

## **Safeguarding and Welfare Requirement: Safeguarding and promoting children's welfare**

The provider must take necessary steps to safeguard and promote the welfare of the children



## **Safeguarding and Child Protection Policy**

### **Policy statement**

This document is the Safeguarding and Child Protection Policy for First Steps Nursery & Pre-school.

Safeguarding and promoting the welfare of children is defined by the Department for Education as:

- Protecting children from maltreatment;
- Preventing impairment of the children's health or development
- Ensuring children are growing up in circumstances consistent with the provision of safe and effective care;
- Taking action to enable all children to have the best outcomes.

Child protection is part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or likely to suffer, significant harm.

The Safeguarding and Child Protection Policy forms one part of First Steps Nursery & Pre-school's safeguarding responsibilities and should be read in conjunction with the Safer Recruitment Policy, Behaviour Policy, Attendance Policy, Physical Intervention Policy, Anti-Bullying Policy, Mobile Phones and Camera's Policy, eSafety Policy and any other relevant policies as defined in the annual report to the governing body and alongside the policies used by Shireland Collegiate Academy.

***Purpose of a Safeguarding and Child Protection Policy:*** To inform all staff members, parents, volunteers and governors about First Steps Nursery & Pre-school's responsibilities for safeguarding children and their responsibilities therein.

***Sandwell Safeguarding Children Board:*** First Steps Nursery & Pre-school follows the procedures agreed by Sandwell Safeguarding Children Board.

***First Steps Nursery & Pre-school Staff & Volunteers:*** Nursery staff and volunteers are well placed to observe the outward signs of abuse.

First Steps Nursery & Pre-school will therefore:

- Ensure that all nursery staff and volunteers receive safeguarding children training, to identify concerns.
- Ensure that all staff are aware of this policy and those relating the safeguarding of children

***Mission Statements:***

- Establish and maintain an environment where children, parents, staff and volunteers feel secure, are encouraged to talk, and are listened to when concerns about the well-being of a child are raised
- Ensure children know that there are adults in First Steps Nursery & Pre-school whom they can approach if they are worried
- Ensure that children who are subject to multi-agency plans are supported by nursery staff , as defined in that plan
- Develop and deliver the PHSE curriculum to create opportunities for children to develop the skills they need to recognise and stay safe from harm
- Contribute to children being healthy, safe, enjoying and achieving, making a positive contribution and achieving economic well-being

***Implementation, monitoring and review of the safeguarding and Child Protection Policy:*** This policy will be reviewed annually by the Governing Body and implemented by the Designated Senior Person as part of their role and responsibilities, along with the Shireland Collegiate Academy Safeguarding Officer.

### **Aims and Ethos**

Through the implementation of this policy, First Steps Nursery & Pre-school aims to fulfil its duty to ensure that all its employees, governors and volunteers are able to carry out their responsibilities for safeguarding and promoting children's welfare by:

- Providing a safe environment for children to learn and develop in, including a curriculum to provide children with the skill to keep themselves safe
- Ensuring that all nursery staff are trained to recognise signs of child abuse and know how to report and concerns
- Supporting children in accordance to his/her agreed child protection, child in need or TAF (team Around the Family) Plan
- Ensuring we practice safe recruitment processes to ensure that all staff and volunteers employed by First Steps Nursery & Pre-school are suitable to work with children
- Most importantly this guidance puts the needs of the child or young person at its heart- so the system fits and responds to you and not the other way round
- "You can also expect that your life will not be made any worse because you had the courage to speak out against your abuse" (Young Person's Guide to Working Together to Safeguard Children)

"Working Together to Safeguard Children 2015" requires all staff in First Steps Nursery & Pre-school to follow the procedures for protecting children from abuse which are defined by Sandwell Safeguarding Children Board and have appropriate procedures in place for responding to all concerns of actual or suspected abuse including allegations against members of staff in a position of trust.

"Working Together to Safeguard Children 2015" places the following statutory duties on all First Steps Nursery & Pre-school staff:

- Staff should be aware of and follow the procedures issued by Sandwell Safeguarding Children Board;
- Staff should be vigilant of signs of abuse and to whom they should report any concerns to;
- Staff should have procedures in place which are disseminated to all staff for handling suspected or actual cases of abuse of pupils, including procedures to be followed in case of allegations against persons in a position of trust;
- First Steps Nursery & Pre-school has a Designated Senior Person- who is a member of the senior management team and responsible for co-ordinating safeguarding/child protection work within the setting and liaising with other agencies as appropriate;
- Staff with designated responsibility for safeguarding and child protection should receive appropriate single agency and multi-agency training approved by SSCB at least every two years;
- All other staff within the setting should receive training to raise their awareness of signs and symptoms of actual or suspected abuse the procedures they should follow at least every three years;
- All organisations and FE colleges should share information and work in partnership with other agencies when there are concerns about a child's welfare

## **Procedures**

### **Designated Safeguarding Lead**

The Designated Safeguarding Lead (DSL) for Child Protection in First Steps Nursery & Pre-school is:

Kamaljit Koasha - Nursery Manager and Heather Wilkinson – Nursery Manager.

Deputy DSL's, Nisha Devi-Droach, Laura Jacinto, Mina Kaur.

It is the role of the Designated Safeguarding Lead for child protection to:

- Ensure that s/he receives refresher training at least every two years to keep his or her knowledge up to date;
- Ensure that all staff who work with children undertake appropriate training to equip them to carry out their responsibilities for safeguarding children at least every three years;
- To deliver department based training to all staff within the setting. This covers the Level 1 training as well as Shireland Collegiate Academy specific safeguarding training;
- Ensure that there are effective inductions in safeguarding and child protection for all for all adults working in the nursery, be they staff or volunteers, including supply agency staff which are to be undertaken no more than 10 working days of commencement of their contract;
- Make sure concerns are raised by staff/ volunteers when necessary;
- Ensure that the names and contact details of the DSL/Deputy DSL are on display for all staff, parents and visitors of the nursery;
- Ensure that the DSL's are not out of the setting (i.e. training events) at the same time;

- Ensure that the telephone number for the MASH service is available and easily accessible to staff in case, for any reason, the DSL and Deputy DSL are not contactable, in order to ensure there is no unwarranted delay in referral;
- Discuss concerns as required with outside agencies e.g. specific agencies for single need(e.g. speech and language, inclusion support), early intervention multi-agency (e.g. Early Help Assessment) or MASH service/ existing social worker (child protection/ significant harm concerns;
- Complete all necessary paperwork and correspondence including referral forms to the Early Help Team or MASH service in regard to safeguarding and child protection referrals;
- Ensure that the setting is represented by a Designated Lead for Child Protection at child protection conferences, core groups and multi-agency meetings about 'Children in Need'. It is the Designated Lead for Child Protection who should attend Child Protection Conferences rather than another representative. If this is not possible, the Deputy Designated Person should attend. If neither can attend apologies must be given and a written report must be submitted prior to the conference;
- Compile and submitting a written report regarding children who are subject to child protection conferences. This should be shared with parents before the conference takes place;
- Ensure there is appropriate representation on Core Groups when a child is on a child protection plan. If the most appropriate person is a key person, there must be joint working with the Designated Person- consider appropriate safeguarding supervision arrangements;
- Ensure there are appropriately trained staff to lead on and that all staff are aware of the Early Help Assessment;
- Ensure that relevant staff are informed and advised about appropriate action when a child is subject to a Child Protection Plan;
- Ensure that welfare records are kept securely and confidentially (locked and with limited access)
- Ensure that safeguarding and child protection records are chronologically recorded, with significant incidents or events highlighted. These records should be reviewed regularly and focus outcomes for the child/ren;
- Ensure that record are transferred when a child changes settings;
- Put mechanism in place to support the DSL in child protection in specific regard to their welfare responsibilities e.g. weekly/monthly one to one meetings between DSL to offer mutual support;
- Keep SCA's SLT, Governors, Local Authority and SSCB informed about safeguarding and child protection issues as requested;
- Provide guidance to parents, children and staff about obtaining suitable support;
- Discuss with new parents the role of the DSL and the role of safeguarding in the setting. Make parents aware of the safeguarding procedures used and how to access the Safeguarding and Child Protection policy.

## **First Steps Nursery Procedures- staff responsibilities**

- All nursery staff and volunteers need to be alert to the potential abuse of children both within their families and from other sources including members of the community.
- If any staff member is concerned about a child, the DSL must be informed immediately. There is an absolute responsibility for all members of staff to respond to suspected or actual abuse of a child in accordance with these procedures.
- The member of staff must record information regarding the concerns and ensure the written record is passed to the DSL on the same day. The record must be a clear, precise, factual account of the observations.
- First Steps Nursery & Pre-school will robustly monitor the attendance of children on role. When a safeguarding/ child protection concern is raised, attendance concerns will be shared with partner agencies in accordance with the local information sharing protocols.
- The DSL & Deputy DSL will decide whether the concerns should be referred to children's social care via the MASH service. If it is decided to make a referral to children's social care this will be discussed with the parents, unless to do so would place the child at further risk of harm, place a vulnerable adult at risk or compromise any enquires that may need to be made.
- When concerns have been raised regarding a child or they are subject to any multi-agency work, a written record will be kept securely and separately from the child's main pupil record.
- Whenever a child transfers to another setting, all their records, including safeguarding/child protection files will be sent to the receiving setting in a secure manner and relevant agencies will be informed of the new setting that the child has moved to.
- The DSL or Deputy DSL is responsible for making the Senior Leadership Team aware of trends in behaviour that may affect children's welfare. If necessary, training will be arranged.
- DSL and/or Deputy DSL attend regular Safeguarding Network Groups at Shireland Collegiate Academy in order to gain links within the Smethwick community and gather information from other agencies regarding services that are on offer to support staff, children and families.

All staff and volunteers should be aware that the main categories of abuse are:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect

All staff and volunteers should be concerned about a child if s/he presents with indicators of possible significant harm.

For guidance on use of mobile technologies, please refer to the Mobile Phones and Camera's Policy.

## **Dealing with a disclosure**

Where a child actually discloses that s/he has been abused the following guidelines must be followed:

### *Receive:*

- If a child wants to talk to you, never ask them to come back to you later. Ask them what they want to talk to you about and, if you are concerned about their welfare, give them time to speak to you.
- Never promise confidentiality, inform the child that you are happy to talk to them but if they tell you anything that you believe may be putting them at harm that you will have to talk to someone.
- Listen carefully to the child. Do not stop a child who is freely recalling information.
- Where a child is visibly upset or has an obvious injury, it is good practice to ask a child why they are upset or how the injury was caused, or respond to a child wanting to talk to you to help clarify vague concerns and result in the right action being taken.

### *React:*

- If you need to clarify information ask open-ended question e.g. “is there anything you’d like to tell me?”, “can you explain to me...”, “can you describe to me...”
- **Never** ask leading or suggestive questions e.g. “did s/he do anything that they shouldn’t have done?”
- **Never** ask ‘accusing’ questions e.g. “why didn’t you tell someone earlier?”
- **Never** criticise the alleged perpetrator, it may be someone that they will continue to live with.
- **Never** ask the child to repeat their disclosure for any other member of staff; it is your responsibility to share the information.
- These four factors may compromise enquiries that need to be made later by children’s social care or Police.

### *Reassure:*

- Ensure that the child is aware that they done the right thing in talking to you and that they have not done anything wrong.
- If you have any concerns that the child has been, or is at risk of harm, you must tell them that you will speak to someone to get help.

### *Record:*

- Make notes as soon as possible afterwards using the words that the child has used.
- Do not record your assumptions and interpretations, just what you have heard or saw.
- Do not destroy original notes even if you later write things up more neatly and fully.
- Record the date, time and place of disclosure.
- Sign any written records and identify your position in the setting.
- Do not ask a child to write an account or sign any of your documentation as this may compromise enquiries that need to be made later by children’s social care or Police.

### *Refer:*

- Immediately inform the DSL for child protection or in their absence the Deputy DSL, who will be responsible for following the appropriate procedures. In the absence of anyone being available in the setting or SCA, contact MASH Team on 0121 569 3100 for advice.

To consult with your DSL does not mean a referral has been made. This decision is the responsibility of the DSP who will contact the appropriate agency as and when required.

If you are unhappy about the response you receive from your DSP, contact the MASH Team service on 0121 569 3100/ 0845 351 0131 where you will be able to speak to a qualified social worker.

**Under no circumstances should you leave the nursery without discussing your concerns with someone.**

### **Immediate action to ensure safety**

Immediate action may be necessary at any stage to ensure the safety of the child/ren and families.

- If emergency medical attention is required for a child, an ambulance will be called (dial 999) or, if appropriate, the child will be taken to the nearest Accident & Emergency Department. Parents/carers will be informed as soon as practicable.
- If a child is thought to be in immediate danger, the police will be contacted (dial 999) as they alone have the authority to immediately protect a child under Police Protection powers. A referral to children's social care via the MASH service will be made once the immediate danger has passed (dial 0121 569 3100/ 0845 351 0131)

### **Making a referral**

A referral involves sharing information in line with the [MASH Criteria](#) to either the Early Help Team, with consent of the parents/carers, children's social care or the Police in matters of immediate risk.

Parents/carers should be informed if a referral is being made except in the circumstances where advice has been given otherwise.

However, inability to inform parents for any reason should not prevent a referral being made to children's social care via the MASH Service. It would then become joint decision with Children's Services about how and when the parents should be approached and by whom.

If low level multi-agency support is required for a child/ren or their family, the DSP for child protection will, with consent of the parent/carer, refer to the Early Help Team to enable a team around the family plan to be initiated. This will be targeted multi-agency support to help the family resolve any identified concerns.

### **How to make a referral**

- **Step 1-** complete a Multi-Agency Referral Form (MARF) and send in to the MASH secure email address on the front of the form. Call the MASH Service and advise that a referral is being made. Be prepared to give as much of the following information as possible using the SAFER guidelines
- **Step 2-** submit all supporting evidence within one working day of the verbal referral using the [Early Help Assessment](#) form for referrals to the Early Help Team or the **Multi-Agency/ Inter-agency Referral Form (MARF)** for referrals to children's social care. If a child is at imminent significant/ immediate danger (and reporting concerns cannot wait an hour while a MARF is completed) the referrer should consider telephoning 999 and Children's Social Care's contact centre (0121 569 3100). A MARF will also need to be complete without delay.

**Accurately record the action agreed following the referral or that no further action is to be taken and the reasons for this decision noting with whom discussions were held and who made the decisions on the appropriate setting form.**

## **Communication with parents**

First Steps Nursery & Pre-school will always discuss concerns with parents/carers unless to do so would:

- Place the child at risk of significant harm or further risk of significant harm;
- Place a vulnerable adult at risk of harm;
- Compromise any enquiries that need to be undertaken by children's social care or the police.

The nursery will endeavour to ensure that parents/carers have an understanding of the responsibilities placed on nursery and staff for safeguarding children.

## **Record keeping**

When a child has made a disclosure, the member of staff/volunteer should;

- Make brief notes as soon as possible after the conversation using the appropriate form utilised by the setting;
- Not destroy the original notes in case they are needed by a court;
- Record the date, time, place and any noticeable non-verbal behaviour and the words used by the child;
- Record statements and observations rather than interpretations or assumptions;
- Distinguish fact from opinion.

All records need to be given to the DSP before the end of the working day. No copies should be retained by the member of staff or volunteer.

The DSP will ensure that all safeguarding records are managed and transferred in accordance with the Education (Pupil Information) (England) Regulations 2005.

## **Allegations involving nursery staff/volunteers**

An allegation relates to an adult who works with children (in a paid or unpaid capacity) and they have:

- Behaved in a way that has harmed or may have harmed a child;
- Possibly committed a criminal offence against, or related to, a child;
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

In these circumstances, the allegation should be taken seriously and the Executive Principal, who has the responsibility for managing allegations against persons in positions of trust in Shireland Collegiate Academy, should be informed immediately.

It is not the responsibility of the person receiving the allegation to make any enquires or discuss the allegation with anyone other than the Executive Principal.

As with all other concerns about the welfare of children, the member of staff receiving the allegation should make a written record of the allegation using the informants words- including time, date and place where the alleged incident took place, brief details of what happened, what was said and who was present. This record should be signed, dated and immediately passed onto the Executive Principal.

Under no circumstance should the informant be asked to make a written record of the allegation or asked to sign any documentation. This is the responsibility of the person receiving the allegation.

The Executive Principal will not investigate the allegation itself, or take written or detailed statements, but will consult with the Local Authority Child Protection Officers, when appropriate, and if necessary, make a referral to the LADO (Local Authority Designated Officer).

If the Executive Principal is implicated in the concerns, Chair of Governors should be informed immediately or, in their absence, the Vice Chair.

The same process will be followed by the Chair of Governors or Vice Chair of Governors as followed by the Executive Principal.

To reduce the risk of allegations, all staff should be aware of working practices and should be familiar with the guidance contained in the staff handbook, SCA Code of Conduct or Government document 'Guidance for Safer Practice for Adults who work with Children and Young People in Education Settings'.

If you have safeguarding or child protection concerns relating to the parents/carers of children and you are aware that they work with children, young people or vulnerable adults, you must inform the Designated Senior Person for Child Protection. This will allow for consideration to be given as to whether the position of trust process needs to be applied.

If it is decided that the allegation meets any of the three criteria outlined above, procedures will be followed in accordance with SSCB Inter-Agency Procedures.

If it is decided that the allegation does not meet the threshold for safeguarding, it will be handed back to the employer for consideration via the SCA internal procedures.

The Executive Principal should, as soon as possible, and after consulting with the Local Authority Designated Officer inform the person against whom the allegation has been made of the concern.

### **Safer recruitment**

- SCA has adopted the Vetting and Barring Scheme and follows these procedures when recruiting new staff.
- The Executive Principal, HR Director, Vice Principal, Family Communications Manager and all members of the HR Team have undertaken training in relation to Safer Recruitment.
- SCA maintains a Single Central Record of all employees, volunteers and governors, plus supply, which details the pre-employment checks that SCA has made on staff as defined by the Independent Safeguarding Authority.

Disclosure and Barring Service (DBS) checks (previously CRB checks)

**First Steps Nursery & Pre-school and Shireland Collegiate Academy are committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers (including Trustees and Governors) to share this commitment.**

The DBS Scheme is supported by the legal framework of the Safeguarding Vulnerable Groups Act 2006. First Steps Nursery & Pre-school complies fully with the requirements of the scheme, this will include;

- From September 2010 all new employees and volunteers offered positions commencing after 1<sup>st</sup> September 2010 will be required to seek DBS registration.
- From 1<sup>st</sup> November 2010, no new employees or volunteers will be able to commence until confirmation of DBS registration is received.

- From 1<sup>st</sup> November 2010, all those moving post within First Steps Nursery & Pre-school will be required to apply for DBS registration.
- From January 2011, First Steps Nursery & Pre-school will commence a rolling programme of DBS registration for all existing employees and volunteers.
- First Steps Nursery & Pre-school will register and interest in all employees and volunteers with the DBS in order to receive updates should an individual's DBS registration status change.
- Details of DBS registration for all employees and volunteers will be held on the Single Central Record.

## **Disclosure and barring Service**

Introduction:

On December 1<sup>st</sup> 2012 the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged to become the Disclosure and Barring Service (DBS) as set out under the timetable of the Protection of Freedoms Act 2012. Further legislative changes will come in to effect during 2013 and 2014.

The DBS:

The **Safeguarding and Vulnerable Groups Act 2006 and Protection of Freedoms Act 2012** set out the foundation for this scheme. The DBS has an Independent Barring Board (IBB) with responsibility for taking barring decisions on new referrals and the management of two barred lists which replaced List 99, PoCA and PoVA Lists. The system aims to provide employers with a quicker and more effective vetting and barring service. All disclosures for work with children and vulnerable persons are to be at an enhanced level for Regulated Activity. The new organisation, BDS, will provide a service combining criminal records checking and the barring functions:

- The barring part of the DBS will provide Caseworkers who receive and process referrals about individuals, who have harmed, or who pose a risk of harm, to children, young people or vulnerable adults.
- The checking part of DBS will allow employers to check and access the criminal record history of people working, or applying to work (whether paid or unpaid) in certain positions, especially those that involve working with children and vulnerable adults.
- The DBS Website provides a range of advice, guidance and relevant forms.

Safe Recruitment;

All organisations engaging people in 'Regulated Activities' must have robust and transparent recruitment procedures in place to ensure children, young people and vulnerable adults are safeguarded and they should be familiar with the Local Safeguarding Children Board policies and procedures.

Before recruiting staff (whether paid or unpaid), the following should be considered:

- The application process should include the organisations commitment to safeguarding in, for example, the Job Description and any other documentation
- Thorough checks should be made of an applicant's identity, work history and references including any gaps in time
- Proof of qualifications should be obtained

- Checks with Disclosure and Barring Service should be undertaken
- A probationary period and supervision of the person should take place
- References should be obtained and verified

This is not an exhaustive list but a framework for sound recruitment practice.

Referrals to the DBS:

The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a legal duty on Regulated Activity Providers (employers, volunteer managers and personnel suppliers) to refer any person who has:

- Harmed or poses a risk of harm to a child or vulnerable adult;
- Satisfied the harm test: or
- Received a caution or conviction for a relevant offence.

Under the provisions of the Safeguarding Vulnerable Groups Act 2006, the following groups have a power to make a referral to the DBS:

- Local authorities (safeguarding role);
- Education and library boards;
- Health and social care (HSC) trust (N);
- Keepers of registers e.g. General Medical Council, Nursing and Midwifery Council;
- Supervisory authorities e.g. Care Quality Commission, Ofsted.

Finally it may also be beneficial to register the e-database so that employers are kept informed of changes to the services as they are applied.

## **Referral**

First Steps Nursery & Pre-school has a legal duty to refer appropriate information to the DBS about a person who has harmed or poses a risk of harm to a child or vulnerable adult.

First Steps Nursery & Pre-school will make a referral when a person is removed (or would be removed) because the setting believes that:

- They have a caution or conviction for a relevant offence
- Relevant conduct has occurred
- Harm test is satisfied

## **Minded to bar**

Should First Steps Nursery & Pre-school be made aware that the DBS is 'minded to bar' an employee or volunteer of the setting that person will be suspended from duty pending the outcome of representations and the final decision of the DBS.

## **Useful telephone numbers**

Sandwell Contact Centre: 0121 569 3100

West Midlands Police: 0345 113 5000

Local Authority Child Protection Officers for Education; 0121 569 8144

Local Authority Designated Officer: 0121 569 4770

Child Sexual Exploitation (CSE) Team: 0845 352 8690

Prevent (Extremism) co-ordinator: Sarfraz Khan 0845 352 7701

Tipton COG- 0121 569 7291

Wednesbury COG- 0121 569 7294

West Bromwich COG- 0121 569 7293/7392

Oldbury COG- 0121 569 7295

Rowley COG- 0121 569 7296

Smethwick COG- 0121 569 7297

### **Other recommended safe environment policies**

Anti-bullying                      PSHE curriculum

Drugs and substance misuse                      Race, Disability and Equality Policy

e-safety (including management of medical conditions, intimate care)                      Physical Intervention

First aid (including management of medical conditions, intimate care)                      Recruitment and selection

Management of allegations against staff                      Whistle blowing

### **Legal framework**

- The Children Act 1989
- The Children Act 2004
- Education Act 2002 (Section 175/157)
- Working Together to Safeguard Children ( HM Government 2015)
- The Education (Pupil Information) (England) Regulations 2005

### **Further guidance**

- Young Person's Guide to Working Together to Safeguard Children- <https://www.rights4me.org>
- Sandwell Safeguarding Children Board Inter-Agency Procedures
- Keeping Children Safe in Education
- Dealing with Allegations of Abuse Against Teachers and Other Staff (DfE 2011)

This policy was adopted by

First Steps Nursery & Pre-school

On

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06/09/2021

Date to be reviewed

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06/09/2022

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Signed on behalf of the provider

Name of signatory

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Kam Koasha & Heather Wilkinson

Role of signatory (e.g. chair, director or owner)

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Nursery Managers/ Co Leads

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