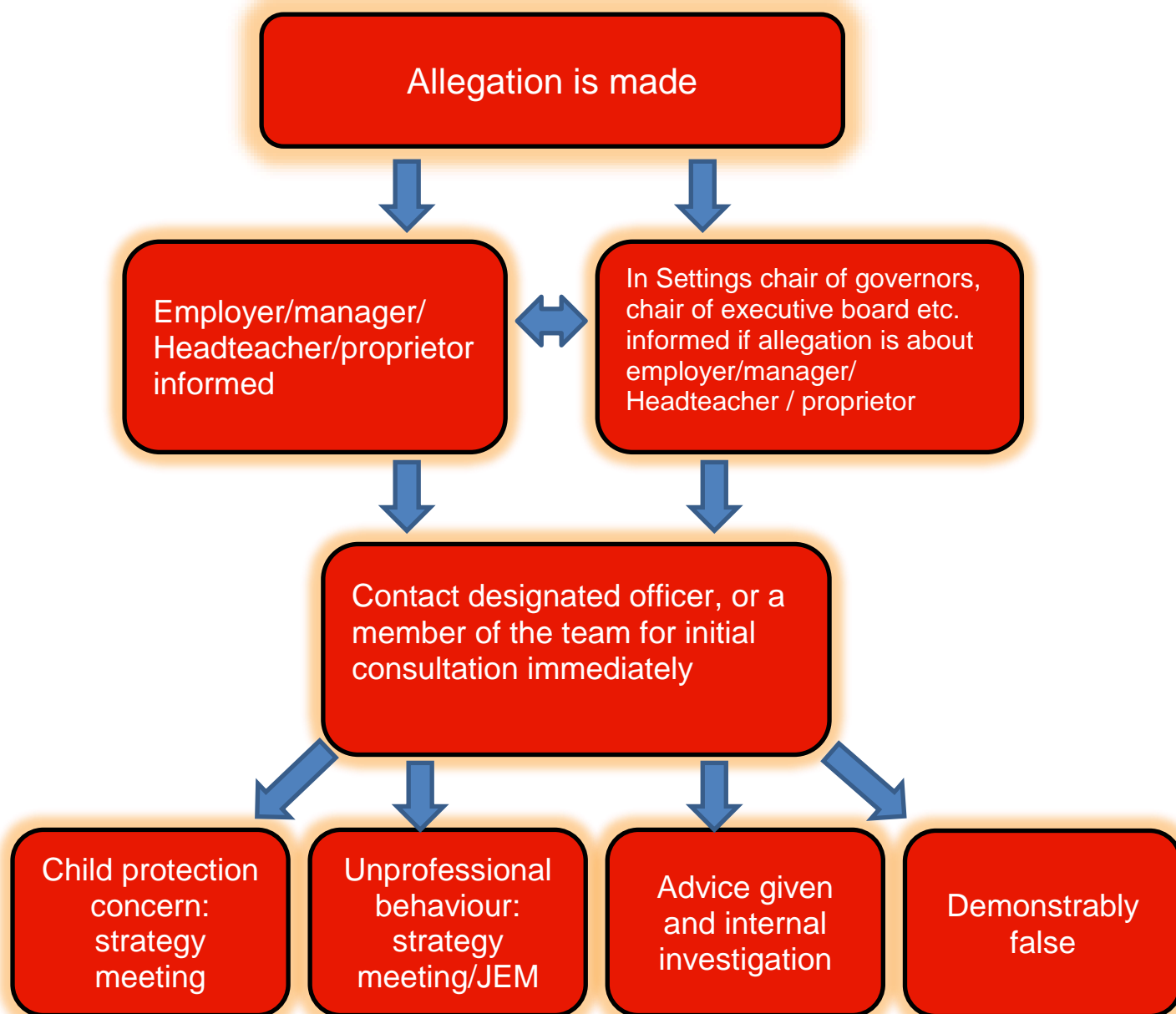
Local authorities, with the help of other organisations as appropriate, have a duty to make enquires under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. Such enquiries enable them to decide whether they should take any action to safeguard and promote the child's welfare and must be initiated where there are concerns about maltreatment, including all forms of abuse and neglect, female genital mutilation or other so-called honour based violence, and extra-familial threats like radicalisation and sexual exploitation.

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## Appendix B

### Allegation flowchart

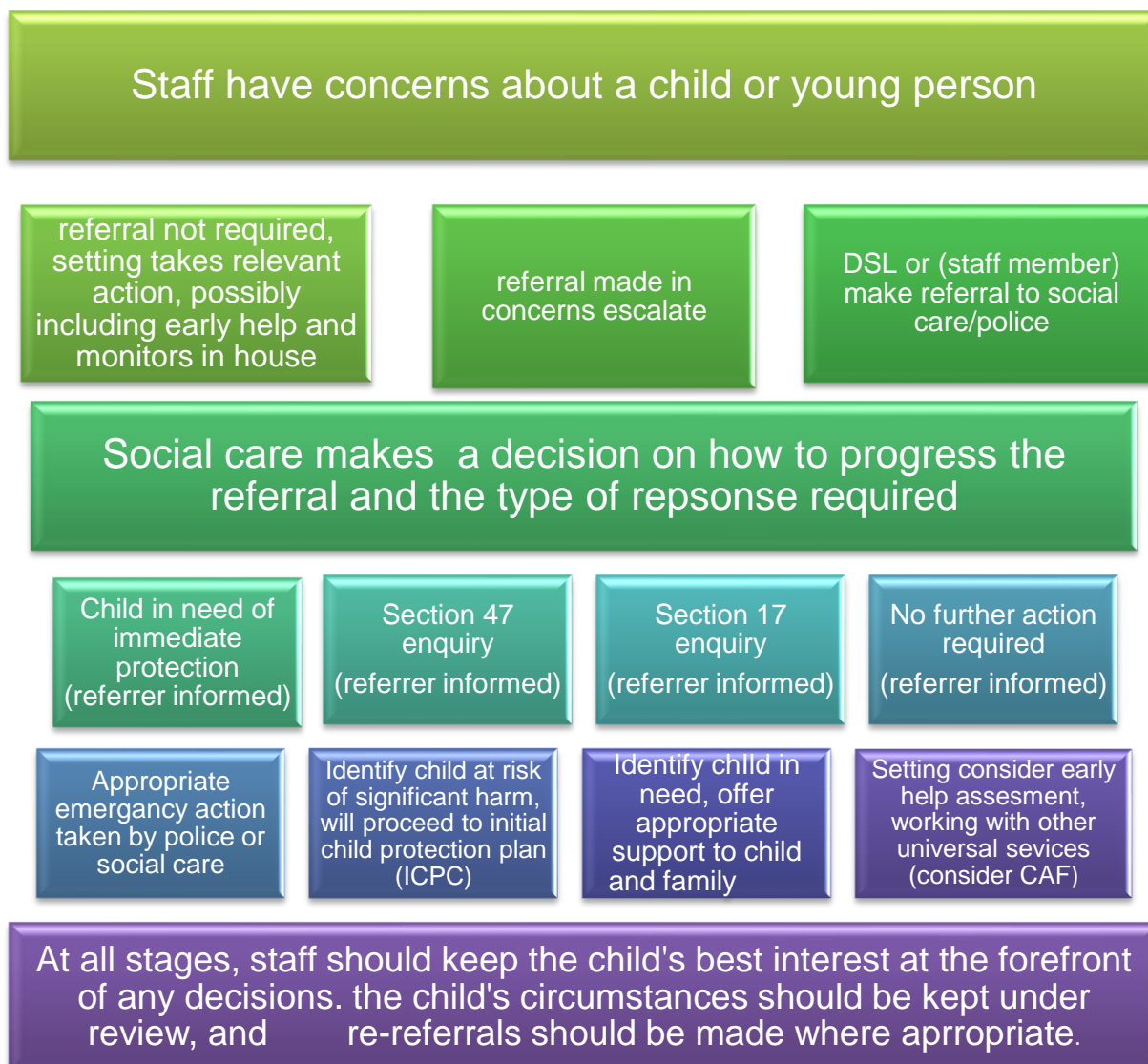
If you have a concern that a person who works with children and young people may have behaved inappropriately or you have received information that may constitute an allegation you must:



Please note JEM: Joint Evaluation Meeting

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## Appendix C



Please note the referrer should always receive feedback after a referral is made, or be involved in any ongoing meetings if the case progresses