**Safeguarding, Welfare Requirements & Child Abuse Policy**

We intend to create in our nursery an environment in which children are safe from abuse and in which any suspicion of abuse is promptly and appropriately responded to. Our setting will work with children, parents and the community to ensure the safety of children and to give them the very best start in life. Our aim is to promote children’s rights to be strong, resilient and listened to by creating a setting that encourages children to develop a positive self-image, which includes their heritage arising from their colour and ethnicity, their languages spoken at home, their religious beliefs, cultural traditions and home background. We have a copy of ‘**What to do if you are worried a child is being abused’** displayed in the hall and in the policy and procedures file. We will also have regard to the government’s statutory guidance ‘W**orking Together to Safeguard Children 2018’**. All staff is familiar with what to do if they have concerns, the duty manager will be responsible for ensuring this policy.

**The Legal Framework:**

* The Children Act 1989, 2004 (Every Child Matters), 2006, 2014
* Data Protection Act 1998
* The Protection of Children Act 1999
* Special Educational Needs, Code of Practice 2001
* Safeguarding Vulnerable Groups Act 2006
* Equality Act 2010
* Working together to safeguard children act 2018
* Human rights act 1998
* Keeping children safe in education 2019
* Children and Families Act 2014
* The United Nations convention on the rights of a child 1992
* The Children and social work act 2017

**Exclude known abusers:** It will be made clear to applicants for posts within the nursery that the position is exempt from the previsions of the Rehabilitation of Offenders Act 1974. All applicants that 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 such references will be followed up. In the case of applicants with unexplained gaps in their employment history, or who have moved rapidly from one job to another, explanations will be sought. If explanations are unsatisfactory details will be passed to the Cumbria Safeguarding Hub.

**Staffing and Volunteering:**  All appointments both paid and voluntary, will be subject to a probationary period (usually 6 months) and will not be confirmed unless the nursery manager is confident that the applicant can be safely entrusted with children. We will seek out training opportunities for all adults involved in the group to ensure that they recognise the symptoms of possible physical and sexual abuse, we do this through the Safeguarding training and reading this policy. All staff/students have undergone (or in the process) DBS disclosure (we use Capita), until we receive this no adult will be left unsupervised with the children, or their job confirmed.

**Prevent abuse by means of good practise:**  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, for example, for time out after a behaviour issue, will do so in the nursery. The layout of the playroom(s) will permit constant supervision of all children. Adults who have not been DBS checked will not take children unaccompanied to the toilet. 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 self-confidence and the vocabulary to resist inappropriate approaches. See Code of Practice which covers the use of mobile phones and cameras in the setting.

**Allegations implicating staff members:** If inappropriate behaviour is displayed by other members of staff, or any other person working with the children and an allegation against a staff member is made, the manager will ask the accused staff member to write what happened and also the person accusing the staff member to do the same. If the manager deems appropriate, the staff member accused will be suspended without pay while investigations are on-going. The manager will contact our Local Authority Designated Office (LADO) Tel: 03003 033 892 or LADO@cumbria.gov.uk for allegations against those who work with children, within one working day. The procedures are available on the CSCP website: [www.cumbriacscp.com](http://www.cumbriacscp.com). Ofsted will also be informed within 14 days. Cumbria Safeguarding Hub: 0333 240 1727 = referral.

**Child abuse signs & symptoms:**

Staff must be able to recognise the signs and symptoms of possible abuse (see types of abuse sheet in policy/safeguarding file). The four main types of abuse are:

* **Physical** abuse is intentionally causing physical harm to the child through noticeable marks on the child or child may be withdrawn.
* **Emotional** abuse is where there is emotional harm to a child and significant changes in children’s behaviour.
* **Neglect** means failing to provide for the basic essential needs of a child. Child may be dirty and/or underweight.
* **Sexual** abuse is the use of children, both boys and girls for sexual gratification. Through role play, toileting and nappy changing.

In order to recognise abuse, staff needs to be aware of the signs related to each of the aforementioned types and be aware of age-appropriate behaviour of the children.

**Abuse through observation and/or disclosure:**

Abuse can be detected through regular observation in a variety of situations. The child should not be aware staff are observing them as this might change the way they react in situations. If abuse is suspected staff must record the information as soon as possible and inform the manager.

The report must include, and to be legally admissible, the report needs to be made within 48 hours of the disclosure:

* Name, age and address of child.
* Parents/careers' names.
* Date, time and place of disclosure – must be objective.
* Specify whether recording own concerns or someone else's.
* Brief description of what caused your concerns, including incidents leading up to your concern.
* What the child was doing immediately prior to the disclosure. What may have prompted the disclosure?
* Description of any physical signs. Use a body map to indicate where the signs are. Signs should be reported accurately without judgments being made as to their cause.
* Description of any behavioural changes.
* If the child has said anything, which has caused concern, EXACTLY, what the child said, using words the child used - not what staff thought they meant.
* Has the parent given an explanation for any of staffs concerns?
* The name of the person to whom the concern was reported, and the names of any other person present at the time.
* Details of who you passed the information onto.

Records, as with all records pertaining to the children, must be kept in a locked cabinet and accessible only to those concerned. Parents do have a right to see the records about their child, should they request to do so.

Along with recognising abuse through observation children could tell staff about the abuse, which could take the form of:

* **A full disclosure: Child relates all the history of abuse including names.**
* **A partial disclosure: Child tells only one part of the story.**
* **A direct disclosure: Child tells early years worker verbally or by using sign language what has happened.**
* **An indirect disclosure: Child might disclose abuse indirectly through play.**

Staff must be aware of and able to recognise the different types of disclosures. Should a child make a disclosure to a member of staff the staff should:

* **Take the allegations seriously.**
* **They should listen to the child.**
* **Reassure the child that they have done the right thing by telling.**
* **Praise the child for surviving the abuse.**
* **Don't question the child or ask for details.**
* **Don't promise confidentiality to the child.**
* **Don't make value judgements about the abuser.**
* **Explain to the child what you are going to do next and that you will let the child know what happens.**

These records are signed and dated and kept in the child’s personal file. All members of staff know the procedure for recording and reporting – the written report needs to be made within 48 hours of the disclosure.

Parents will normally be first point of contact. If a suspicion of abuse is recorded, parents are informed at the same time the report is made, except where the guidance of the LSCB 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 the parents.

**Confidentiality:** All suspicions and investigations will be kept confidential, shared only with those on a need to know basis. The people most commonly involved will be the member of staff/key person and the manager and child (if age appropriate). Confidential records kept must be kept in a locked cabinet (separate from every day records) and accessible only to those concerned. Parents do have a right to see the records about their child, should they request to do so.

**Procedure to inform other bodies:** Should abuse be suspected either through observation or disclosure, the Manager or Duty Manager responsible for child protection in the setting, must inform the **Safeguarding Hub Telephone: 0333 240 1727** immediately:

* Option 1: for professionals with an immediate child protection concern (when it is believed that Section 47 threshold has been met and the child requires a response from Social Care today – please refer to the Multi Agency Threshold Guidance)
* Option 2: if you are returning a call to a member of staff from the Safeguarding Hub
* Option 3: if you are calling regarding a child or young person who already has an allocated Social Worker (you will then have a choice of district team to be transferred to)
* Option 4: for any other safeguarding enquiry

Children Services, once informed, are legally required to investigate. They will also inform the police. The staff member may be called to participate in the case conference. The Nursery and staff member (s) involved in writing the reports of abuse will, at all times, assist social services and the police in their investigations. If we have not had any feedback within 72 hours we must contact the Safeguarding Hub and ask.

**Liaise with other bodies:**  The nursery will maintain on-going contact with the registering authority, including names, addresses and telephone numbers of individual social workers, to ensure that all parties involved are working together. Records will also be kept of the local NSPCC contact, or other contacts as appropriate. We will notify Ofsted of any incident or accident and any changes in our arrangements which may affect the wellbeing of children.

**Support families and staff:**  The nursery will take every step in its power to build up a trusting and supportive relationship between families and staff and volunteers in the nursery. Where abuse at home is suspected, the nursery will continue to welcome the child while investigations proceed. With the provision 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.

Any cases of suspected abuse will be distressing for the staff involved, however staff can talk to the Manager or trained councillor. They must remember the rules of confidentiality and not use names. They must also continue to behave professionally towards the suspected parent or carer.

**Mobile Phones, Cameras and Social Networking**: See Code of Conduct for Staff, Students and Volunteers Policy.

Responsible for child protection in the setting are Keeley Morland and their role is:

* To access LSCB;
* Access newsletters;
* Receive links for the CSCP manual.

**Whistle Blowing:** Qualifying disclosures are disclosures of information where the worker reasonably believes (and it is in the public interest) that one or more of the following matters is ether happening, has taken place or is likely to happen in the future.

* A criminal offence
* The breach of a legal obligation
* A miscarriage of justice
* A danger to the health and safety of an individual
* Risk or actual damage to the environment
* Deliberate attempt to conceal any of the above.

If a worker is going to make a disclosure it should be made to the employer first, or if they feel unable to use the organisations procedure the disclosure should be made to a prescribed person so that employment rights are protected.

Workers who ‘blow the whistle’ on wrongdoing in the workplace can claim unfair dismissal if they are dismissed or victimised for doing so. An employee’s dismissal (or selection for redundancy) is automatically considered ‘unfair’ if it is wholly or mainly for making a protected disclosure. From 25 June 2013 if a case goes to a tribunal and the tribunal thinks the disclosure was made in bad faith, it will have the power to reduce compensation by up to 25%. Complaints that don’t count as whistleblowing are personal grievances, unless your particular case is in the public interest.

Your employer will listen to your concern and decide if any action is needed. You may be asked for further information. You must say straight away if you don’t want anyone else to know it was you who raised the concern. You won’t have a say in how your concern is dealt with.

If you’re not satisfied with how your employer dealt with your concern contact the Advisory, Conciliation and Arbitration Service, the whistle blowing charity. You must raise any claim of unfair dismissal within 3 months of your employment ending.

A worker will have to show three things to claim PIDA protection:

* That he or she made a disclosure;
* That they followed the correct disclosure procedure;
* That they were dismissed or suffered a detriment as a result of making the disclosure

**The person responsible for safeguarding is Keeley Morland.**

Signed: Role: Manager Review date: