

August 2021

Safeguarding Children and Child Protection

Policy statement

At Kamelia Kids we believe that children have the right to be completely secure from both the fear and reality of abuse, and we are committed to protecting all the children in our care from harm. Our setting will work with children, parents, and the community to ensure the rights and safety of children and to give them the best start in life. We are committed to building a 'culture of safety' in which children are protected from abuse and harm in all areas of our service delivery. Everyone who meets children and families in their everyday work, including people who do not have a specific role in relation to children, has a duty to safeguard and promote the welfare of children. This policy should be read in conjunction with all other policies and procedures of the setting.

To protect the children, all staff who work at Kamelia Kids is required to have completed a satisfactory DBS check. It is our practice for those staff waiting for their check to clear and other nursery visitors/helpers to always be supervised and never left alone with the children. We are vigilant in our recruitment procedures aiming to ensure all people working with children are qualified and suitable to do so. For further information please see additional policy, Safe recruitment of staff.

Kamelia Kids will appoint two members of staff, Primary and Secondary, as designated safeguarding leads (DSL). The officers will have suitable experience, training, and expertise, and will be responsible for liaising with the Integrated Front Door (IFD), Local Authority Designated Officer (LADO) and Ofsted in any child protection matter.

- The Primary Designated Safeguarding Lead: Suzanne Charlesworth, Nursery Operations Director.
- The Secondary Designated Safeguarding Lead: Sarah Shaw, Deputy Nursery Manager.
- The Lead for the Trustees: Chair of Trustees Kay Haffenden and Trustee Linda Smith.

The role of the designated person should be seen to include the following responsibilities

- To provide the point of contact for staff, parents, and anyone else who may have concerns or information that a child may be suffering abuse now or has done in the past or is likely to in the future.
- To make any necessary referrals to Integrated Front Door (IFD) contact 01403 229900; Outside of hours contact the Emergency Duty Service 03302226664.
- Seek advice from IFD - email wschildrenservices@westsussex.gov.uk
- To follow the Pan Sussex Child Protection and Safeguarding procedures www.sussexchildprotection.procedures.org.uk

- To ensure the nursery contributes fully to the safeguarding and child protection process through: safer recruitment; safeguarding children, staff and visitors; promoting staff safety and welfare through a culture of safety; ensuring staff are trained to understand the safeguarding and child protection policy and procedures through regular training and at induction; have up to date knowledge of safeguarding issues; review, update and implement the safeguarding and child protection policy and procedures; attend core group conferences, child in need and team around child/ family meetings; ensuring that staff, parents, visitors feel comfortable to raise concerns; promote teaching and learning so that children can protect themselves and ensure staff and volunteers can access appropriate emotional or professional support.
- If you are concerned about a child or adult being radicalised seek advice from <https://www.westsussexscp.org.uk/professionals/child-sexual-abuse-exploitation/radicalisation/channel/>

Kamelia Kids safeguarding and child protection procedures comply with all relevant legislation and other guidance or advice. Kamelia Kids will review its Safeguarding and child protection policy and procedures at regular intervals in partnership with the local authority to ensure that it meets local requirements. This policy and relating procedures will be shared with parents/carers during their child's settling in period and all staff during their induction period.

Recognising Child Abuse

Child abuse manifests itself in a variety of different ways, some overt and others much less so. All staff have safeguarding and child protection training and will be vigilant to signs and evidence of physical, sexual, and emotional abuse or neglect, including reference to 3.6 in the Statutory Framework for the Early Years Foundation Stage (2017).

- **Physical Abuse:** This involves hitting, shaking, throwing, burning, suffocating or any other physical harm. Deliberately causing a child's ill health also constitutes physical abuse.
- **Sexual Abuse:** This involves forcing or enticing a child to take part in sexual activities, whether the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. Showing children pornographic materials, sexual activities, or encouraging children to behave in sexually inappropriate ways also constitutes sexual abuse.
- **Emotional abuse:** Varying degrees of emotional abuse is present in virtually all child protection incidents but can also constitute abuse. Emotional abuse involves persistent or severe emotional ill-treatment or torture causing, or likely to cause, severe adverse effects on the emotional stability of a child. Such behaviour may involve conveying to a child that they are worthless, unloved, or inadequate, or making them feel unnecessarily frightened or vulnerable.

- **Neglect:** Is the persistent failure to meet a child's basic physical, emotional, or psychological needs, such as is likely to have a severe impact on their health, development, or emotional stability. Neglect may involve failing to provide adequate food, shelter, or clothing for a child, or failing to adequately protect them from physical harm or ill health. Neglect can also manifest itself in a failure to meet the basic emotional needs of child.
- **Other Factors:** We consider factors affecting parental capacity and risk, such as social exclusion, domestic violence, parent's drug, or alcohol abuse, mental or physical illness or parent's learning disability. We are aware of other factors that affect children's vulnerability such as, abuse of disabled children; fabricated or induced illness; child abuse linked to beliefs in spirit possession and global cultural practices such as witch craft, **breast flattening or breast ironing** which is "the process during which young pubescent girls' breasts are ironed, massaged, flattened and/or pounded down over a period of time (sometimes years) in order for the breasts to disappear or delay the development of the breasts entirely."; sexual exploitation of children, such as through internet abuse; Female Genital Mutilation, extremisms and radicalisation; that may affect, or may have affected, children and young people using our provision. We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour-based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may meet.
- **Female Genital Mutilation:** Female circumcision, excision or infibulation is illegal in this country by the Female Genital Mutilation Act 2003 and amended by the Serious Crime Act 2015. Signs and symptoms: a child may belong to a family that practise FGM; the family may take a child on a long holiday either to their country of origin or another country where FGM is practised over the summer holidays or request absence from school; the child maybe told that a special celebration is being held where she will become a woman. All concerns are reported to IFD, if in immediate danger call the Police.
- **Prevent Duty:** We do have due regard to the Prevent Duty as detailed in our police and procedures 2.1 - British Values and the Prevent Duty. See policy for arrangements for reporting concerns of children being radicalised.
- **Special Educational Needs and Disabilities & other vulnerable groups:** We recognise that children with SEND can face additional safeguarding challenges and expect all staff to recognise and challenge where appropriate.
- Assumptions that can be made that indicator of possible abuse such as behaviour, mood and injury relate to the child's disability and not identified as potential signs of abuse.

- The potential for children with SEND being disproportionately impacted by behaviours such as bullying, without showing any signs.
- The communication barriers for some children with SEND.
- Children with SEND and children aged under 1 year old are more vulnerable to abuse.

Procedures

Staff Support and Training

Kamelia Kids is committed to ensuring that it meets its responsibilities in respect of child protection through the provision of support and training to staff. Staff will be able to access the latest information online via <https://sussexchildprotection.procedures.org.uk/>

Kamelia Kids will ensure that

- All staff, students, agency staff and volunteers are recruited using comprehensive safer recruitment procedures, have verified references and have full and up to date DBS checks. Staff are advised to apply for the update service which is an annual cost and allows for a DBS check to be processed at any point during the year.
- All staff, students, agency staff and volunteers read a copy of the Safeguarding and child protection policy and the Code of Conduct during their induction, and have its implications explained to them.
- All staff and volunteers receive regular training and updates in safeguarding and child protection issues and are provided with any relevant information and guidance.
- All staff are provided with inductions, probationary reviews, supervisions, appraisal, and management support commensurate with their responsibilities in relation to child protection, and their requirement to maintain caring and safe relationships with children.
- All staff are aware of the main indicators of child abuse, including FGM and the Prevent Duty.
- All staff are aware of their statutory requirements in respect of the disclosure or discovery of child abuse and the procedure for doing so. All students and volunteers are instructed to report the disclosure or discovery of abuse to the Managers.
- Kamelia Kids will take appropriate action in relation to the findings of any investigation into allegations of abuse, consistent with its duties to protect the safety of children and uphold fair processes for staff, students, and volunteers.
- Any member of staff, a student or volunteer under investigation for the alleged abuse of a child, will be subject to the provisions of the Staff Disciplinary Policy.
- The layout of the rooms allows for constant supervision. No child is left alone with staff, students, agency staff and volunteers in a one-to-one situation without being visible to others.

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

Safe caring and working practices

All staff understands the Kamelia Kids child protection procedures and has had appropriate training and guidance in the principles of safe caring and working practice. Working with young children to ensure they feel safe, secure, and happy involves nursery staff being responsive to their needs, this includes giving children cuddles and changing children.

To minimise the risk of allegations the nursery promotes good practice in the following ways

- Although it is appropriate to cuddle the children, staff are advised not to do this in isolation.
- When changing children either their nappy or soiled/wet clothing, the door will always remain open, and Practitioners will inform colleagues that they are attending to a child/ren.
- Qualified/Unqualified/ bank staff must pass a three-month probationary period - during this period dual toileting/ nappy changing will be in place.
- Inappropriate behaviour such as over tickling, asking for a kiss, over boisterous or inappropriate questions such as asking children to tell them they love them is discouraged.
- Procedures are in place to record the details of visitors/ professionals to the setting.
- Security steps are taken to ensure that we have control over who comes into the setting so that no unauthorised person has unsupervised access to the children.
- Management will challenge inappropriate behaviour in line with the supervision/ disciplinary procedures.
- If any parent or member of staff has concerns or questions about safe care and safe working practice procedures, see the Nursery Operations Director at the earliest opportunity.
- All staff must ensure that they sign in as they enter the premises and sign out whenever leaving the premises.
- We always ensure that our staff: child ratios are maintained, and that staff always know these.

- No member of staff will be left alone working in either a room, the garden or within the building at any time. However, there may be occasions when this is not possible due to e.g., toilet breaks, comforting a child that may be unwell in a quiet area or carrying out management duties. The Nursery Operations Director or Deputy Nursery Operations Director will authorise this.
- All staff must know how many children they are always supervising, both inside and outside, and know the ratios.
- Staff will document low level concerns by completing an existing injuries forms or safeguarding incident form. These forms are used by Designated Safeguarding Lead, to build up a chronology of events that can be used to meet with a parent to discuss concerns or to support a referral to IFD. All forms are stored in the child's safeguarding red file, in a confidential and locked cabinet. The Designated Safeguarding Lead will read and monitor all records.

If a staff member suspects or witnesses a case of abuse they must follow the procedure below

- Where actual or suspected abuse comes to the attention of staff, they will report this immediately to the Nursery Operations Director and or Deputy Nursery Manager.
- Staff are encouraged and supported to trust their professional judgment and if they suspect abuse has, or is taking place, to report this immediately.
- Full written records of all reported incidents will be produced and maintained. Information recorded will include full details of the alleged incident; details of all the parties involved; any evidence or explanations offered by interested parties; relevant dates, times and locations and any supporting information or evidence from members of staff. Kamelia Kids will demonstrate great care in distinguishing between fact and opinion when recording suspected incidents of child abuse.
- The Nursery Operations Director and or the Deputy Nursery Manager will be responsible for ensuring that written records are dated, signed, and kept confidentially. The Designated Safeguarding Lead will seek advice from IFD and complete a referral form where necessary.
- If a member of staff suspects a colleague of abusing a child, they must report it to the Nursery Operations Director or Deputy Nursery Manager immediately. If an allegation of abuse is made against the Managers, the Registered Person - Kay Haffenden, Chair of Trustees will be informed as soon as possible. They will then assume responsibility for the situation or delegate this role to a senior member of the Senior Management Team.
- Staff will ensure that all concerns and allegations are treated with sensitivity and confidentiality. Any children involved in alleged incidents will remain safe.

In circumstances where a child makes an allegation or a disclosure, the member of staff concerned will

- Listen fully to all the child has to say.
- Make no observable judgement.
- Ensure the child is safe, comfortable, and not left alone.
- Make no promises that cannot be kept, such as promising not to tell anybody what they are being told.
- Make a written record that forms an objective record of the observation or disclosure that includes: the date and time of the observation or the disclosure; the exact words spoken by the child as far as possible; the name of the person to whom the concern was reported, with the date and time; and the names of any other person present at the time.
- These records are signed and dated and kept in the child's personal file, which is kept securely and confidentially.

Informing parents

- Parents are normally the first point of contact. Concerns are discussed with parents to gain their view of events, unless it is felt that this may put the child in greater danger.
- Parents are informed when we make a record of concerns in their child's file and that we also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to social care, parents are informed while the referral will be made, except where the guidance of IFD does not allow this, for example, where it is believed that the child may be placed in greater danger.
- This will usually be the case where the parent is the likely abuser
- If there is a possibility that advising a parent beforehand may place a child at greater risk the designated person should seek advice from children's social work services, about whether to advise parents beforehand, and should record and follow the advice given.

Referring Allegations to Child Protection Agencies

If the Nursery Operations Director and or the Deputy Nursery Manager has reasonable grounds for believing that a child has been - or is in grave danger of being - subject to abuse, the following procedure will be activated: IFD can be contacted at any time for advice on situations.

- Contact will be made, with the IFD immediately if you suspect a child is or has been subject to abuse.
- The Nursery Operations Director or the Deputy Nursery Manager will communicate as much information about the allegation and related incidents as is consistent with advice given by Children's services and the police.
- At all times, the safety, protection, and interests of children concerned will take precedence. The Nursery Operations Director and staff will work with and support parents/carers as far as they are legally able.
- Kamelia Kids will assist the Children's services and the police, as far as it is able, during any investigation of abuse or neglect. This will include disclosing allegations against staff.

Dealing with allegations against staff

Kamelia Kids is committed to ensuring that it meets its responsibilities in respect of child protection by treating any allegation seriously and sensitively. Kamelia Kids will not solely carry out any investigation itself into a suspected child abuse incident.

On discovering an allegation of abuse, the Designated Safeguarding Lead will immediately contact and discuss the case with the IFD and LADO for West Sussex.

- Consultation Contact Number: **0330 222 6450** (Available 09.00 - 17.00)
- LADO Service Contact Number: (Available through the IFD) **01403 229900**
- LADO Service email address: **LADO@WestSussex.gov.uk**

Any allegation against a member of staff will be referred to the Nursery Operations Director, who will seek advice from the LADO- Local Authority Designated Officer and HR and inform the Chair of Trustees.

We notify Ofsted of any incident or accident and any changes in our arrangements which may affect the well-being of children or where an allegation of abuse is made against a member of staff (whether the allegations relate to harm or abuse committed on our premises or elsewhere).

Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. Any member of staff who has had an allegation made against them will be suspended from duties immediately in line with our disciplinary procedure, pending a full enquiry.

Suspension is a neutral act, and in no way implies that the person is guilty of any wrongdoing. However, it is acknowledged that this would be distressing for the person concerned, and Kamelia Kids will do all it can to balance the interests of any individual with that of the need to keep children safe.

The staff member concerned will be made aware that they can contact **Ofsted - Tel: 0300 123 1231**, who will be able to offer them support and advice.

Disciplinary action

Where a member of staff or volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children or vulnerable adults, we will notify the Disclosure and Barring Service of relevant information, so that individuals who pose a threat to children and vulnerable groups can be identified and barred from working with these groups. If a member of staff leaves employment before an investigation has been concluded, we would notify DBS.

Staff Mobile phone use including smart watches and Alexa or similar IT products

- Mobile phones are not to be turned on - to be silent and locked during your working hours.
- Mobile phones can only be used on a designated break, this must be away from the children in the staff room.
- Mobile phones should be always stored in your personal locker in the staff room during the hours of your working day except for the Senior Management Team who will keep theirs in a locker drawer/ cupboard in their offices for fire evacuation procedures, these phones will be locked with a unique code known only to the phone owner.
- During outings, no photographs should be taken of the children on any phones, either personal or nursery owned.
- Mobile phones must not be used to take photos of the children in the nursery, either personal or nursery owned.
- Smart watches must not be worn whilst on duty.

Social networking: Facebook, twitter, online media etc.

- We also feel that restrictions need to be placed on staff when they access social networking sites. The nursery has a high reputation to upkeep and comments made on sites such as ‘Facebook’ could have an impact on how parents using the nursery view the staff.
- We request that staff do not accept parents as friends that they have solely met through the nursery.
- Staff should not download images containing photographs of children from the setting or any images which may identify the setting in any way, including logos on staff uniforms.
- Staff should not publish details relating to the setting which are work related.
- Staff should also consider personal comments made on any social networking sites.
- Staff should not disclose their employer’s details.
- Staff should always be aware of their responsibilities when accessing social networking sites.
- Any disclosures impacting on children’s welfare should be dealt with in accordance with the setting’s policies and procedures.
- Staff are encouraged to be conscious always of the need to keep their personal and professional lives separate.
- You should not put yourself in a position where there is a conflict between your job and your personal interests.
- You should not discuss information about the children or their families and colleagues on your personal social networking site.
- You should not discuss information you have access to as part of your work on your personal social networking site. This includes information relating to your employer or your colleagues or any information which could be used to identify Kamelia Kids.
- You should not publish any photographs, videos, or any other form of images of children from the setting or any images which may identify the setting in any way, including logos on staff uniforms.
- You should always keep in mind the duty of confidentiality you owe to the children in your setting, their families, your colleagues, and employer. Gossiping about people you have professional dealings with could be a breach of confidentiality.
- To keep appropriate professional boundaries, you must not have contact with your parents through your personal social networking site.
- Any inappropriate disclosures affecting children’s and other people’s welfare should be dealt with in accordance with the setting’s security and disciplinary policies and procedures.
- You should always be aware that once your personal information and opinions are on the internet you may not be able to control what happens to them. So, take care what you post on social networking sites.
- Make sure to set the privacy settings of your personal site as strictly as you can and do not reveal your home address, telephone number, date of birth, where you work and your work address.

- Use a separate email address just for social networking so that you do not have to give away any other contact details.
- Read the privacy policies and user agreements on your personal site regularly to understand how they use your personal information; for example, do they pass it on to marketing companies?

Interception of Communications

The Company reserves the right to intercept any e-mail for monitoring purposes, record keeping purposes, preventing, or detecting crime, investigating, or detecting the unauthorised use of the Company's telecommunication system or ascertaining compliance with the Company's practices or procedures.

Camera and other recording devices

- We ensure that any photographs or recordings taken of your children in our nursery are only done with prior written permission from each child's parent (please see photography policy). This is gained when each child is registered.
- We ask for permissions for photographs for the following range of use including, use in the child's learning journey, for display purposes, for promotion materials including our nursery website/nursery Facebook and Insta and brochure and to use in the local press. We ensure that parents understand that their child may also be on another photograph, but not as the primary person.
- If a parent is not happy about one or more of these uses, then the nursery will respect their wishes and find alternative ways of recording their child's play or learning.
- Staff are not permitted to take photographs or recordings of a child on their own devices and only use those provided by the nursery. The Nursery Operations Director will monitor all photographs and recordings to ensure that the parent's wishes are adhered to.
- Parents are not permitted to use any recording device or camera on the nursery premises without the prior consent of the Nursery Operations Director and are asked to avoid using their mobile phones.
- During special events, e.g., Christmas or leaving parties, staff may produce group photographs to distribute to parents on request; however, any images must be solely for family use and under no circumstances must be placed on social media sites such as Facebook etc.
- For whistleblowing, please see additional policy: the company considers this policy to be extremely important. If you are found to be in breach of the policy, then you will be disciplined in accordance with the disciplinary procedure and you may be dismissed. In certain circumstances, breach of this policy may be considered gross misconduct resulting in immediate termination of your employment.

Legal framework

Statutory Framework for the Early Years Foundation Stage (2017)

Working Together to Safeguard Children (2018)

Prevent Duty Guidance (2015)

What to do if you're worried a Child is Being Abused (DfE 2015)

Multi-agency statutory guidance on female genital mutilation (2016)

Safeguarding children and protecting professionals in early years settings: online safety considerations for managers (2019)

Safeguarding children and protecting professionals in early years settings: online safety guidance for practitioners (2019)

GDPR 2018

Disclosure and Barring Service: www.gov.uk/disclosure-barring-service-check

Further guidance

Children Act (1989 s47)

Protection of Children Act (1999)

The Children Act (Every Child Matters) (2004)

Safeguarding Vulnerable Groups Act (2006)

Childcare Act 2006

The Children Act (Every Child Matters) (2004)

Sexual Offences Act (2003)

Criminal Justice and Court Services Act (2000)

Children and Families Act 2014

Serious Crime Act 2015

Freedom of Information Act 2000

Children and Families Act 2014

Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2007)

Information Sharing: Guidance for Practitioners providing Safeguarding Services (DfE 2015)

Keeping Children Safe in Education (2015)

Breast flattening or breast ironing <https://safeguardinghub.co.uk/breast-ironing-a-guide/>
<http://nationalfgmcentre.org.uk/breast-flattening/>