

# Child Protection Policy

## Child Protection Safeguarding Children, Young People and Vulnerable Adults



### At a glance

This policy sets a framework for the principles of Child Protection. The Harrys Rainbow Charitable Trust will work with children, parents and the community to ensure the rights and safety of children, young people\* and vulnerable adults.

### Who this policy applies to

This policy applies to all members of staff who work under a contract of employment with HRCT, volunteers and to members of the Board.

### Policy status

This policy is owned by the Board of Trustees. It is non-contractual and may be updated or changed by the Board at any time. Colleagues are reminded that it is their responsibility to keep up to date with policy changes.

### Statement

#### Commitment One

We are committed to building a 'culture of safety' in which children, young people and vulnerable adults are protected from abuse and harm in all areas of its service delivery.

Our designated safeguarding lead (DSL) who co-ordinates child, young person and vulnerable adult protection issues is: **Joanne West**

- All new designated safeguarding leads have their suitability checked before being given the role.
- When the setting is open, but the designated lead is not on site, a suitably trained officer/s is available at all times for staff to discuss safeguarding concerns, these are: **Odette Mould**
- Our designated officer (a committee member) who oversees this work is: **Odette Mould CEO**

\*A young person is defined as 16 to 19 years old – in our setting they may be a child, student, worker, volunteer, carer or parent.

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- The designated person, the suitably trained designated officer/s ensure they have relevant links with statutory and voluntary organisations with regard to safeguarding.
- The designated person (and the officer/s) understands Local Safeguarding Children's Board (LSCB) safeguarding procedures, attends relevant LSCB training at least every two years and refreshes their knowledge of safeguarding at least annually.
- We ensure all staff/volunteers are trained to understand our safeguarding policies and procedures and that they know how and when to make a referral. (Appendix 1)
- Wherever possible, there should be a conversation with the DSL, or officers about any safeguarding issues, who will then help staff decide what to do next. In exceptional circumstances where there is no DSL available, staff should not delay in making a referral. (The DSL must be informed as soon as possible after the referral has been made.)
- We ensure parents are made aware of our safeguarding policies and procedure.
- All staff/volunteers understand that safeguarding is their responsibility.
- All staff/volunteers have an up-to-date knowledge of safeguarding issues, are alert to potential indicators and signs of abuse and neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported to the local authority children's social care team (MASH) or the NSPCC. They receive updates on safeguarding at least annually.
- All staff/volunteers are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value but can be respectfully sceptical.
- All staff/volunteers understand the principles of early help (as defined in Working Together to Safeguard Children, 2018 page 12) and are able to identify those children and families who may be in need of early help and enable them to access it.
- All staff/volunteers understand the thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm, according to arrangements published by the LSCB or safeguarding partners in areas where the safeguarding partners have replaced the LSCB.

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- All staff/volunteers understand their responsibilities under the General Data Protection Regulations and the Data Protection Act 2018, and understand relevant safeguarding legislation, statutory requirements and local safeguarding partner requirements and ensure that any information they may share about parents and their children with other agencies is shared appropriately and lawfully.
- We will support families to receive appropriate early help by sharing information with other agencies in accordance with statutory requirements and legislation.
- We will share information lawfully with safeguarding partners and other agencies where there are safeguarding concerns.
- We will be transparent about how we lawfully process data.
- All staff/volunteers understand how to escalate their concerns in the event that they feel either the local authority and/or their own organisation has not acted adequately to safeguard and know how to follow local safeguarding procedures to resolve professional disputes between staff/volunteers and organisations.
- All staff/volunteers understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures, code of conduct and confidentiality agreements.
- Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974. (safer recruitment)
- Enhanced criminal records, and barred lists checks and other suitability checks are carried out for staff and volunteers prior to their post being confirmed, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Where applications are rejected based on information disclosed, applicants have the right to know and to challenge incorrect information.
- Volunteers and staff must:
  - be aged 17 or over.
  - be considered competent and responsible.

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- receive an induction and regular supervisory meetings.
- be familiar with all the settings policies and procedures.
- be fully checked for suitability
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed including:
  - the criminal records disclosure reference number.
- All staff and volunteers are informed that they are expected to disclose any convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment with us)
- Staff/volunteers receive regular supervision, which includes discussion of any safeguarding issues, and their performance and learning needs are reviewed regularly.
- In addition to induction and supervision, staff are provided with clear expectations in relation to their behaviour.
- We notify the Disclosure and Barring Service of any person who is dismissed from our employment or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
- Procedures are in place to record the details of visitors 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 and families
- Steps are taken to ensure children and families are not photographed or filmed on video for any other purpose other than to record their participation in events or activities organised by us and to use for purposes such as advertising or promotion and evaluation. Parents give verbal consent and upon registering as a beneficiary provide consent online. Where consent is not given, this is clearly communicated to the photographer/videographer. Staff do not use personal cameras or filming equipment to record images unless consent is sought and, in this instance, the Social Media policy is followed by the staff or volunteer.

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- The designated person in the setting has responsibility for ensuring that there is an adequate Social Media policy in place.
- We keep a written record of all complaints and concerns including details of how they were responded to.
- We ensure that robust risk assessments are completed, that they are seen and signed by all relevant staff and that they are regularly reviewed and updated, in line with our health and safety policy.
- The designated lead will support the designated officer/s to undertake their role adequately and offer advice, guidance, supervision and support.
- The designated officer/s will inform the designated lead at the first opportunity of every significant safeguarding concern however this must not delay any referrals being made to children's social care (MASH), or where appropriate, the LADO or RIDDOR.

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### Commitment 2

We are committed to responding promptly and appropriately to all incidents or concerns of abuse that may occur and to work with statutory agencies in accordance with the procedures that are set down in 'What to do if you're worried a child is being abused' (HMG 2015) and the care Act 2014

#### Responding to suspicions of abuse

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture, and that these receive full consideration in relation to child, young person or vulnerable adult protection and what support may be needed
- When children are suffering from physical, sexual or emotional abuse, or may be experiencing neglect, this may be demonstrated through:
  - significant changes in their behaviour.
  - deterioration in their general well-being.
  - their comments which may give cause for concern, or the things they say (direct or indirect disclosure).
  - changes in their appearance, their behaviour, or their play.
  - unexplained bruising, marks or signs of possible abuse or neglect; and
  - any reason to suspect neglect or abuse outside the setting.
- Any child may benefit from early help, but staff/volunteers should be particularly alert to the potential need for early help for a child who:
  - is disabled and has specific additional needs.
  - has special educational needs (whether or not they have a statutory education, health and care plan)

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- is a young carer
- is frequently missing/goes missing from care or home
- is misusing drugs or alcohol
- is in a family circumstances presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse; and /or
- has returned home to their family from care
- All staff are aware of the process for making referrals to children's social care and for statutory assessments under the Children's Act 1989, especially section 17 (children in need) and section 47 ( a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments
- We are aware of the 'hidden harm' agenda concerning parents with drug and alcohol problems and consider other factors affecting parental capacity and risk, such as social exclusion, a family member in prison, domestic violence, homelessness, radicalisation, mental or physical illness, death of a partner/child and parent's learning disability.
- We are aware that children's vulnerability is potentially increased when they are privately fostered and when we know that a child is being cared for under a private fostering arrangement, we inform our local authority children's social care team.
- We are prepared to act, if we have concerns about the welfare of a child who fails to arrive at a session when part of their support plan. The designated person will take immediate action to contact the child's parent to seek an explanation for the child's absence and be assured that the child is safe and well. If no contact is made with the child's parents and the designated person has reason to believe that the child is at risk of significant harm, the relevant professionals are contacted immediately and LSCB procedures are followed. If the child has current involvement with social care, the social worker is notified on the day of the unexplained absence.

### Responding to suspicions of abuse continued

- We are aware of other factors that affect children's vulnerability that may affect, or may have affected, children and young people using our provision, such as abuse of children who have special

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educational needs and/or disabilities; fabricated or induced illness; child abuse linked to beliefs in spirit possession; sexual exploitation of children, including through internet abuse; Female Genital Mutilation and radicalisation or extremism.

- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB procedures on responding to radicalisation.

- The designated person completes online Channel training, online Prevent training and attends training where available to ensure they are familiar with the local protocol and procedures for responding to concerns about radicalisation.

- We are aware of the mandatory duty that applies to staff/volunteers and health workers to report cases of Female Genital Mutilation to the police. We are also aware that early years practitioners must follow local authority published safeguarding procedures to respond to FGM and other safeguarding issues, which involves contacting police if a crime of FGM has been or may be about to be committed.

- 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 maybe victims of child trafficking. While this may be less likely to affect young children in our setting, we may become aware of any of these factors affecting older children and young people who we may come into contact with.

- If we become concerned that a child/vulnerable adult may be a victim of modern slavery or human trafficking we will refer to the National Referral Mechanism, as soon as possible and refer and/or seek advice to the local authority children's social work service and/or police.

- We will be alert to the threat's children may face from outside their families, such as that posed by organised crime groups such as county lines and child sexual exploitation, online use and from within peer groups and the wider community. To check the local community, we use Community Safety (Safer MK partnership [www.milton-keynes.gov.uk/community-safety](http://www.milton-keynes.gov.uk/community-safety))

- All staff must be aware that safeguarding issues can manifest themselves via peer on peer abuse, allegations will be investigated and dealt with in the same manner as all safeguarding issues/ concerns. Peer on peer abuse is most likely to include, but may not be limited to:

- bullying (including cyberbullying).

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- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm.
  - sexual violence and sexual harassment.
  - sexting (also known as youth produced sexual imagery); and
  - initiation/hazing type violence and rituals.
- Where we believe that a child in our setting or that is known to us may be affected by any of these factors, we follow the procedures below for reporting child protection and child in need concerns and follow the LSCB procedures, or when they come into force replacing the LSCB, we will follow the local procedures as published by the local safeguarding partners.
- Where such indicators are is apparent, the staff/volunteer makes a dated record of the details of the concern and discusses what to do with the the 'designated lead/officer'. The information is stored in the confidential safeguarding folder.
- In the event that a staff member or volunteer is unhappy with the decision made of the designated person in relation to whether to make a safeguarding referral they must follow escalation procedures.

### Responding to suspicions of abuse continued

- We refer concerns about children's welfare to the local authority children's social care department (MASH) and co-operate fully in any subsequent investigation. NB In some cases this may mean the police, or another agency identified by the Local Safeguarding Children's Board known as MK Together (or the local safeguarding partners when their published safeguarding arrangements take over from the LSCB).
- We respond to any disclosures sensitively and appropriately and take care not to influence the outcome either through the way we speak to children or by asking questions of children (although we may check out/clarify the details of what we think they have told us with them).
- We take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students/volunteers, school children on work placement, young employees or young parents. Where abuse or neglect is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account in an age

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appropriate way, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

- All staff are also aware that adults can also be vulnerable and know how to refer adults who are in need of community care services.
- All staff/volunteers know that they can contact the NSPCC whistleblowing helpline 0800 028 0285 if they feel that or organisation and the local authority have not taken appropriate action to safeguard a child and this has not been addressed satisfactorily through organisational escalation and professional challenge procedures
- We have a whistle blowing policy in place.
- Staff/volunteers know they can contact the organisation Public Concern at Work or ACAS for advice relating to whistleblowing dilemmas.

### Recording suspicions of abuse and disclosures

- Where a child makes comments to a member of staff/volunteers or parent that gives cause for concern (disclosure), or a member of staff/volunteer observes signs or signals that gives cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect that member of staff:
  - listens to the child, offers reassurance and gives assurance that she or he will take action.
  - does not question the child; although it is OK to ask questions for the purposes of clarification.
  - makes 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 date and time; and
  - the names of any other person present at the time.

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- These records are signed and dated and kept in the child's personal file which is kept securely and confidentially.
- The member of staff acting as the 'designated lead/officer' is informed of the issue at the earliest opportunity, and always within one working day.
- Where the Local Safeguarding Children Board or local safeguarding partners safeguarding procedures stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow the steps set down by the Local Safeguarding Children Board.

### Making a referral to the local authority children's social care team

- The Pre-school Learning Alliance's publication 'Safeguarding Children' contains procedures to help in making a referral to the local children's social care team, as well as a template forms for recording concerns and to assist with making a referral. and making a referral.
- We keep a copy of this document alongside the procedures for recording and reporting set down by our Local Safeguarding Children Board, which we follow where local procedures.

### Escalation process

- If we feel that a referral made has not been dealt with properly or that concerns are not being addressed or responded to, we will follow the LSCB escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- We will follow local procedures published by the LSCB or safeguarding partners to resolve professional disputes.

### Informing parents

- Parents are normally the first point of contact. Concerns are normally discussed with parents to gain their view of events, unless it is felt that this may put the child or other person at risk, or may interfere with the course of a police investigation, or may unduly delay the referral, or unless it is otherwise unreasonable to seek consent. Advice will be sought from social care or in some circumstances police, where necessary.

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- 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 at the same time that the referral will be made, except where the procedures of the Local Safeguarding Children Board/ Local Safeguarding Partners does not allow this, for example, where it is believed that the child may be placed at risk
- This will usually be the case where the parent is the likely abuser or where sexual abuse may have occurred.
- If there is a possibility that advising a parent beforehand may place a child at greater risk (or interfere with a police response) the designated person must consider seeking advice from children's social care, about whether or not to advise parents beforehand, and must record and follow the advice given.

### Liaison with other agencies and multi-agency working

- We work within the Local Safeguarding Children Board /Local Safeguarding Partners guidelines.
- The current version of 'What to do if you're worried a child is being abused' is available for parents and staff and ensures that all staff are familiar with what they need to do if they have concerns.
- We have procedures for contacting the local authority regarding child protection issues and concerns about children's welfare, including maintaining a list of names, addresses and telephone numbers of social workers, to ensure that it is easy, in any emergency, for the setting and children's social care to work well together.
- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.

### Allegations against staff/volunteers and persons in position of trust

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone living or working on the premises occupied by the setting, which may include an allegation of abuse.

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- We ensure that all staff volunteers and anyone else working in the setting knows how to raise concerns that they may have about the conduct or behaviour of other people including staff/colleagues.
- We differentiate between allegations, and concerns about the quality of care or practice and complaints and have a separate process for responding to complaints.
- We respond to any inappropriate behaviour displayed by members of staff/volunteers or any other person working with the children, which includes:
  - inappropriate sexual comments.
  - excessive one-to-one attention beyond the requirements of their usual role and responsibilities, or inappropriate sharing of images.
- We will recognise and respond to allegations that a person who works with children 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 towards a child or children in a way that indicates they may pose a risk of harm to children
- We ensure that all staff or volunteers know how to raise concerns about a member of staff or volunteer within the setting.
- We respond to any concerns raised by staff and volunteers who know how to escalate their concerns if they are not satisfied with our response
- We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, or anyone living or working on the premises occupied by the setting, may have taken, or is taking place, by first recording the details of any such alleged incident.
- We refer any such complaint immediately to a senior manager within the organisation and the Local Authority Designated Officer (LADO) as necessary to investigate and/or offer advice: Jo Clifford – 01908 254300.

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- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.

- Where the management team and children's social care agree it is appropriate in the circumstances, the member of staff (on full pay) or volunteer will be suspended for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place but is to protect the staff as well as children and families throughout the process. Where it is appropriate and practical and agreed with LADO, we will seek to offer an alternative to suspension for the duration of the investigation, if an alternative is available that will safeguard children and not place the affected staff or volunteer at risk.

### 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 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.

### Training

- Training opportunities are sought for all adults involved in the setting to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals. Training opportunities must also cover extra familial threats such as online risks, radicalisation and grooming, and how to identify and respond to families who may be in need of early help, and organisational safeguarding procedures.

- Designated persons receive appropriate training, as recommended by the Local Safeguarding Children Board, every two years and refresh their knowledge and skills at least annually.

- We ensure that all staff/volunteers know the procedures for reporting and recording any concerns they may have about the provision.

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- We ensure that all staff/volunteers receive updates on safeguarding via emails, newsletters, online training and/or in-house training as well as discussion at staff meetings at least once a year.

### Planning

- The layout of the rooms allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being within sight and/or hearing of other staff or volunteers.
- We create within the setting a culture of value and respect for the individual, having positive regard for children's and family's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.

### Confidentiality

- All suspicions and investigations are kept confidential and shared only with those who need to be aware. Any information is shared under the guidance of the Local Safeguarding Children Board /Local Safeguarding Partners and in line with the GDPR, Data Protection Act 2018, and Working Together 2018.

### Support to families

- We believe in building trusting and supportive relationships with families, staff and volunteers.
- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, monitoring of the child, and liaising at all times with the local children's social care team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social care worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.

### Support to families continued

- We will engage with any child in need plan or early help plan as agreed.

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· Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the Confidentiality and Client Access to Records procedure and only if appropriate under the guidance of the Local Safeguarding Children Board.

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### Legal framework

#### Primary legislation

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (2004 s11)
- Children and Social Work Act 2017
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act 2006
- Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018

#### Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equalities Act (2010)
- General Data Protection Regulations (GDPR) (2018)
- Childcare (Disqualification) Regulations 2009
- Children and Families Act 2014
- Care Act (2014)
- Serious Crime Act 2015
- Counter-Terrorism and Security Act (2015)

#### Further Guidance

- Working Together to Safeguard Children (2018)

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- What to do if you are Worried a Child is Being Abused (HMG 2015)
  - Framework for the Assessment of Children in Need and their Families (DoH 2000)
  - The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
  - Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
  - Hidden Harm – Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
  - Information Sharing: Advice for Practitioners providing Safeguarding Services (DfE 2018) · Disclosure and Barring Service: [www.gov.uk/disclosure-barring-service-check](http://www.gov.uk/disclosure-barring-service-check)
  - Revised Prevent Duty Guidance for England and Wales (HMG, 2015)
  - Inspecting Safeguarding in Early Years, Education and Skills Settings, (Ofsted, 2016)
- Other useful Pre-school Learning Alliance publications
- Safeguarding Children (2013)

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