



## Safeguarding and Welfare

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**Our Nursery believes that children have the right to be secure from both the fear and reality of abuse, and we are committed to protecting all the children in our care from harm. We comply with the procedures approved by the Area Child Protection committee. We intend to create an environment in which children are safe from abuse and in which suspicion of abuse is promptly and appropriately responded to.**

The legal framework for this work is:

### ***Primary legislation***

Adoption and Children Act 2002

The Children Act 1989 (section 31 (9))

The Children Act 2004 (section 11)

Data Protection Act 2018

Education Act 2002

The Children (NI) Order

The Children (Scotland) Order

The Childcare Act 2006

Safeguarding Vulnerable Groups Act 2006

### ***Guidance***

What to do if you're worried a child is being abused (2006)

The Framework for the Assessment of Children in Need and Their Families (2000)

Working Together to Safeguard Children July 2018

Inspecting Safeguarding in early years, education & skills settings (OFSTED May 19)

The Common Assessment Framework 2005

Prevent Duty Guidance for England and Wales 2015

Keeping Children Safe in Education Statutory Guidance March 2016

### ***Secondary Legislation***

Sexual Offences Act (2003)

Criminal Justice and Court Services Act (2000)

Human Rights Act (1999)

Race Relations (Amendment) Act (2000)

Race Relations (Amendment) Act (1976) Regulations

Rehabilitation of Offenders Act 1974

Care Act 2014

Children & Families Act 2014

Anti-Social Behavioural, Crime and Policing Act 2014

The Modern Slavery Act 2015

### **Liaison with other bodies**

- We work within the Oxfordshire Safeguarding Children Board (OSCB) guidelines.
- We have procedures for contacting the local authority on child protection issues, to ensure that it is easy in any emergency, for the Club, the Children and Families Assessment Team to work well together.
- We notify Ofsted of any incident or accident and any changes in our arrangements, which may affect the wellbeing of children.
- If a referral is to be made to the local authority Children and Families Assessment Team, we act within their guidance in deciding whether we must inform the child's parents/carers at the same time.

### **Staffing and volunteering**

- Our designated people with lead responsibility for safeguarding children are:  
**Name:** Joanne Horne, Becky Gough and Jade Barnard
- We provide adequate and appropriate staffing resources to meet the needs of children.
- All applicants who work within the Nursery, whether voluntary or paid, will be interviewed before an appointment is made and will be asked to provide at least one reference. All appointments will be subject to a probationary period and will not be confirmed unless the Nursery is confident that the applicant can be safely entrusted with children.
- Applicants for posts within the Nursery are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.

- Candidates are informed of the need to carry out 'enhanced disclosure' checks with the Disclosure Barring Service 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 the regulator's requirements in respect of references and Disclosure Barring Service checks for staff and volunteers, to ensure that no disqualified person or unsuitable person works at the Nursery or has access to the children.
- We will work in accordance with the requirements of the OSCB.
- Volunteers do not work unsupervised.
- We abide by the Safeguarding Vulnerable Groups Act 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.
- The Nursery has a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed due to them harming a child or putting a child in risk of being harmed.
- We have procedures for recording the details of visitors to the Nursery.
- We have procedures to ensure that we have control over who comes into the Nursery so that no unauthorised person has unsupervised access to the children.
- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual as well as neglect.
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through the things they say (direct or indirect disclosure) or through changes in their appearance, their behaviour, or their play.
- Where such evidence is apparent, the Manager makes a dated record of the details of the concern and discusses what to do with the designated person(s). The information is stored in the safeguard folder.
- Staff in the Nursery will take care not to influence the outcome either through the way they speak to children or by asking questions of children.

## **Allegations against staff**

- We ensure that all parents know how to complain about staff or volunteer action within the Nursery, which may include an allegation of abuse.
- We follow the guidance of the Oxfordshire Safeguarding Children Board and the Local Authority Designated Officer when responding to any complaint that a member of staff or volunteer has abused a child.
- We respond to any disclosure by children or staff that abuse by a member of staff may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to the local authority's Children and Families Assessment Team to investigate.
- We co-operate entirely with any investigation carried out by the Assessment Team in conjunction with the police.
- We seek guidance from the Local Authority Designated Officer on whether the member of staff should be suspended for the duration of the investigation.
- We will notify Ofsted of any allegations of serious harm or abuse while a child is in our care.

## **Disciplinary action**

- The Nursery will follow the staff disciplinary procedures contained within the Staffing Policy. The Nursery has a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed due to them harming a child or putting a child in risk of being harmed.

## **Training**

- We seek out training opportunities for all adults involved in the Nursery 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. The level of training attended will be appropriate to an individual's role and in accordance with OSCB guidelines.
- We ensure that all staff know the procedures for reporting and recording their concerns in the Nursery.
- We review the staff training needs during the supervision process.

## **Play**

- We introduce key elements of child protection into our programme to promote the personal, social and emotional development of all children, so that they may grow to be 'strong, resilient and listened to' and so that they develop understanding of why and how to keep safe.
- We create a culture of value and respect for the individual, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.
- We ensure that this is carried out in a way that is developmentally appropriate for the children.

## **Disclosures**

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

- offers reassurance to the child;
- listens to the child; and
- gives reassurance that she/he will take action.
- The member of staff does not question the child.

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

Whenever worrying changes are observed in a child's behaviour, physical condition or appearance, a specific and confidential record will be set up, quite separate from the usual on-going records of children's progress and development.

Staff make a record of:

- the child's name;
- the child's address;
- the age of the child;
- the date and time of the observation or the disclosure;
- an objective record of the observation or disclosure;

- the exact words spoken by the child as far as possible (without comment or interpretation, where possible);
- the name of the person to whom the concern was reported, with date and time; and
- the names of any other person present at the time.

These records are signed and dated and kept in a separate file and will not be accessible to people other than the Manager, Chairperson and designated member of staff.

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 Oxfordshire Safeguarding Children Board does not allow this.
- This will usually be the case where the parent is the likely abuser. In these cases, the Police/Children and Families Assessment Team will inform parents.

### **Confidentiality**

- All suspicions and investigations are kept confidential and shared only with those on a need to know basis. Any information is shared under the guidance of the Oxfordshire Safeguarding Children Board.

### **Support to families**

- The Nursery believes in building trusting and supportive relationships with families, staff and volunteers in the group.
- The Nursery makes clear to parents its roles and responsibilities in relation to safeguarding children, such as for the reporting of concerns, providing information, monitoring of the child, and liaising at all times with the local Children and Families Assessment Team.
- The Nursery continues to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.

- We follow the Child Protection Plan as set by the local Children and Families Assessment Team in relation to the nursery's designated role and tasks in supporting the child and the family, subsequent to any investigation.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the procedure and only if appropriate under the guidance of the Oxfordshire Safeguarding Children's Board.
- With the proviso that the care and safety of the child must always be paramount, the Nursery will do all in its power to support and work with the child's family.

### **Prevent abuse by means of good practice**

- 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 their self-confidence and the vocabulary to resist inappropriate approaches.
- Adults will not be left alone for long periods with individual children or with small groups. An adult who needs to take a child aside will leave the door ajar.
- Adults who have not been registered "fit" persons will not take children unaccompanied to the toilet or change a child's clothing should they become wet or have an accident.
- The layout of the Nursery permits constant supervision of all children.
- All mobile telephones are kept securely in the Nursery Office. The Nursery camera is the only camera that may be used to take photographs of the children. Photographs are only used for Children's profiles. If images are used to promote the Nursery on the Website, parents are requested to complete a Photo permission slip.
- The Nursery believes that in order to protect the privacy of the children who attend our Nursery, no photograph or any other type of recording where an individual child can be recognised will be included on our website or any social media website associated with the Nursery without the permission of the child's parent/legal guardian.
- The Nursery also requests that the parents (carers or other family members) of our children do not publish any photographs or any other recording onto any public website (including Facebook, Twitter etc.) where any other children attending the Nursery can be identified.

## **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.

### **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 Good practice – Organisations.
- Ensure robust safeguarding policies and procedures are in place.
- 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.

### **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.
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland.
- 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.

### **Child Abuse**

Children often experience more than one type of abuse over a period of time. Children may be afraid to tell anybody about the abuse. They may struggle with feelings of guilt, shame or confusion – particularly if the abuser is a parent, caregiver or other close family member or friend.

### **Physical Abuse**

Physical abuse is when a child is deliberately hurt, causing physical harm. It can involve hitting, kicking, shaking, throwing, poisoning, burning or suffocating. It is also physical abuse if a parent or carer makes up or causes the symptoms of illness in children. For example, they may give them medicine they don't need, making them unwell. This is known as fabricated or induced illness (FII).

## **Neglect**

Neglect is not meeting a child's basic physical and/or psychological needs. This can result in serious damage to their health and development. Neglect is the most common type of child abuse.

## **Sexual Abuse**

Sexual abuse is forcing or enticing a child to take part in sexual activities. It doesn't necessarily involve violence and the child may not be aware that what is happening is abuse.

Child sexual abuse can involve contact abuse and non-contact abuse.

## **Harmful Sexual Behaviour**

Harmful sexual behaviour (HSB) is developmentally inappropriate sexual behaviour which is displayed by children and young people and which may be harmful or abusive. It may also be referred to as sexually harmful behaviour or sexualised behaviour.

## **Emotional Abuse**

Emotional abuse involves humiliating, putting down or regularly criticising a child, shouting at or threatening a child or calling them names, mocking a child or making them perform degrading acts, not allowing a child to have friends, exposing a child to distressing events, persistently ignoring a child and not being positive or encouraging to a child.

## **Domestic Abuse**

Domestic abuse is any type of controlling, coercive, threatening behaviour, violence or abuse between people who are, or who have been in a relationship, regardless of gender or sexuality. It can be physical, sexual, psychological, emotional or financial abuse.

Exposure to domestic abuse is child abuse. Children can be directly involved in incidents of domestic abuse or they may be harmed by seeing or hearing abuse happening.

## **Child Trafficking**

Child trafficking is child abuse. It involves recruiting and moving children who are then exploited. Many children are trafficked into the UK from overseas, but children can also be trafficked from one part of the UK to another.

## **Bullying and Cyberbullying**

Bullying is when individuals or groups seek to harm, intimidate or coerce someone who is perceived to be vulnerable.

Bullying can happen anywhere – at school, at home or online. When bullying happens online it can involve social networks, games and mobile devices. Online bullying can also be known as cyberbullying.

## **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. A 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 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).

As part of our safeguarding policy if any of the above are suspected to be happening or if a child discloses any information about them the Nursery Manager will contact MASH for advice on the next step. **MASH 0345 0507666**

**In the first instance the chair of the committee or Nursery Manager should immediately discuss the allegation with the LADO.** The purpose of an initial discussion is for the LADO and case manager to consider the nature, content and context of the allegation and agree a course of action.

LADO: Alison Beasley 01865 815956 [alison.beasley@oxfordshire.gov.uk](mailto:alison.beasley@oxfordshire.gov.uk)

Safeguarding Co-ordinators:

Donna Crozier 01865 816382

Sandra Pasquet 01865 323457

Hannah Burke-Smith 01865 323032



## Safeguarding Children Procedure Policy

Child protection is of paramount importance at Horspath Nursery.



Below is the procedure staff follow when referring a child:

### **Referrals of Child Abuse:**

If a child arrives at Nursery staff should:

- Ensure immediate medical attention is given if necessary.
- Ask parents how the injuries occurred.
- Explanations, however puzzling should be accepted and accusations should not be made.
- Make a written record, including diagrams of observations and explanations given.
- A body map must be completed, signed and dated.
- Have a witness whenever possible – this recording of information is to ensure that reasonably full and clear information is obtained to be able to make an appropriate referral to MASH team.
- If a parent is able to explain the injury with a satisfactory answer, this should be recorded and reported to the Safeguard Lead with no further action taken at this time.
- If you still have concerns or are not fully satisfied with the explanation, even if you think the injury may have been caused accidentally, the safeguard lead must contact MASH and request further advice from a duty social worker.

If you suspect that the injuries have been caused by assault or by failure to protect the child, you must tell the Nursery Safeguard Lead or Nursery Manager **WITHOUT DELAY** ('Without delay' means IMMEDIATELY) Failure to do so **WILL** result in disciplinary action being taken.

### **Suspicion of Abuse:**

If throughout conversation or other contact with the child, you have cause to suspect physical, sexual or emotional abuse or neglect of a child in your care:

- Listen to what the child says. Be comforting and sympathetic. Ensure that the child feels as little responsibility as possible.
- It is particularly important not to make any suggestions to the child regarding how the incident may have happened, therefore do not question the child except to clarify what he/she is saying.
- Write down exactly what the child says, or what actions concern you, and what you have said in response. Sign and date it.
- Do not make assumptions about whom the allegations might concern. If a member of staff may be involved, appropriate steps must be taken to ensure the safety of the child and other children.
- Inform the Manager of your suspicions and the Designated Safeguarding Lead.

Signed on behalf of the Management Committee:

..... Chairperson

This policy was updated by the Manager and staff and will be updated annually.  
Next due to be updated: September 2021.

“Horspath Nursery is committed to safeguarding and promoting the welfare of children, families and staff at all times.”