

SAFEGUARDING POLICY

Merry Go Round is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

The pre-school's manager and chairperson take lead responsibility for safeguarding children within the setting. Together, they are responsible for taking appropriate action, should the need arise, for liaising with local statutory children's services agencies, and for monitoring the pre-school's safeguarding policy. When the manager is not available the deputy play leader will act in his /her place in an emergency.

The pre-school's safeguarding policy has been developed in line with guidelines given by Ofsted, Devon Local Safeguarding Children Board (through the South West Safeguarding and Child Protection Group) and those given in the document 'What To Do If You Are Worried A Child is Being Abused'.

When recruiting new members of staff and volunteers we are guided by national guidance and legislation on safer recruitment and selection e.g.

Working Together to Safeguard Children (DfES 2006); Sections 175 and 157 of the Education Act 2002 and Safeguarding Children and Safer Recruitment in Education (DfES 2007).

In order to create an environment in which children are safe from abuse and in which any suspicion of abuse is promptly and appropriately responded to we:

1. Exclude known abusers by;

- Making it clear to all applicants for posts within the pre-school that positions are exempt from the provisions of the Rehabilitation of Offenders Act 1974.
- Asking all applicants for work within the pre-school to provide at least two references
- Following up all references before interview and, where applicants have unexplained gaps in their employment history, or appear to have moved rapidly from one job to another, seeking an explanation for this.
- Interviewing all applicants for work within the pre-school, whether voluntary or paid, before an appointment is made.
- Checking that all newly appointed members of staff and volunteers are registered with the Independent Safeguarding Authority (ISA) Vetting and Barring Scheme.
- Applying for a CRB check for all newly recruited members of staff and volunteers and not permitting new appointees to take up their posts until satisfactory checks have been seen.
- Ensuring that all appointments, both paid and voluntary, are subject to a probationary period.
- Ensuring that appointments are not confirmed until or unless satisfactory CRB checks and references have been received and the pre-school is confident that the applicant can be safely entrusted with children.

2. Seek and supply training to ensure that;

- Induction training gives new recruits to the setting a thorough understanding of the pre-school's policies and procedures for safeguarding children.
- All adults working in the group undertake regular safeguarding training so that they are able to recognise the signs and symptoms of possible physical abuse, neglect, emotional abuse and sexual abuse.

3. Prevent abuse in the setting by;

- Ensuring that adults are not left alone for long periods with individual children or with small groups. Any adult needing to take a child aside for any reason will always let other adults know what is happening and will leave doors ajar.
- Ensuring that adults who have not been cleared through CRB checks are never left alone with children or allowed to take any child to the toilet.
- Laying out the classroom and outside area in such a way as to ensure that all children can be under constant supervision at all times.
- Speaking to parents / carers about appropriate ways to promote positive behaviour where instances of corporal punishment come to light.
- Using activities and routines within the pre-school to help children to become independent and confident, and able to express their feelings. By doing this we hope to enable children to speak up for themselves and resist inappropriate approaches by adults or other children.

4. Respond appropriately to suspicions of abuse by;

- Ensuring that our first concern is always the child. Children whose condition or behaviour gives cause for concern will be listened to, reassured, and helped to understand that they themselves are valued and respected and have not been at fault.
- Always investigating changes in children's behaviour or appearance.
- Speaking first to parents / carers about any concerns, but referring matters on to children's services or the police if parents are unable to allay concerns.
- Contacting children's services or the police first, without reference to parents / carers, if, in exceptional circumstances, the situation seems to warrant this.
- Ensuring that all suspicions of abuse and subsequent investigations are kept confidential, shared only with those who need to know. The people most likely to be involved would be the child's key person, the pre-school manager and the committee chair.
- Immediately seeking and following advice from the Local Authority Designated Officer (LADO) in the event that an allegation of abuse is made against a member of staff or volunteer working in the pre-school.
- Immediately informing Ofsted (in writing) of any allegations of serious harm or abuse by any member of staff or volunteer (whether the harm or abuse occurred on pre-school premises or elsewhere), or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations.

5. Keep records;

- 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 our usual on-going records of children's progress and development. This record will include the name, address and age of the child, timed and dated objective observations of the child's behaviour / appearance, the exact words spoken by the child, and the date, name and signature of the recorder.

- These records will be kept in a separate file and will not be accessible to people other than the child's parents / carers, the pre-school manager, the relevant key person and the committee chair.
6. Liaise with outside agencies;
- Confidential records kept on children about whom we have concerns will be shared with children's services and or the police if we feel that concerns are justified and that adequate explanations have not been provided by the parents / carers.
 - The pre-school will keep the names, addresses and telephone numbers of any social workers assigned to children within the pre-school so that they can easily be contacted in an emergency, and to ensure good working relationships between children's services and the pre-school.
 - The pre-school also keeps a record of the local NSPCC contact.
7. Support families;
- We endeavour to build up trusting and supportive relationships between families, staff and volunteers in the group.
 - Where abuse at home is suspected, we will continue to welcome the child and family while investigations proceed.
 - With the proviso that the care and safety of the child must always come first, the pre-school will do all in its power to support and work with families with a 'child in need' to ensure a positive outcome for all concerned.
 - With the proviso that the care and safety of the child must always come first, the pre-school will do all in its power to support and work with families with a child on the Child Protection Register to ensure a positive outcome for all concerned.
 - The pre-school will do all in its power to promote the equal treatment of families in difficulty and to take account of differences in values and traditions, as well as issues of disability and additional needs.

Safeguarding Procedures

The pre-school manager and the chairperson have responsibility for ensuring that safeguarding policies and procedures are adhered to, and for following up any reports or concerns, however,

- The protection of children is the duty of all adults within the pre-school.
- All members of staff have a duty to be aware of the possible signs or symptoms of abuse and to be alert to these signs and symptoms.
- All members of staff have a duty to be aware of issues affecting vulnerability in families, such as homelessness, domestic violence, drug / alcohol abuse, asylum, mental ill health and unemployment.
- All members of staff should be alert to the condition of children arriving at the pre-school and should query any injuries or bruising with parents / carers. Significant injuries and / or bruising should be recorded on an injuries report form and signed by the parent / carer.
- Members of staff witnessing any incident between a parent / carer and a child involving either verbal abuse, aggression or corporal punishment should intervene where possible and / or report the incident to the manager as soon as possible.

The following procedures should be followed in the event of any suspicion that a child is being abused or harmed in any way;

- Where a child arrives at the pre-school with injuries or bruising that the parent / carers cannot adequately explain, or where explanations are inconsistent, a report should immediately be made to the pre-school manager, or to the designated deputy if the manager cannot be contacted.
- If a key person, other member of staff or volunteer notices anything about a child's appearance or behaviour, or hears anything that gives rise to concern he / she must report the matter to the pre-school manager at the earliest opportunity.
- If a key person, other member of staff or volunteer notices anything about a parent's / carer's behaviour that could give rise to concern he / she must report the matter to the pre-school manager at the earliest opportunity.
- If a key person, other member of staff or volunteer hears anything that could give rise to concern, he / she must report the matter to the pre-school manager at the earliest opportunity.
- All concerns should be recorded in writing, in as much detail as possible and with exact wording where the concern is related to a conversation or to something a child has said.
- Any member of staff or volunteer reporting a concern must keep confidential all matters pertaining to that report.

In the event that a report is made to the manager, he / she will;

- Record all information using the pre-school's Children's Safeguarding Incident Report form and the Injuries Report form.
- Check any evidence.
- Consider whether the information gathered indicates that the child is in need.
- Consider whether speaking to the parents / carers could seriously endanger the child in any way. If it is considered that this could be the case the manager should contact children's services immediately.
- If it is not thought that speaking to the parents would endanger the child, the manager should arrange to speak to the parents / carers at the earliest opportunity.

If, after speaking to the parents / carers, the manager feels that there are sufficient grounds for considering that the child is at risk of significant harm, he / she will;

- Remind the parents / carers of the pre-school's policy on safeguarding children and explain the need to report any concerns in the interest of the child.
- Make a referral to children's services by telephone, followed up, within 48 hours, by a written report using a Multi Agency Referral Form to be found at (www.devon.gov.uk/index/childrenfamilies/childrenfamiliescontacts/multiagencyreferralform.htm.) A copy of this report should be retained for the child's confidential file.
- Contact children's services within three working days if no reply is received after sending in a written referral.

If, after speaking to the parents / carers, the manager feels that the child is not at risk of significant harm but that there are still sufficient concerns about the child's welfare, he / she will;

- Seek the parents / carers permission to seek advice from other agencies, either by direct referral or through completion of a Common Assessment Framework form (CAF).
- If, after completion of the CAF, it is felt that the child has identified needs that can only be met through specialist services at level 3 – acute or in certain cases, multiple identified needs under Level 2 – complex (using the threshold matrices) the manager will complete a Multi Agency Referral Form (see above) and send this, with a copy of the CAF to:
Social Care Office, Children and Young People’s Services, Parkers Barn, Parkers Way, Totnes TQ9 5UF
- Any further incidents involving the child should be recorded on the child’s confidential record.

If, after speaking to the parents / carers, the manager feels that there are no grounds for concern, he / she should work with the child’s key person to monitor the child.

- If, at any point, further concerns arise these should be noted on the child’s confidential record and be discussed with the parents / carers. At this point the manager should consider whether to seek permission to refer to other agencies or to complete a CAF form.
- Where parents refuse permission for referral this should be noted on the child’s confidential record.

Where parents / carers raise concerns themselves they should be given support and help to seek professional advice. However, the health and safety of the child remains the first priority, and whether the parents seek advice or not, the manager should make a report to children’s services if it is felt that the child is at risk in any way.

In any instance where the pre-school manager has had to make a referral to children’s services, he / she should also inform the pre-school chair.

In any instance where an allegation of serious harm or abuse is made against a member of staff, volunteer or student, Ofsted should be informed, whether the abuse happened on the pre-school premises or not. This report should be made in writing, as soon as is reasonably practical but not later than 14 days after the incident.

Ofsted should also be informed in any instance where serious harm or abuse is alleged to have taken place on the pre-school premises, whether by members of staff, volunteers or anyone else.

Telephone number for Social Care: **01392 386000**

For out of hours referrals: **0845 6000 388**

Police Central Referral unit: **0845 605 1166**

Ofsted telephone number: **08456 404040**

Ofsted address: Complaints and Enforcement
Ofsted Early Years
Freshford House
Redcliffe Way
Bristol BS1 6LX

South West Safeguarding and Child Protection Group
(www.swcpp.org.uk/swcpp/swcpp_procedures.htm)

Procedure to be taken in the event that allegations of serious harm or abuse are made against a member of staff or a volunteer

If there is a concern that a member of staff or volunteer has behaved inappropriately or if an allegation is made against a member of staff or volunteer, the following procedure should be followed:

- Report the matter to the pre-school manager as soon as possible, however trivial it may seem. If the allegation concerns the pre-school manager the report should be made to the pre-school chair.
- Make a signed and dated written record of the concerns, observations or the information received.
- Maintain confidentiality and guard against publicity while an allegation is being considered or investigated and follow local information sharing protocols.

Do not:

- Attempt to deal with the situation yourself
- Make assumptions, offer alternative explanations or diminish the seriousness of the behaviour or alleged incidents.
- Keep the information to yourself or promise confidentiality.
- Take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents or carers.

The same action should be taken if the allegation is about abuse that has taken place in the past, as it will be important to find out if the person is still working with or has access to children.

N.B If a child has clearly been injured and/or there is clear evidence of significant harm or risk of significant harm, immediate referral to the police or social care or emergency services must be considered, in accordance with child protection procedures. Remember that the safety and welfare of the child is your overriding concern.

Action to be taken by pre-school manager or chair

When a report is made to the pre-school manager or chairperson it will be clear in some cases that an immediate referral must be made to social care or the police for investigation, because a child appears to have been harmed or is at risk of significant harm, or a criminal act appears to have been committed.

The Local Authority Designated Officer (LADO) should be informed of all allegations and will provide advice and guidance and be involved in the management and oversight of all allegations cases as well as liaising with the pre-school manager / chairperson, all other parties and monitoring the progress of all cases.

In the event that an allegation against a member of staff is reported to the pre-school manager or chairperson, he / she should:

- Get written details of the allegation or concern, signed and dated by the person reporting it. The manager or chairperson should then countersign and date this record. (If it is difficult to get a written report, the manager or chair should make a written record of the conversation had with the referrer and then sign and date this)
- If the report is made to the pre-school manager, he / she should inform the pre-school chair as soon as is practically possible whilst also ensuring that there is no delay in completing the following steps
- Collate and record any information or personal details for: (i) the child / children involved and their parents/carers and siblings; (ii) the person against whom the allegation has been made; and (iii) details of any known or possible witnesses, (including checking on and recording, with times, dates etc, any other incidents

or concerns about the child/children or the member of staff/volunteer concerned together with actions taken and outcomes). The manager or chair should keep alert for patterns which might suggest the abuse goes further afield and involves other children and adults

- Contact the Local Authority Designated Officer (LADO) WITHIN 1 WORKING DAY of receiving the report of an allegation.
- Inform the person reporting the allegation or concern what action will be taken, in accordance with local procedures and with regard to local information sharing protocols and the need to maintain confidentiality
- Ensure that the alleged perpetrator or person about whom there is a concern is informed of the allegation or concern as soon as possible after consulting with the LADO and in accordance with any restrictions on information sharing that may be imposed by the police or social care. How enquiries will be conducted and the possible outcomes e.g. disciplinary action, dismissal, referral to regulatory body should be explained, together with sources of support and advice, e.g. from professional organizations/trade union
- Inform Ofsted, in writing, not later than 14 days after the first report has been made
- Help all parties understand the process throughout

He / she should not:

- Take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing or interviewing the alleged perpetrator, prior to contacting the LADO, (or without the go-ahead from police or social care if a direct referral has been made) The LADO will liaise with the police and/or social care as necessary, as they may want to place restrictions on the information that can be shared.
- Automatically suspend or dismiss the member of staff without seeking further advice
- Inform parents/carers of the child/children until advised to do so by the LADO or a strategy meeting, other than in an emergency situation, such as when a child has been injured and needs medical attention. The LADO will advise on how and by whom parents/carers should be informed and will liaise with police or social care where they are, or may need to be, involved.

The LADO must be informed in any case where it appears that a member of staff, volunteer or student has:

- Behaved in a way that has harmed a child, or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved in an inappropriate way towards a child which may indicate that s/he is unsuitable to work with children

Additionally, the LADO should be informed

- If there are concerns about the person's behaviour towards their own child/children or child/children unrelated to their employment or voluntary work, and there has been a recommendation from a strategy discussion that consideration should be given to the risk posed to children they work with
- When an allegation is made about abuse that took place some time ago and the accused person may still be working with or have contact with children

If, after consultation with the LADO, it is felt that the allegation is demonstrably false, the pre-school manager or chair should:

- In the case of a child making the allegation, refer the matter to social care to determine whether the child is in need of services or might have been abused by someone else
- In the case of an adult making a malicious allegation, consider whether to refer the matter to the police
- Consider what support should be offered to the member of staff, volunteer or student concerned

If no further action is appropriate in relation to the allegation i.e. the case is concluded, the pre-school manager and / or chairperson should ensure that this is recorded and kept on the accused person's confidential personnel file. A copy should also be given to the person concerned.

If, after consultation with the LADO or after an initial police enquiry / strategy meeting, it is decided that there is insufficient evidence to substantiate an allegation, the pre-school manager and / or chairperson should ensure that all records are kept on the accused person's confidential personnel file and a copy given to the person concerned.

These and any subsequent records are to be kept on file until the person reaches normal retirement age or for 10 years if that is longer. This is to enable accurate information to be given in response to any future request for a reference and to explain what took place if a future CRB check throws up police details of an allegation that was made that did not result in prosecution or conviction. It will also be relevant if further concerns are raised or allegations made in the future.

If it becomes clear that the allegation is a possible disciplinary matter the pre-school manager and / or chairperson should ensure that this is appropriately implemented. Consideration should be given to any potential misconduct or to gross misconduct with the following points being taken into account:

- Information provided by police or social care
- The result of any investigation or trial
- The different standard of proof in disciplinary and criminal proceedings

Consideration should also be given to whether suspension is appropriate.

If formal disciplinary action is not required, the pre-school manager and / or chairperson should take appropriate action within 3 working days.

If disciplinary action is not deemed appropriate, but professional advice is considered necessary, the nature and content of this advice should be agreed between the LADO and the pre-school manager and / or chair, taking into account any recommendations that may have been made by the police or social care. This should be actioned within 3 working days of the advice being agreed. The pre-school manager and / or chair should ensure that this is recorded and kept on the accused person's confidential personnel file. A copy should be given to the person concerned. These and all subsequent records are to be kept on file until the person reaches normal retirement age or for 10 years if that is longer.

If further investigation is needed to decide whether disciplinary action needs to be taken, the pre-school manager and / or chair and the LADO should discuss whether it may be appropriate for the investigation to be undertaken by an independent person.

Circumstances where this may be appropriate are where resources may not be available or adequate, where the case is particularly complex or where objectivity needs to be ensured. In any case, the investigation should be completed and reported to the pre-school manager and / or chair within 10 working days.

The aim of the investigation would be to get, as far as is possible, a fair, balanced and accurate record in order to consider the appropriateness of disciplinary action and the accused person's suitability to work with children. Its purpose should not be to prove or disprove any allegation.

If, at any stage, new information emerges that requires a child protection referral, the investigation should be held in abeyance and only resumed if agreed with social care or the police. Consideration should again be given as to whether suspension is appropriate.

Investigators should be alert to signs of organised or widespread abuse and the involvement of other perpetrators or institutions, as the matter may need to be dealt with in accordance with complex abuse procedures, which will take priority, if applicable.

When the pre-school manager and / or chair have received the investigation report, a decision as to whether a disciplinary hearing is needed should be made within 2 working days. If that is the case, a hearing should be held within 15 working days.

In the case of supply, volunteer or student workers normal disciplinary procedures may not apply. In these circumstances the LADO and employer should act jointly in deciding whether to:

- Continue to use the accused person's services
- Provide further opportunities for the accused person to work with children
- Consider whether to make a referral for consideration of barring
- Take any other action.

Every effort should be made to reach a conclusion in all cases, even if:

The accused person refuses to co-operate, having been given a full opportunity to answer the allegation and make representation

- It may not be possible to apply any disciplinary sanctions if the person resigns and the period of notice expires before the process is completed,
- The accused person's contract period expires or there is no contract in place and the person leaves of their own accord during the investigation or disciplinary process

It is not appropriate to draw up compromise agreements which state that the accused person agrees to resign provided that disciplinary action is not taken and future references will make no mention the behaviour that led to the allegation being made.

If a member of staff has been suspended and is to return to work on conclusion of the case, the pre-school manager and /or chair should consider what support should be made available to that member of staff. e.g. a phased return, provision of a mentor, temporary change of working arrangements etc. Consideration should also be given as to how best to manage the member of staff's contact with any child who made an allegation.

In any case where an allegation against a member of staff, volunteer or student is substantiated and the person is dismissed or resigns, the pre-school manager and / or chair should discuss with the LADO whether a referral should be made to the Independent Safeguarding Authority (ISA) and any regulatory body such as the General Teaching Council.

Consideration should then be given as to whether the person should be barred from working with children, or have conditions imposed in respect of their work. If a referral is made, it should be submitted within 1 month of the conclusion of the dismissal or other conclusion.

The pre-school manager and / or chair must ensure that all records are kept up-to-date and include the final decisions and actions that conclude the case. All records are to be kept on the person's confidential file until the person reaches normal retirement age or for 10 years if that is longer. Final closure of a case must also be communicated to the LADO.

On conclusion of any case, the pre-school manager and / or chair should, in consultation with the LADO where possible, review the circumstances and outcomes of the case with a view to learning any lessons and determining whether any further action is needed to improve policy and practice within the organisation. In some cases consideration may need to be given as to whether any matters should be brought to the attention of the LSCB.

The Local Authority Designated Officer for South Devon is:

Sarah Beck

Tel. No. 01392 386 013

Information sharing protocols to be used in conjunction with children's safeguarding procedures

Any information recorded in a child's safeguarding file, (including Children's Safeguarding Incident Report Forms, Injuries Report forms, Children's Services Referral forms, letters and reports), is confidential and is currently kept at the pre-school manager's home for safety.

Information contained in these files will not be shared with anyone outside the pre-school without consent, unless there are concerns about a child's welfare or Children's social care and / or the police have asked for the information.

Parents / carers wishing to see the contents of any safeguarding file kept on their own child must make their request in writing.

The pre-school manager must then take the following steps:

- Write to all third parties to request consent to disclose. This would include anyone named on the file, including other family members and any agencies.
- When all third party consents or refusals have been received back the file can be prepared
- Make a photocopy of every document in the entire file. Remove or blank out any third party references where consent has been refused
- Take a photocopy of the 'cleaned' file
- Inform parents / carers that the file is ready and make an appointment for them to view the file
- Go through the file with the parents to explain the record
- Where parents are considering legal action, the pre-school manager and chair should seek legal advice and think carefully before sharing the file contents
- The pre-school manager has 14 days from receipt of a written request, as a minimum, in which to prepare the file for parental viewing

***This policy and procedure was adopted at a meeting of the pre-school held on
..... (date)***

Signed on behalf of the pre-school