

# *The Children's Garden*

## **SAFEGUARDING AND CHILD PROTECTION POLICY AND PROCEDURES**

***WORKING TOGETHER TO SAFEGUARD AND PROMOTE THE WELFARE OF  
CHILDREN***

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# 1. Introduction

In both Steiner (Waldorf) education in general, and in this Kindergarten, we constantly seek to nourish the emerging individuality of each child. This is done in many ways, not least through the curriculum; and one principle through which we explicitly work is that of protection: of protecting children from premature exposure to the harsh realities of life and from abuse of any kind, and in maintaining and nurturing our children's faith in common humanity. Nevertheless, for some children their life circumstances outside of the school community may be very challenging in these regards.

The Children's Garden recognise it is our moral and statutory responsibility to safeguard and promote the welfare of all children. We endeavour to provide a safe and welcoming environment where learning, truth, justice, respect, spirituality and community are promoted. We recognise that everyone who comes into contact with the children in our kindergarten in their everyday work has a duty to safeguard and protect them and should demonstrate commitment and priorities for safeguarding and promoting the welfare of children. We are alert to the signs of abuse and neglect and follow our procedures to ensure that children receive effective support, protection and justice.

## 2. Principles

Our core safeguarding principles are:

It is the kindergarten's responsibility to take all reasonable steps to safeguard and protect the rights, health and well-being of all children who are in our care.

Representatives of the whole early years kindergarten, including staff, trustees and parents will be involved in policy development and review.

The policy will be reviewed annually, unless an incident or new legislation or guidance suggests the need for an earlier review date.

The kindergarten will ensure that the welfare of children is given paramount consideration when developing and delivering all activities.

All children, regardless of age, gender, ability, culture, race, language, religion or sexual identity, have equal rights to protection.

All staff have an equal responsibility to act on any suspicion or disclosure that may suggest a child is at risk of harm in accordance with this policy.

All children and staff involved in child protection issues will receive appropriate support from the manager of the kindergarten who will follow the procedures set out in this policy

### 3. Aims

Our aims are to:

To provide staff with the necessary information to enable us to meet our statutory responsibilities to promote and safeguard the wellbeing of children.

To ensure consistent good practice across the kindergarten.

To demonstrate the kindergarten's commitment to safeguarding children.

### 4. Terminology

**Safeguarding** and promoting the welfare of children refers to the process of protecting children from abuse or neglect, preventing the impairment of their health or development, ensuring that children grow up in circumstances consistent with the provision of safe, effective and nurturing care and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

**Child Protection** refers to the processes undertaken to meet statutory obligations laid out in the Children Act 1989 and associated guidance (see Working Together to Safeguard Children, An Interagency Guide to Safeguard and Promote the Welfare of Children) in respect of those children who have been identified as suffering, or being at risk of suffering harm.

### 5. Context

The Children Act 1989 states that the child's welfare is paramount and that every child has a right to protection from abuse, neglect and exploitation.

This policy seeks to promote effective multi-agency working in the light of the Children Act 2004 and 2006 and Working Together to Safeguard Children.

The Statutory Framework for the Early Years Foundation Stage 2012 sets out the Safeguarding and Welfare requirements for early years kindergartens.

We will ensure every staff member (including temporary/supply staff/volunteers/students) and trustees as well as management team members know the name of the Safeguarding and Child Protection designated person.

## 6. Designated members of staff

The Safeguarding and Child Protection designated person at The Children's Garden is:

Name: Régine Charrière  
Job title: Manager and Kindergarten Teacher  
School hours: Tel: 020-8948 2959  
Out of school hours: Tel: 020-8968 4605

The Safeguarding and Child Protection designated Trustee at The Children's Garden is:

Name: Ruth Hardy  
Job title: Trustee  
Contact telephone number: Tel: 07938-898 921

## 7. Roles and responsibilities of the Safeguarding and Child Protection designated person

All early years kindergartens must nominate a senior member of staff as the Safeguarding and Child Protection designated person. The designated person's roles and responsibilities in respect of Safeguarding and Child Protection include:

- Supervision, support and training
- Integrated practice
- Meeting statutory requirements

### Supervision, support and training

The Safeguarding and Child Protection designated person will:

- provide support, supervision and advice for any staff member, volunteer or student with a safeguarding or child protection concern

- provide safeguarding and child protection induction for new staff, students and volunteers
- have an understanding of LSCB procedures which are available on LSCB web pages here:  
[http://www.richmond.gov.uk/home/council\\_government\\_and\\_democracy/council/partnerships/local\\_safeguarding\\_children\\_board/lscb - information for practitioners.htm](http://www.richmond.gov.uk/home/council_government_and_democracy/council/partnerships/local_safeguarding_children_board/lscb_-_information_for_practitioners.htm)
- ensure own safeguarding training is up to date
- follow the Safeguarding and Child Protection needs analysis table, available at:  
[http://www.richmond.gov.uk/home/education\\_and\\_learning/training/cpd\\_training\\_search/safeguarding\\_wellbeing\\_and\\_behaviour.htm](http://www.richmond.gov.uk/home/education_and_learning/training/cpd_training_search/safeguarding_wellbeing_and_behaviour.htm)
- ensure all Safeguarding and Child Protection training is cascaded to other staff.
- ensure that a record is kept of staff who have completed child protection training.

## **Integrated practice**

The Safeguarding and Child Protection designated person will:

- liaise with and make referrals to appropriate agencies about children where there are safeguarding or child protection concerns, including the Local Authority Designated Officer (LADO)
- co-ordinate the development of integrated practice for vulnerable children and families including using the Common Assessment Framework (CAF), and Team Around the Child (TAC)
- develop effective links with relevant statutory agencies. For example, Health, Police, GPs, Local Authority.
- co-ordinate and support the kindergarten when working with a child who has a Child in Need or a Child Protection Plan.

## **Meeting statutory requirements**

The Safeguarding and Child Protection designated person will:

- ensure that the required ratio of one member of staff for every eight children is adhered to at all times
- ensure that the child protection policy is updated annually, and that all staff have read and understood this policy

- ensure that policies and procedures relating to Safeguarding and Child Protection are fully implemented by the kindergarten and followed by staff, students and volunteers
- embed robust Safeguarding and Child Protection practices across all areas of the provision
- co-ordinate the early identification of vulnerable children and families and the involvement of mothers, fathers and carers
- liaise with OFSTED about safeguarding concerns
- set up and manage clear, accurate and secure record keeping systems

## **8. How our kindergarten will put this Safeguarding and Child Protection policy into practice**

### **Safer recruitment**

We practice robust safer recruitment procedures in checking the suitability of all who work or come into contact with children in the kindergarten. This includes relevant qualifications, enhanced DBS checks, health checks, references and following the guidance from the Independent Safeguarding Authority (ISA).

In our setting the Manager must hold at least a full and relevant Level 3 qualification and at least half of all other staff must hold at least a full and relevant Level 2 qualification.

Safer recruitment means that the kindergarten will:

- have an up-to-date recruitment and selection policy (see Appendix 1)
- have an appropriate job description and person specification for the role that is up-to-date
- create a suitable candidate information pack including the kindergartens commitment to safeguarding
- obtain a completed application form and scrutinise and address any gaps in employment
- ensure the candidate provides two referees; at least one must refer to the applicant's suitability to work with children
- provide evidence of identity and qualifications
- ensure the candidate has a Disclosure and Barring Service (DBS) check
- be registered with the Disclosure and Barring Service (DBS). Information is available here: <http://www.homeoffice.gov.uk/crime/vetting-barring-scheme/>



- interview to check the candidate's knowledge and experience against the job description and person specification, which might include a practical activity working with the children
- have a probationary period with regular reviews and line management
- ensure new members of staff undergo an induction that includes familiarisation with the kindergarten's Safeguarding and Child Protection policy and identification of their own Safeguarding and Child Protection training needs

Safer recruitment guidance is available from:

<https://www.education.gov.uk/publications/eOrderingDownload/Final%206836-Safeguard.Chd%20bkmk.pdf>

## **Regular staff suitability checks**

All new staff (including regular volunteers and students) are to complete a Staff Suitability Declaration (see Appendix 2) when they commence employment.

Existing staff are to complete the same Staff Suitability Declaration at the beginning of each school year to ensure that no changes to their suitability have occurred since their last DBS check and to rule out possible disqualification by association.

## **Good practice guidelines**

To meet and maintain our responsibilities towards children, the kindergarten agrees to the following standards of good practice:

- to treat all children with respect
- to set a good example by conducting ourselves appropriately
- to ensure staff are positive role models to children and other members of the team and never engage in rough physical or sexually provocative games
- to involve children in decision-making which affects them (taking their age and development into account)
- to encourage positive and safe behaviour among children
- to be a good listener
- to be alert to changes in a child's behaviour
- to recognise that challenging behaviour may be an indicator of abuse

- to read and understand all of the kindergarten's safeguarding and guidance documents on wider safeguarding issues, for example, physical intervention and information-sharing
- to ask the child's permission before doing anything for them, which is of a physical nature, such as assisting with dressing or administering first aid
- to maintain appropriate standards of conversation and interaction with and between children and avoid the use of sexualised or derogatory language
- to be aware that the personal and family circumstances and lifestyles of some children lead to an increased risk of neglect and or abuse
- to raise awareness of child protection issues and equip children with the skills they need to keep themselves safe

## **Staff training and support**

The kindergarten will provide induction training for all new staff to help them understand their roles and responsibilities. Child protection training will be a mandatory part of the induction process. The Safeguarding and Child Protection designated person will ensure that the staff's knowledge, understanding and practice of Safeguarding and Child Protection are current and up-to-date. Where gaps are identified support and training will be mandatory.

All staff will receive ongoing support in the form of supervision, coaching and training. Supervision should foster a culture of mutual support, team work and continuous improvement, which encourages the confidential discussion of sensitive issues.

## **Common Assessment Framework**

We will follow the Common Assessment Framework (CAF) procedure to help us understand what to do if we have concerns about a child and to find out whether the child has additional needs or needs that mean they have been, or are likely to be, significantly harmed. CAF forms and guidance are available at: <http://www.richmond.gov.uk/caf>

## **Working with parents**

Working in close partnerships with parents forms an integral part of the Steiner Waldorf approach. We strive to maintain an open, honest and frank relationship with parents and regularly share information about the children's needs, wellbeing and development through parents evenings, one-to-one talks, both at school and during home visits, social events and informal drop-off/pick-up conversations.

Where possible, concerns will be discussed with the parent and/or carer for an explanation, providing it does not put the child at immediate risk. Parental agreement will be sought for a referral to the Single Point of Access (SPA) unless seeking agreement is likely to place the child at risk of significant harm through delay or the parent's actions or reactions.

Where we decide not to seek parental permission before making a referral to the SPA team, the decision will be recorded in the child's confidential file with reasons, dated and signed.

Where the parent refuses to give permission for the referral, unless it would cause undue delay, further advice should be sought by the Safeguarding and Child Protection designated person from the SPA team, Early Years Consultant (EYC), and the outcome fully recorded.

Parents must notify the kindergarten regarding any concerns they may have about their child and any accidents, incidents or injuries affecting the child, which will be recorded. We will involve parents and carers wherever possible and ensure they have an understanding of the responsibilities for safeguarding children by making clear our statutory duties to safeguard children.

## **Use of mobile phones**

At The Children's Garden the use of mobile phones will occasionally be necessary when access to a landline is not available, for example during an outing. When they are the only means of contact available, they can be helpful in ensuring children are kept safe.

To protect children we will:

- only use mobile phones appropriately, and ensure staff have a clear understanding of what constitutes misuse and know how to minimise the risk
- ensure the use of a mobile phone does not detract from the quality of supervision and care of children
- ensure all mobile phone use is open to scrutiny
- ensure staff are vigilant and alert to any potential warning signs of the misuse of mobile phones
- ensure staff are responsible for their own behaviour regarding the use of mobile phones and should avoid putting themselves into compromising situations, which could be misinterpreted and lead to potential allegations
- ensure the use of mobile phones on outings is included as part of the risk assessment, for example, how to keep personal numbers that may be stored on the phone safe and confidential

## **Personal mobiles**

To protect children we will ensure that personal mobiles:

- are stored securely in the office and will be switched off or on silent whilst staff are on duty
- are not used to take pictures of the children attending the kindergarten
- are staff's responsibility and no liability for loss or damage will be accepted by the kindergarten

- belonging to visitors either turned off or stored securely in the office on entering the kindergarten
- will not be used to take photographs, video or audio recordings in the kindergarten without prior consent from the manager
- are not used to contact parents or children except in the event of an emergency.

## **Cameras: photography and images**

The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. However, due to cases of abuse to children through taking or using images, we must ensure that we have safeguards in place.

To protect children we will:

- obtain parents' and carers' consent for photographs to be taken or published (for example, on our website or in newspapers or publications) on our annual Consent Form
- use only the child's first name with an image
- ensure that children are appropriately dressed
- ensure the kindergarten's designated camera is only used in the kindergarten
- ensure that images taken on the kindergarten's camera will not be emailed as it may not be secure. (In some instances, it may be required to seek parental permission to email images, but the potential risks must be made clear to parents)
- ensure that personal cameras are not used to take photographs, video or audio recordings in our kindergarten without prior explicit written consent from the kindergarten, for example, for a special event, such as a Christmas play
- ensure that all images are stored securely on the teacher's computer only and password protected. In accordance with data protection laws, The Children's Garden is registered with the Information Commissioners Office (ICO)
- ensure the use of cameras, webcams and CCTV is closely monitored and open to scrutiny

## **Confidentiality and sharing information**

The kindergarten will ensure all staff understand that child protection issues warrant a high level of confidentiality. This is not only out of respect for the child and staff involved but also to ensure that information being released into the public domain does not compromise evidence. Staff will only discuss concerns with the designated person or manager. That

person will then decide who else needs to have the information and they will disseminate it on a 'need-to-know' basis.

Child protection information will be stored and handled in line with Data Protection Act 1998 principles. Information is:

- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- kept no longer than necessary
- processed in accordance with the data subject's rights
- secure

Records of concern forms and other written information will be stored in the office (which is locked at all times) and any electronic information will be password protected and only made available to relevant individuals.

Sensitive information will be stored on an encrypted memory stick (not the hard drive of a computer) and kept off premise in accordance with the Data Protection Act. Sensitive or personally identifiable information will not be sent via standard email. A secure service (such as USO-FX) must be used. We are registered with the Information Commissioners Office (ICO) and will follow the guidelines required. We will develop effective links with relevant agencies and cooperate as required with any enquires regarding child protection matters, including attendance at case conferences.

## **9. Recognising inappropriate behaviour displayed by members of staff or any other person working with children**

Whilst caring for other people's children, we are in a position of trust and our responsibilities to them must be a priority at all times. The revised EYFS Safeguarding and Welfare Requirements (2012) now require every kindergarten to ensure that staff can recognise and respond in a timely and appropriate way to inappropriate behaviour displayed by other members of staff, or any other person working with children, e.g. inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

The Children's Garden will consider and incorporate the following relevant procedures in their own policy:

## **Intimate and Personal Care**

Children's dignity will be preserved and a level of privacy ensured. The normal process of nappy changing should not raise child protection concerns. There are no regulations that indicate that a second member of staff must be available to supervise the nappy changing process to ensure that abuse does not occur, but we ensure that staff do not leave themselves vulnerable and will always work in an open environment by avoiding private or unobserved situations or closing doors to toilet areas

## **Establishing a professional code of practice**

All staff will sign and adhere to the kindergarten's code of conduct which outlines the expectations for all staff with regard to children, parents and carers and interactions within the team including:

- establishing and maintaining relationships with children and their parents and carers
- team working
- personal presentation, attitudes and behaviour

In our kindergarten we adhere to the following code of conduct rules:

### **We do:**

- treat everyone with respect
- provide a positive example for others to follow
- respect a child's right to personal privacy
- create a comfortable environment in which children and adults feel they can highlight attitudes and behaviours they don't like
- ensure that the kindergarten has a 'Whistle blowing Policy' that practitioners are knowledgeable about
- remember that your actions may be misinterpreted, no matter how well-intentioned
- report and challenge abusive adult activities, such as ridicule or bullying
- share concerns about inappropriate adult behaviour with the designated person

## **We do not**

- play inappropriate physical contact games with children
- engage in inappropriate verbal banter
- make suggestive remarks or gestures or tell jokes of a sexual nature
- believe that an allegation could not be made against us – it could
- make contact with, or allow contact from children, parents or carers, within social networking sites

Any staff known to be breaking these conditions will be given a formal warning and disciplinary action will follow

## **Whistle blowing**

Any individual who has reasonable suspicion of malpractice or concerns about a child's welfare should inform the Safeguarding and Child Protection designated person immediately. If they do not feel this is the appropriate person they should approach the Designated Trustee, Ofsted, SPA or the local authority's Early Years Consultant. It is recognised that for some people this can be a daunting and difficult experience. All reports will be investigated and dealt with in confidence, including only those staff on a 'need to know' basis. Complaints about the Safeguarding and Child Protection designated person/manager should be reported to Single Point of Access (SPA) by telephone on 020 8891 7969.

**Don't think what if I'm wrong – think what if I'm right!**

You may be the first to recognise that something is wrong but not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who are targeted. These children need someone like you to safeguard their welfare.

Whistle blowing at Ofsted Hotline: To contact the hotline call 0300 123 3155 (Monday to Friday from 08.00 to 18.00), email [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or write to WBHL, Ofsted, Royal Exchange Buildings, Piccadilly Gate, Manchester M1 2WD.

A charity called 'Public Concern at Work' give free and confidential advice and can help you to decide whether and/or how to raise your concerns at work. You can call Public Concern at Work on 020 7404 6609, email [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk) or visit [www.pcaw.co.uk/law/uklegislation.htm](http://www.pcaw.co.uk/law/uklegislation.htm) for useful information about whistle blowing legislation.

## **10. Procedures for responding to specific child protection concerns about a child at risk of significant harm**

### **Children who may be particularly vulnerable**

To ensure that all of children receive equal protection, we will give special consideration and attention to children who are:

- a looked after child
- disabled or have special educational needs
- living in a known domestic abuse situation
- affected by known parental substance misuse
- asylum seekers
- living in temporary accommodation
- living transient lifestyles
- living in chaotic, neglectful and unsupportive home situations
- vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion or sexuality
- do not have English as a first language
- have a parent with enduring or untreated mental health problems

### **Recognising abuse**

To ensure that our children are protected from harm, we need to understand what types of behaviour constitute abuse and neglect. The kindergarten will ensure all staff understand their responsibilities in being alert to indicators of abuse and their responsibility for referring any concerns to the Safeguarding and Child Protection designated person using the four categories of abuse: physical abuse, emotional abuse, sexual abuse and neglect set out below:



**Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child (this used to be called Munchausen's Syndrome by Proxy, but is now more usually referred to as fabricated or induced illness).

**Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child, such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only for meeting the needs of another person. It may feature age or developmentally-inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone

**Sexual abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative and non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

**Neglect**

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

Definitions taken from Working Together to Safeguard Children 2010

## Indicators of abuse and what you might see

It is vital that staff are aware of the range of behavioural indicators of abuse and report any concerns to the Safeguarding and Child Protection designated person. We are aware that it is our responsibility to report concerns, but that it is not our responsibility to investigate or decide whether a child has been abused.

We are aware that this could take a number of forms, for instance:

- a child has an unexplained injury, bruise or mark;
- a child has an injury, bruise or mark and the explanation given for how it was caused is not consistent with the injury;
- there are significant changes in a child's behaviour;
- the child shows signs of significant neglect, including untreated medical conditions;
- the child makes comments that give you cause for concern;

Individual indicators will rarely, in isolation, provide conclusive evidence of abuse. They will be viewed as part of a jigsaw, and each small piece of information will help the Safeguarding and Child Protection designated person to decide how to proceed. The kindergarten does not need 'absolute proof' that the child is at risk to make a referral.

## Taking action

We will remember the key points for taking action are:

- In an emergency to take the action necessary to help the child, for example, call 999.
- To stop other activity and focus on what we have seen or are being told.
- To understand that responding to suspicion of abuse takes immediate priority.
- Report any concerns we have to the Safeguarding and Child Protection designated person or deputy immediately.
- If the Safeguarding and Child Protection designated person or deputy is not available, ensure the information is shared with the most senior person in the kindergarten that day and ensure action is taken to report the concern to children's social care.
- To ask the parent/carer about what has been observed, so long as it does not put the child at increased risk. We will also ask the child if he/she is old enough, and note what they tell us and how they behave.

- If we decide not to discuss our concerns with the child's parents we will record this and the reason why we made that judgement.
- To take action to obtain urgent medical attention for the child, if required.
- To record what we have heard or seen, what has been said, and what we did. We will use a body map, but will not take photographs.
- To keep the notes taken at the time, without amendments, omissions or addition, whatever subsequent reports may be written (dated and signed on each page).
- To talk to the Single Point of Access team (SPA) on 020 8891 7969 or out of hours the Emergency Duty team on 020 8770 5000 without delay.
- To operate on a need-to-know basis only – do not discuss the issue with colleagues, friends or family.
- To seek support for staff if they are distressed.

## Referral to children's social care

If it is believed that a child is suffering or is at risk of suffering significant harm the Safeguarding and Child Protection designated person will follow the procedures set out by the Local Safeguarding Children Board and the London Child Protection Procedures, which can be found on

[http://www.richmond.gov.uk/home/council\\_government\\_and\\_democracy/council/partnerships/local\\_safeguarding\\_children\\_board/lscb\\_-\\_information\\_for\\_practitioners.htm](http://www.richmond.gov.uk/home/council_government_and_democracy/council/partnerships/local_safeguarding_children_board/lscb_-_information_for_practitioners.htm).

The child (subject to their age and understanding) and the parents will be told that a referral is being made, unless to do so would increase the risk to the child.

- If the Safeguarding and Child Protection designated person has any reason to believe that a child is subject to either physical, emotional, sexual abuse or neglect, he/she will immediately report these concerns to the **SPA team on 020 8891 7969** or out of hours the **Emergency Duty team on 020 8770 5000** who will refer him/her to a duty social worker. However, if we are seriously concerned about a child's immediate safety, we will dial 999. The kindergarten will keep records of all decisions or actions agreed in discussion with SPA.

Out of borough social care contacts details can be found here:

[http://www.londonscb.gov.uk/contacts/london\\_local\\_safeguarding\\_children\\_boards.html](http://www.londonscb.gov.uk/contacts/london_local_safeguarding_children_boards.html)

## **Recognising and responding to an allegation concerning a member of staff, volunteer, student or other adults in contact with children in the kindergarten**

All staff have a duty to disclose any concerns they have about the conduct of other staff or adults in contact with children. An allegation of child abuse made against a member of staff or other adult in contact with children in the kindergarten may come from a parent, another member of staff or from a child's disclosure.

The kindergarten will:

- treat the matter seriously
- avoid asking leading questions
- keep an open mind
- make a written record of the information that includes: when the alleged incident took place (time and date), who was present, and what was said to have happened.
- sign and date the written record
- report the matter immediately to the Safeguarding and Child Protection designated person, or named deputy, where the designated person is the subject of an allegation. In this case, referrals and contact should be made to the Designated Trustee for Safeguarding (Ruth Hardy on 07938-898 921)
- contact Single Point of Access (SPA) for advice and further guidance, who will contact The Local Authority Designated Officer (LADO), and cooperate fully with the process of the SPA team and with any Police investigations (The LADO will offer advice and guidance in relation to members of staff working in Richmond upon Thames regardless of where the child lives)
- follow their disciplinary procedure. Due to the serious nature of the concerns, staff may be suspended until a full investigation has taken place. The kindergarten will support and treat with respect the member of staff whilst suspended
- await the outcome of the investigation before taking further disciplinary action
- ensure, if it appears from the results of the investigation that the allegations are justified, that disciplinary action will follow, taking legal advice where necessary
- where it seems likely that 'on balance of probabilities' abuse may have taken place, be able in law to dismiss the individual and refer them to the Independent Safeguarding Authority (ISA) and under the Safeguarding Vulnerable Groups Act (2006) make a referral to Disclosure and Barring Service (DBS).

- if the result of the investigation is that it was a false allegation, give the individual appropriate support
- inform Ofsted throughout the investigation as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made

## **Support for those involved in a child protection issue**

Child neglect and abuse is devastating for the child and can also result in distress and anxiety for staff who become involved.

We will support the children, their families and staff by:

- taking all suspicions and disclosures seriously
- responding sympathetically to any request from a member of staff for time out to deal with distress or anxiety
- maintaining confidentiality and sharing information on a need-to-know basis only with relevant individuals and agencies
- storing records securely
- offering details of help lines, counselling or other avenues of external support
- following the procedures laid down in our whistle blowing, complaints and disciplinary procedures
- cooperating fully with relevant statutory agencies

## **11. Links to legislation**

- Children Act 1989, 2004 and 2006
- Convention on the Rights of the Child, UNICEF 1989
- Data Protection Act 1998
- Freedom of Information Act 2000
- The Human Rights Act 2000
- Equality Act 2010
- Safeguarding and Vulnerable Groups Act 2006

## 12. Guidance and Sources of Information

Working Together to Safeguard Children	<a href="http://www.workingtogetheronline.co.uk">www.workingtogetheronline.co.uk</a> – Interactive version of the Working Together document (contains a link to a PDF version for download)
Richmond Local Safeguarding Children Board	<a href="http://www.richmond.gov.uk/lscb">www.richmond.gov.uk/lscb</a>
The London Safeguarding Children Board – London Child Protection Procedures	<a href="http://www.londonscb.gov.uk/procedures">www.londonscb.gov.uk/procedures</a>
Statutory Framework for the Early Years Foundation Stage 2012	<a href="https://www.education.gov.uk/publications/standard/AllPublications/Page1/DFE-00023-2012">https://www.education.gov.uk/publications/standard/AllPublications/Page1/DFE-00023-2012</a>
Disclosure and Barring Service	<a href="http://www.homeoffice.gov.uk/disclosure-and-barring">http://www.homeoffice.gov.uk/disclosure-and-barring</a>
Keeping children safe	<a href="http://www.keepingchildrensafe.org.uk">www.keepingchildrensafe.org.uk</a>
Safer recruitment	<a href="https://www.education.gov.uk/publications/eOrderingDownload/Final%206836-Safeguard.Chd%20bkmk.pdf">https://www.education.gov.uk/publications/eOrderingDownload/Final%206836-Safeguard.Chd%20bkmk.pdf</a>
Plymouth serious case review	<a href="http://www.plymouth.gov.uk/serious_case_review_nursery_z.pdf">http://www.plymouth.gov.uk/serious_case_review_nursery_z.pdf</a>
Ofsted	<a href="http://www.ofsted.gov.uk">www.ofsted.gov.uk</a>
Advisory, Conciliation and Arbitration Service (ACAS)	<a href="http://www.acas.org.uk">www.acas.org.uk</a>
Stop it Now! Campaign – sexual abuse	<a href="http://www.stopitnow.org.uk">www.stopitnow.org.uk</a>
Childline	<a href="http://www.childline.org.uk">www.childline.org.uk</a>
NSPCC	<a href="http://www.nspcc.org.uk">www.nspcc.org.uk</a>
Direct Gov for information relating to legislation	<a href="http://www.direct.gov.uk">www.direct.gov.uk</a>

UNICEF	<a href="http://www.unicef.org">www.unicef.org</a>
The Children Act 1989	<a href="http://www.legislation.gov.uk/ukpga/1989/41/contents">www.legislation.gov.uk/ukpga/1989/41/contents</a>
Online Safety: A Toolkit for Early Years Kindergartens	<a href="http://www.plymouth.gov.uk/early_years_toolkit.pdf">www.plymouth.gov.uk/early_years_toolkit.pdf</a>
Ofsted: Mobile phones	<a href="http://www.ofsted.gov.uk">www.ofsted.gov.uk</a> (_search for 110003)
Information Commissions Office (ICO)	<a href="http://www.ico.gov.uk">www.ico.gov.uk</a>
Information sharing guidance	<a href="http://www.richmond.gov.uk/home/council_government_and_democracy/council/partnerships/integrated_working/information_sharing-children_and_young_people.htm">http://www.richmond.gov.uk/home/council_government_and_democracy/council/partnerships/integrated_working/information_sharing-children_and_young_people.htm</a>
Disclosure and Barring Service (DBS)	<a href="http://www.homeoffice.gov.uk/DBS">http://www.homeoffice.gov.uk/DBS</a>
The Munro Review of Child Protection 2011	<a href="http://www.education.gov.uk/munroreview/downloads/8875_DfE_Munro_Report_TAGGED.pdf">http://www.education.gov.uk/munroreview/downloads/8875_DfE_Munro_Report_TAGGED.pdf</a>

## Appendix 1

### **Safe Recruitment, Selection and Monitoring policy**

It is the policy of The Children's Garden to recruit the most suitable person for each vacancy, regardless of sex, colour, race, nationality, national or ethnic origins, religion or beliefs, age, sexual orientation or disability.

All applicants will be given a candidate information pack, which includes the following:

- Application form
- Job description
- History of the kindergarten
- What is a Steiner kindergarten
- Working with the EYFS
- Our commitment to safeguarding
- Daily/weekly schedule
- Kindergarten brochure

Each applicant needs to complete our application form. We will ensure that all applicants and staff are fully vetted under Ofsted's safeguarding and child protection procedures using the following checks:

- Identity: documented proof.
- Academic qualifications: documented proof.
- Professional references: the referee should be asked to confirm:
  - whether the applicant has been the subject of any disciplinary sanctions
  - whether the applicant has had any allegations made against them.
  - if concerns have been raised which relate to the safety or welfare of children
  - the applicant's behaviour towards children or young people.
  - the applicant's suitability to work with children and young people.
- Character references.
- Previous employment history: consider any history of gaps, repeated changes in employment or moves to supply work, without clear and verifiable reasons, or unexplained gaps in teaching of longer than three months.
- Disclosure and Barring Service (DBS).
- Health check.

A record of evidence will be kept to show that these checks have been carried out in respect of staff, supply staff and volunteers whether recruited directly or through an agency.

- We will use the interview process to ensure potential staff are committed to and able to safely act on their roles and responsibilities towards children's welfare and safety.



- We will use our induction process to ensure staff know how to identify, act on and report child abuse concerns.
- We ensure staff have access to, read and understand our Safeguarding and Child Protection policy, procedures and related requirements.
- We ensure staff have access to child protection training.
- We endeavour to provide staff with regular supervision/mentoring.
- We monitor staff stress levels and advise how they should seek help and support if feeling stressed.
- Staff are involved in weekly pedagogical meetings, which provide space for meeting each other and working together.
- We ensure all staff are aware of our whistle-blowing policy. We encourage and support staff to discuss any safety and welfare concerns they have about colleagues with the designated person, the designated trustee or SPA.

Appendix 2



### Staff Suitability Declaration

**This form is to be completed by all new staff when they commence employment (including regular volunteers and students) AND completed by all staff on an annual basis**

Name of staff: .....

Name of Manager: .....

Please answer the questions and sign the declaration below to demonstrate that you are safe to work with children. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the manager/senior responsible for your recruitment.

Please circle yes or no against each bullet point:

Have you been cautioned, subject to a court order, bound over, received a reprimand or warning or found guilty of committing any offence <b>since the date of your most recent enhanced DBS disclosure?</b>	<b>Yes/ No</b>
Have you been cautioned, subject to a court order, bound over, received a reprimand or warning or found guilty of committing any offence either before or during your employment at this setting?	<b>Yes/ No</b>
Are you 'Disqualified for Caring for Children': (to include)	<b>Yes/ No</b>
• Have you committed any offences against a child?	<b>Yes/ No</b>
• Have you committed any offences against an adult (e.g. rape, murder, indecent assault, actual bodily harm etc)?	<b>Yes/ No</b>
• Have you been barred from working with children (DBS)?	<b>Yes/ No</b>
• Are you living with someone who has been barred from working with children (DBS)?	<b>Yes/ No</b>

<ul style="list-style-type: none"> <li>• Are you living in the same household as someone who has been disqualified from working with children under the Childcare Act 2006?</li> <li>• Have your own children been taken into care?</li> <li>• Have/are your own children the subject of a child protection order?</li> </ul>	<p><b>Yes/ No</b></p> <p><b>Yes/ No</b></p> <p><b>Yes/ No</b></p>
Has your name been placed on the DBS barring list?	<b>Yes/ No</b>
Do you have any medical conditions that could affect your ability to care for children?	<b>Yes/ No</b>
Are you taking any medication on a regular basis or any other substances?	<b>Yes/ No</b>

If you have answered YES to any of the questions, please provide further information below:

.....

.....

.....

.....

I understand my responsibility to safeguard children and am aware that I must notify my manager of anything that may affect my suitability.

I will ensure I notify my employer of any convictions, cautions, court orders, reprimands or warnings I may receive

I am aware that if I am taking medication on a regular basis I must notify my employer, and must keep the medication in a safe place, out of reach of children

I will ensure I notify my manager if I experience any health concerns which could impact upon my ability to work with children

I give permission for you to contact any previous settings, local authority staff, the police, the DBS, or any medical professionals to share information about my suitability to care for children

Signed:.....

Date:.....

**Manager**

Signature:.....

Date:.....

**Manager**

Please record follow-on action taken, where relevant

.....

.....

.....

.....

.....

Sign:..... Date action taken:.....

## Appendix 3

### **Out of Hours Babysitting Policy**

Historically it has not been uncommon for kindergarten staff to offer babysitting services to parents in our community, outside of working hours. This policy has been introduced to provide clarification of some key points regarding private arrangements between staff/long-term volunteers and parents/carers. In all the following points, 'staff' also means 'volunteers'.

- It is up to the individual staff member if they wish to babysit for the children from the kindergarten in their own time. This arrangement is to be made with that member of staff and the parent/ carer outside of working hours and must not interfere with the operation of the kindergarten.
- The kindergarten will not be responsible for any private arrangement or agreements that are made.
- Out of hours work arrangements must not interfere with staff members employment at kindergarten.
- Confidentiality of employment must be adhered to and respected at all times.
- Parents should be aware that other adults accompanying the babysitter may not have the relevant Criminal Records Bureau clearance, and it may not be appropriate for them to care for children.
- The kindergarten will not be held responsible for any health and safety or other issue that may arise from these private arrangements.
- The kindergarten has a duty to safeguard all children whilst on our premises and in the care of our staff, but this duty does not extend to private arrangements between staff and parents/carers outside of kindergarten hours.