St Mary’s Pre-School Shortlands

**SAFEGUARDING & CHILD PROTECTION POLICY**

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**1. STATEMENT OF INTENT**

The safety, welfare and best interests of all our children are our highest priority. Our primary concern is to know everyone as an individual and to provide a secure and caring environment so that every child can learn in safety and we can act in their best interests.

This policy is available to all members of the Pre-School community to view on the website [www.stmaryspreschoolshortlands.co.uk](http://www.stmaryspreschoolshortlands.co.uk) The policy sets out how the committee and Pre-School Leader are carrying out their statutory responsibility to safeguard and promote the welfare of children in accordance with and with regard to any guidance issued by the Secretary of State contained in:

* **Keeping Children Safe in Education** September 2019 **(KCSIE)**
* **KCSIE** refers to the non-statutory advice for practitioners: **What to do if you’re worried a child is being abused** (March 2015)
* **Working Together to Safeguard Children**, (July 2018) Statutory guidance
* **Working Together** refers to the non-statutory guidance: **Information sharing** (July 2018)
* **Prevent Duty Guidance** March 2016, Guidance for Schools and childcare providers 2015
* **Children Act** 1989 and 2004
* **Childcare Act** 2006
* **Safeguarding Vulnerable Groups Act** 2006
* **Equality Act** 2010
* **Children and Social Work Act** 2017
* **Statutory Framework for EYFS** 2017
* **Counter Terrorism and Security Act** 2015
* **Data Protection Act** 2018
* **FGM mandatory reporting procedures**
* **Inspecting Safeguarding in EY settings Ofsted** 2019
* **UN Convention on the rights of the Child**
* **Public Interest Disclosure Act 1998**
* **The Protection of Children Act 1999**
* **Children and Families Act 2014**
* **Disqualification under the Childcare Act 2018**

It is supplemented by the detailed procedures of the Local Safeguarding Children Board (LSCB). This policy is applicable to all staff, committee members, and volunteers. In all matters relating to child protection the Pre-School will follow the procedures laid down by the BSCB

* **London Borough of Bromley Threshold of Needs** May 2017
* **Protocol for Dealing with Allegations against Staff , Volunteers and Foster Carers who work with children in Bromley** March 2017

Safeguarding and promoting the welfare of children is defined for the purpose of this policy as:

• Protecting children from maltreatment

• Preventing impairment of children’s health or development

• Ensuring that children grow up in circumstances consistent with the provision of safe and effective care

• Taking action to enable all children to have the best outcomes. All members of staff have a duty to safeguard our children’s welfare and must therefore familiarise themselves and comply at all times with this policy. All Pre-School staff should be aware that safeguarding incidents can happen at any time and anywhere and are required to be alert to any possible concerns.

All staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events and in most cases multiple issues will overlap.

*Aims:*

• To ensure that all necessary internal and inter-agency child protection procedures are in place as required when children may be suffering or at risk of significant harm

• To give guidance to staff to ensure best practice and hold regular supervision meetings ensuring that there are clear lines of accountability within the Pre-School’s leadership for safeguarding

• To demonstrate the links with other relevant policies to safeguard the general welfare of children

• To provide a clear statement of the Pre-School’s responsibility in the event of a concern about the conduct of a member of staff

• To identify key individuals and their specific roles

• The Committee has appointed a member, Mrs Penny Horsman (Training updated April 2019) to take leadership and responsibility for the Pre-School’s safeguarding arrangements. She will liaise with and report issues to the St Mary’s Shortlands Safeguarding Office Mrs Kay Coleman

• This Pre-School recognises its responsibility to protect and safeguard the welfare of the children entrusted to its care by establishing a safe and trusting environment in which they can learn and develop. Safeguarding will be on the Agenda at every staff meeting

• The staff of this Pre-School are committed to establishing and maintaining an environment where children feel secure, are encouraged to talk and are listened to. We will ensure that children know that there are adults who they can approach if they are worried. The Pre-School promotes equality, a positive, supportive and secure ethos, giving children a sense of being valued and without discrimination.

• We recognise that because of the frequent contact with children, staff in the Pre-School are well placed to observe the signs of possible abuse and know that they need to be constantly vigilant.

• It is important for children to receive the right help at the right time and early help is key to a child’s wellbeing in order to address risks and prevent issues escalating. We must not be guilty of failing to act on and refer the early signs of abuse and neglect, poor record keeping, failing to listen to the views of the child, failing to reassess concerns when the situation does not improve, sharing information too slowly and not challenging those who appear not to be taking action.

• This Pre-School recognises its responsibility to discuss with social care/social services or the police any significant concerns about a child which may indicate:

Physical abuse

Emotional abuse

Sexual abuse

Neglect

See Definitions of Child Abuse in Annex A Page 19

In accordance with LSCB procedures these concerns cannot be kept confidential.

• Staff will be able to contribute to any assessment or meeting about the child held under LSCB procedures as required.

• This Pre-School also recognises its duty to work with other agencies in protecting children from harm and in responding to concerns about possible abuse, including the Police, Child and Adolescent Mental Health Services, Education Welfare Service, Education Psychology service and other agencies which may be in contact about a specific child

**2. TRANSPARENCY**

Our Pre-School prides itself on its respect and mutual tolerance. Parents/guardians have an important role in supporting us. Copies of this policy, together with our other policies relating to issues of child protection are on our website and available every day in the policies folder on the table in the corridor and we hope that parents and guardians will always feel able to take up any issues or worries that they may have with us. Allegations of child abuse or concerns about the welfare of any child will be dealt with consistently in accordance with this policy. Open communications are essential and encouraged.

**3. SAFER EMPLOYMENT/RECRUITMENT**

We follow the Government's recommendations for the safer recruitment and employment of staff who work with children and act at all times to create a safer working environment in the Pre-School. (It is a requirement to have at least one person specifically trained in Safer Recruitment on every appointment panel). This is intended to deter and identify anyone who may be unsuitable or pose a risk of harm. Those trained in Safer Recruitment are Christine Hall, Sue Harrison and Penny Horsman. In addition to carrying out safer recruitment procedures as set out in 'Keeping Children Safe in Education 2018', members of staff are subject to the necessary statutory safeguarding checks before starting work to include where necessary a declaration regarding disqualification from working in childcare. We abide by Ofsted requirements in respect of references and police checks for all staff and volunteers, to ensure that no disqualified or unfit person works at the Pre-School or has access to the children. Volunteers do not work unsupervised unless they have an enhanced DBS check.

Evidence of all these checks (the Single Central Record or Register) will be maintained as required by the current guidance. References from a senior person with appropriate authority, (including those for internal candidates), will be obtained prior to interview.

Staff must not babysit any of the Pre–School children

No member of staff is allowed to be alone with a child unless they are supervising a visit to the toilet or changing a nappy. Nappies must be changed in the disabled toilet with the door open so that the adult and child can be seen within the building but not from outside. All nappy changes are recorded and information given to parents/carers who sign the form. For adults supervising children’s visits to the toilet a whistle is kept in both the male and female toilets and if a problem arises the member of staff blows once on the whistle to summon help.

**4. RAISING AWARENESS**

The committee member with responsibility for safeguarding will ensure that safeguarding is always a priority by:

* Championing child protection issues within the Pre-School and liaising with the Designated Safeguarding Lead and offering challenge if necessary
* Holding a termly meeting with the DSL to discuss safeguarding issues
* Ensuring the Safeguarding and Child Protection policy is checked for impact and reviewed yearly accordingly
* Auditing safeguarding measures annually alongside the Designated Safeguarding Lead in conjunction with the requirements of the LSCB and reporting back to the committee
* Ensuring that all committee members understand and comply with their statutory duty to provide the services of the Pre-School in a way that safeguards and promotes the welfare of children
* Keeping fully up-to-date with the Pre-School’s child protection cases, its policy, procedures, training and curriculum and to advise on all where necessary. This includes: relevant personal care which includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, and washing for reasons of age, illness or disability.
* To approve amendments as required to safeguarding arrangements in the light of changing regulations or recommended best practice including at least an annual review of this policy. Allegations of abuse which become known to staff, children and visitors should be immediately reported to the Designated Safeguarding Lead or deputy, following the procedures detailed in paragraphs 6, 7 & 8. All allegations made will be treated seriously and the Social Services Referral Team or the Local Authority Designated Officer will be informed. It must be noted that any staff member may make a referral to Social Care if they feel that it is necessary to keep that child safe from significant harm. The diagram below indicates what action should be taken and who should take it where there are concerns about a child. If, at any point, there is a risk of immediate serious harm to a child a referral should be made to children’s social care immediately. Anybody can make a referral and everyone has a responsibility to know how to.

**Safeguarding referral flow chart**

Referral \*\*\*made if concerns escalate

DSL makes referral \*\*\* to children’s social care and police if appropriate

Referral not required. School takes relevant action – possibly Early Help\*\* and monitors child

Staff have concerns about a child and take immediate action by speaking to DSL\*

At all stages, staff should keep the child’s circumstances under review and re-refer if appropriate to ensure the child’s circumstances improve – the best interests of the child MUST always come first

Pre-School considers early help assessment \*\* accessing support services

Identify child in need \*\*\*\*and identify appropriate support

Identify child at risk of significant harm;\*\*\*\* possible child protection plan

Appropriate emergency action taken by social worker, police or NSPCC\*\*\*\*\*

No formal assessment required: Referrer informed

Section 17 \*\*\*\* enquiries appropriate: Referrer informed

Section 47 \*\*\*\*enquiries appropriate: Referrer informed

Child in need of immediate protection: Referrer informed

Within I working day social worker makes decision about type of response required

**\*In cases which also involve an allegation of abuse against the staff member, see part 4 of KCSIE 2018**

**\*\* Early help means providing support as soon as a problem emerges at any point in a child’s life. Where a child would benefit from coordinated early help, an early help inter-agency assessment should be arranged. Chapter 1 of Working Together to Safeguard Children provides detailed guidance on the early help process.**

**\*\*\* Referrals should follow local authority’s referral process. Chapter 1 of Working Together to Safeguard Children**

**\*\*\*\*Under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. This can include section 17 assessments of children in need and section 47 assessments of children at risk of significant harm. Full details are in Chapter 1 of Working Together to Safeguard Children**

**\*\*\*\*\* This could include applying for an Emergency Protection Order (EPO)\*\***

**5. DESIGNATED SAFEGUARDING LEAD**

The Pre-School’s Designated Safeguarding Lead is: Christine Hall

Deputy Safeguarding Lead Erin Hayes

The dates of their most recent training are: Christine Hall - September 2017

Erin Hayes – January 2019

As advised in KCISE (2018) the broad areas of responsibility for the Designated Safeguarding Lead are to:

*Manage referrals*

• Refer cases of suspected abuse to the local authority children’s social care as required;

• Support staff who make referrals to local authority children’s social care;

• Refer cases to the Channel programme where there is a radicalisation concern as required;

• Support staff who make referrals to the Channel programme;

• Refer cases where a person is dismissed or left due to risk/harm to a child to the Disclosure and Barring Service and Ofsted as required; and

• Refer cases where a crime may have been committed to the Police as required and within one working day

• Be aware that parental consent is not required for referrals to statutory agencies

• Liaise with the committee to inform them of issues especially ongoing enquiries under section 47 of the Children Act 1989 and police investigations;

• As required, liaise with the case manager (as per Part four KCSIE) and the designated officer(s) at the local authority for child protection concerns (all cases which concern a staff member);

• Liaise with staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies. Act as a source of support, advice and expertise for staff.

• The designated safeguarding lead and deputy should undergo training to provide them with the knowledge and skills required to carry out the role, including inter-agency training. This training will be updated at least every two years. The designated safeguarding lead and deputy and all staff have undertaken Prevent awareness training. In addition to the formal training set out above, their knowledge and skills should be refreshed at regular intervals to keep up with any developments relevant to their role so that they:

• Understand the assessment process for providing early help and statutory intervention, including local criteria for action, local authority children’s social care referral arrangements

• Have a working knowledge of how a child protection case conference and a child protection review conference run and be able to attend and contribute to these effectively when required to do so;

• Ensure each member of staff has access to and understands the Pre-School’s child protection policy and procedures, the staff Code of Conduct, the Behaviour Management Policy, the safeguarding response to children who go missing from education, role of the designated safeguarding lead, LCSB advice including Prevent, especially new staff

• Build a culture of ‘it could happen here’ and be alert to the specific needs of children in need and those with special educational needs

• Are able to keep detailed, accurate, secure written records of concerns and referrals

• Understand and support the Pre-School with regards to the requirements of the Prevent duty and are able to provide advice and support to staff on protecting children from the risk of radicalisation;

• Obtain access to resources and attend any relevant or refresher training courses; and

• Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the Pre-School may put in place to protect them.

*Raise Awareness*

• Ensure the Pre-School’s child protection policies are known, understood and used appropriately, including awareness of the DSL’s role, the whistleblowing policy, the early help process and the staff’s role in it, their capacity to make referrals to children’s social care and why, and what to do if a child tells them they are being abused or neglected;

• Ensure the Pre-School’s Safeguarding policy is reviewed annually (as a minimum) and the procedures and implementation are updated and reviewed regularly, and work with the committee regarding this, including a termly safeguarding meeting with the Committee Member responsible for safeguarding

• Ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the Pre-School in this;

• Link with the LSCB to make sure staff are aware of training opportunities and the latest local policies on safeguarding. The DSL should give regular updates to staff as required.

• Where children leave the Pre-School ensure their child protection file is transferred to the new Pre-School or school as soon as possible. This should be transferred separately from the main file, ensuring secure transit and confirmation of receipt should be obtained. Receiving Pre-Schools and schools should ensure key staff such as the DSL and the SENDCO are aware of the content of these files.

• Consider if it is appropriate to share any information with the new Pre-School or school in advance of a child leaving; e.g. if it would allow the new Pre-School or school to continue supporting victims of abuse.

**6. MULTI AGENCY AWARENESS**

As a Pre-School we will ensure that we contribute to multi-agency working, in line with **Working Together to Safeguard Children**. We shall be aware that the three safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. The committee and the Pre-School will understand the local criteria for action and the local protocol for assessment, which will be reflected in our own policies and procedures. We shall always provide a co-ordinated effort of early help when additional needs of children are identified and those subject to child protection plans.

**7. INFORMATION SHARING**

We recognise the importance of information sharing between Pre-School and local agencies. We will refer to our arrangements that set out the process and principles for sharing information within the Pre-School and the three safeguarding partners, other organisations, agencies and practitioners as required. We will always be aware of the **Data Protection Act 2018** and the GPDR duties and process personal information fairly and lawfully and keep the information safe and secure. We appreciate that the **Data Protection Act 2018** and GDPR do not prevent or limit the sharing of information for the purposes of keeping children safe. Fear about sharing information MUST NOT be allowed to stand in the way of promoting the welfare and safety of children.

**8. INDUCTION AND TRAINING**

All staff are recruited in accordance with the Staffing and Employment Policy.

The Pre-School Leader will ensure that all staff are given appropriate induction and regular training to equip them to carry out their responsibilities for child protection effectively, as prescribed in government Guidance and in accordance with the expectations of the LSCB. All staff will receive the policies listed below before they commence work and will record that they have read them and discussed them with the DSL. The Pre-School Leader will also ensure that everyone attends regular training in accordance with current guidance and receives regular updates with the designated persons receiving training every other year. Training in safeguarding is an important part of the induction process. If staff are employed when all checks are complete but DBS has not been received they will be supervised and have no unsupervised access to children. All staff are expected to behave in line with the staff Code of Conduct.

Training for all new staff includes:

• a review of the Pre-School's Safeguarding and Child Protection Policy, Health and Safety Policy, Equality Policy and Behaviour Management Policy

• knowing the identity of the DSL and deputy

• a copy of Part 1 of **KCSIE** including **KCSIE Annex A**

• the Mobile Phone Policy

• Staff are made aware of the signs, symptoms and indicators of such practices and are required to take action without delay if such a practice is suspected.

• The safeguarding response to children who go missing from education

All staff must sign to say that they have read and understood **KCSIE Part 1 including Annex A** and the Pre-School’s Safeguarding and Child Protection policy at regular intervals or when new guidance is issued. All existing staff complete an annual update regarding their personal circumstances

All members of the Committee have completed Safeguarding Training

Photos and cameras (See Pre School Mobile Phone Policy)

The vast majority of people who take or view photographs or videos of children do so for entirely innocent and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have safeguards in place. To protect all children we will:

• seek parental consent for photographs to be taken or published (for example, on our website)

• not use a child’s full name with an image

• ensure that personal data is not shared.

• store images appropriately, securely and for no longer than necessary in accordance with GDPR 2018 regulations

• only use Pre-School equipment, i.e. not personal devices. All personal mobile phones are stored away securely in a locked cupboard until children have vacated the premises

**9.EARLY HELP**

All staff should be prepared to identify children who might benefit from early help and we are particularly alert for a child who:

• is disabled and has specific additional needs;

• has special educational needs (even if there is no EHCP);

• is in a family circumstance presenting challenges for the child such as substance abuse, adult mental health issues or domestic abuse; is missing from education or is missing education

• has returned home from care;

• is at risk of being radicalised or exploited;

• is a privately fostered child. (If staff become aware of any new private fostering arrangement, they must immediately inform the DSL who will contact the MASH team at www.bromleysafeguarding.org)

Identifying Safeguarding concerns or immediate danger or risk of harm is a priority and immediate referral of any concerns will be made to the DSL.

**10. CHILDREN IN NEED/PROVIDING SUPPORT**

• The Pre-School will support a child in accordance with his/her agreed child protection plan as required. The Pre-School will notify any concerns or changes about a child who has a child protection plan or is known to have an allocated social worker to the child’s social worker or in her/his absence the manager or a duty officer in the team. The Pre-School will co-operate with other agencies and the LSCB advice to act in the best interests of the child.

• We recognise that children who are abused or who witness violence may experience difficulties which impact on their sense of self-worth. They may feel helplessness, humiliation and some sense of blame. The Pre-School may be the only stable, secure and predictable element in the lives of children at risk. When at Pre-School their behaviour may be challenging and defiant or they may be withdrawn.

The Pre-School will provide support by:

• ensuring that the ethos of the Pre-School supports the child

• providing sufficient resources and time with regards to safeguarding and releasing staff in order that they can participate in safeguarding/child protection processes, core groups and meetings (especially child protection conferences and child in need meetings).

• ensuring that the attendance of any child subject to a child protection plan, or otherwise believed to be at risk of harm, is closely monitored.

• include specific training to understand the particular safeguarding risks of Looked After children during biannual safeguarding training. The designated member of staff for promoting the educational achievement of children who are in need, including looked after children is Erin Hayes

Some children may have an increased risk of abuse. It is important to understand that this increase in risk is due more to societal attitudes and assumptions, and child protection procedures that fail to acknowledge children’s diverse circumstances, rather than the individual child’s personality, impairment or circumstances. Many factors can contribute to an increase in risk, including prejudice and discrimination, isolation, social exclusion, communication issues and reluctance on the part of some adults to accept that abuse can occur. Some groups such as SEND can be disproportionally impacted to this.

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

• missing education/missing from education by either being absent for long periods or who are persistently late or whose attendance is irregular

• disabled or have special educational needs

• Looked After Children

• previously looked after children

• privately fostered children

• children affected by domestic abuse

• affected by substance misuse/drug use

• affected by mental health issues including self-harm and eating disorders

• affected by poor parenting

• at risk of fabricated or induced Illness

• asylum seekers

• living away from their own home

• vulnerable to being bullied,

• living in chaotic and unsupportive home situations

•vulnerable to discrimination and maltreatment on the grounds of race, ethnicity, religion, disability

• vulnerable to extremism or radicalisation

• vulnerable to faith abuse

• do not have English as a first language

• at risk of Honour Based Violence (HBV) including female genital mutilation (FGM) and the children of forced marriage. (Forced marriage is illegal in the UK)This list provides examples of additional vulnerable groups and is not exhaustive. Statutory Guidance: Promoting the education of looked after children.

Children with special educational needs and disabilities can face additional safeguarding challenges. This policy reflects the fact that additional barriers can exist when recognising abuse and neglect in this group of children. These can include

* Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability without further exploration
* Being more prone to peer group isolation than other children
* The potential for children with SEN and disabilities being proportionally impacted by behaviours such as bullying without showing any outward signs
* Communication barriers and difficulty in overcoming these barriers

The SENCO works closely with the designated safeguarding lead to ensure vulnerable pupils are safeguarded

**11. PROCEDURES FOR DEALING WITH ALLEGATIONS OR CONCERNS ABOUT A CHILD**

This procedure applies in the case of abuse alleged or suspected to have been carried out by a parent or relative or other person outside the Pre-School and also in the case of abuse by one child against another. In the case of abuse alleged or suspected to have been carried out by a member of staff, the procedure set out in Section 13, Procedure for Responding to Allegations against Staff, should be followed.

The Pre-School treats the safeguarding of the children in its care as the highest priority and recognises the important role it has to play in the recognition and referral of children who may be at risk. All our Pre-School staff are made aware of their duty to safeguard and promote the welfare of children in the Pre-School's care. Staff members are alerted to the particular potential vulnerabilities of looked after children. Every member of staff is required to report immediately instances of actual or suspected child abuse or neglect to the DSL. This includes alleged abuse by one or more children against another child. In the event of child on child abuse all children involved, whether perpetrator/s or victim/s will be treated as being ‘at risk’.

Consideration must be given to ‘significant harm’ or thresholds as described by the LSCB and in addition to the DSL, the Committee and the LADO must be advised. Where the allegation(s) concern the DSL the staff member should report to the Committee and/or direct to the Pre-School's local authority. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer significant harm, a referral to local agencies will be made within 24 hours of the safeguarding issue being raised. For children in need of additional support from one or more agencies, the DSL will initiate inter-agency assessment using local processes.

Local Safeguarding Children Board details:

MASH: 0208 461 7373 / 7379 / 7026, mash@bromley.gov.uk

Emergency Duty Team (outside normal working hours) 0300 303 8671 or 999 if a child is in immediate danger.

LADO: 0208 461 7669, lado@bromley.gov.uk Police Emergency - 999 Police Non-Emergency - 101

OFSTED Safeguarding Children: 0300 123 1231

[Whistleblowing@ofsted.gov.uk](mailto:Whistleblowing@ofsted.gov.uk)

Disclosure and Barring Service: PO Box 181, Darlington, DL1 9FA. 01325 953795

**12. PROCEDURES FOR DEALING WITH ALL DISCLOSURES/ALLEGATIONS OF ABUSE**

If a member of staff is made aware of any allegation of abuse, or if knowledge of possible abuse comes to his/her attention it is his/her duty to listen to the child, to provide re-assurance and to record the child's statements, but not to probe or put words into the child's mouth. On hearing an allegation of abuse or complaint about abuse directly from a child, a member of staff should limit questioning to the minimum necessary for clarification. Leading questions should be avoided. No inappropriate guarantees of confidentiality should be given; rather the child should be told that the matter will be referred in confidence to the appropriate people in positions of responsibility. The member of staff should make and submit an accurate written record preferably using the Record of Concerns Form and inform the DSL immediately so that appropriate agencies can be informed within 24 hours and the matter resolved without delay. If it is suspected that a crime has been committed the matter will be referred to the police from the outset by the DSL. In most cases parents should be informed that a referral is being made and what the concerns are about the child. However there are exceptions where this is not appropriate, namely if to inform the carer/parents would

* Place the child at increased risk of significant harm
* Place a member of staff at risk by the response it may prompt
* Lead to the risk of loss of evidence eg someone destroying evidence of a crime or influencing a child about a disclosure issue

If this isn’t believed to be the case, the DSL will contact MASH for advice or direction and will inform Ofsted if appropriate. The Pre-School will inform Ofsted within 14 days of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (whether that allegation relates to harm or abuse committed by another child or an adult on the premises or elsewhere) or any other abuse which is alleged to have taken place on the premises, and of the action taken in respect of these allegations.

**13. PROCEDURE FOR RESPONDING TO ALLEGATIONS AGAINST STAFF**

Allegations of abuse may be made against a member of staff, a child, parent or other person connected to the Pre-School. Allegations of abuse against staff will be dealt with according to the statutory guidance set out in part four of **KCSIE.** If an allegation is made against a member of staff there is an obvious need to act immediately and with utmost discretion. The child and/or alleged abuser SHOULD NOT be questioned but a record made of what has been reported. The child should be told that the matter will be referred in confidence to the appropriate people. The written record must be passed immediately to the Leader, unless he/she is implicated, in which case the allegations must be brought to the Committee without the Leader being informed. The Designated Safeguarding Lead, Deputy Safeguarding Lead (or Committee, as appropriate) must immediately inform the Local Authority Designated Officer (“LADO”).

If it is decided that an investigation is called for, it is the responsibility of the LADO to arrange a meeting to discuss how the next steps are handled. The arrangements agreed upon will include informing the parents and seeking their consent for any immediate medical examination if necessary. The member of staff against whom an allegation has been made would normally be informed as soon as possible after the result of the initial investigation is known, or the decision is made to dispense with one, but not invited to make a response. There should be a warning that anything said will be recorded. If it is established that the allegation is not well founded, either on the basis of the medical evidence or further statements, then the person against whom the complaint has been made would normally be informed that the matter is closed. The complainant and the parents would also need to be informed of this.

If the Police decide to take the case further and the allegation is against a member of staff, he/she would normally be suspended or, where the circumstances are considered to warrant it, dismissed. Should the allegation of abuse concern the DSL the member of staff should immediately inform the Committee. If the abuse is alleged or suspected to have been carried out by a child the above procedures will be followed, but in addition the Leader must be immediately informed. The Leader will follow the procedures set out in the Anti-Bullying Policy and, where appropriate, take advice from the Social Services team in determining what action to take. The DSL will refer all allegations or suspicions of abuse or cases where there is reasonable cause to suspect a child is suffering, or is likely to suffer significant harm, to the local authority designated officer (LADO) within one working day. Borderline cases will be discussed with the LADO without identifying individuals in the first instance and following discussions the LADO will judge whether or not an allegation or concern meet the relevant threshold. The LADO and DSL will decide in the circumstances what further steps should be taken. This could involve informing parents and calling the police. If the allegation concerns a member of staff or another child he/she would normally be informed as soon as possible after the result of any initial investigation authorised or conducted by the LADO is known. Advice will always be sought from the LADO first, however. The Pre-School will normally appoint a member of staff to keep the person informed of the likely course of action and the progress of the case. If the LADO or any of the statutory safeguarding authorities decide to take the case further, any staff member concerned may be suspended if this is felt appropriate. The reasons and justification for suspension will be recorded and the staff member informed of them. In the case of staff the matter will be dealt with in accordance with the Disciplinary Procedure.

During the course of the investigation the Pre-School in consultation with the LADO will decide what information should be given to parents, staff and other children and how press enquiries are to be dealt with. In reaching their decision due consideration will be given to the provisions in the **Education Act 2011** relating to reporting restrictions identifying staff who are the subject of allegations from children. During any external investigation the Pre-School will not undertake its own investigations prior to the outcomes of an external investigation. Staff must recognise that all matters relating to child protection and safeguarding are confidential. The DSL will disclose personal information about a child on a need to know basis only. However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children. This confidentiality restriction involving staff must apply up to the point where the accused person is charged with an offence, or information is published about an investigation or decision in a disciplinary case. Any children who are involved will receive appropriate care.

We follow Disclosure and Barring Services (DBS) guidance and procedures regarding referrals and barring decisions and the **Safeguarding Vulnerable Groups Act 2006** and the **Safeguarding Vulnerable Groups Act (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009**. The Pre-School will report promptly to the DBS any staff leaving the Pre-School, any person whose services are no longer used because he or she is considered unsuitable to work with children. The following definitions should be used when determining and recording the outcomes of allegation investigations:

• Substantiated

• Malicious (if this is found to be the case no records will be kept on file)

• False

• Unsubstantiated

• Unfounded (this is the new category to reflect cases where there is no evidence or proper basis which supports the allegation) In all circumstances (other than malicious) a written record will be made of the decision and retained on the individual’s personnel file in accordance with DfE advice. At the conclusion of any case we will review our procedures to determine whether there are any improvements or changes to be made.

In the event of the Designated Safeguarding Lead not being in Pre-School for any reason, any member of staff who has concerns about any child should contact the Deputy Safeguarding Lead. The Designated Safeguarding Lead should be informed as soon as possible. If s/he is unavailable the Committee will take on the Designated Safeguarding Lead’s role and will continue to deal with concerns until the Designated Safeguarding Lead returns.

**14. PROMOTING AWARENESS FOR KEEPING SAFE**

Through our curriculum and pastoral systems, staff will raise children’s awareness and build their confidence and resilience so that they have a range of contacts and strategies to ensure their own protection and that of others, recognising that children need opportunities to develop the skills they need to stay safe from harm. All staff play a vital role in this process, helping to ensure that all children relate well to one another and feel safe and comfortable within the Pre-School.

We expect all staff to lead by example and to play a full part in promoting an awareness that is appropriate to their age amongst all our children on issues relating to health, safety and well-being. All staff have an important role in insisting that children always adhere to the standards of behaviour set out in our behaviour policy and in enforcing our anti-bullying policy. All children know that there are adults to whom they can turn to if they are worried. If the Pre-School has concerns about a child there is always a recognised requirement for sensitive communication and designated staff members are aware of the need to avoid asking leading questions.

**15. POSITION OF TRUST**

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people in education settings are in a position of trust in relation to the young people in their care which they have a public duty to maintain by keeping them safe. A relationship between a member of staff and a child cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people and all members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Wherever possible, staff should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

Occasionally situations arise when workers within one agency feel that the actions, inaction or decisions of another agency do not adequately safeguard a child. All practitioners must be aware of the local authority escalation process set out in the Escalation Policy available at http://www.bromleysafeguarding.org

**16. ACTION IF A CHILD IS MISSING FROM EDUCATION, HOME OR CARE**

A record is kept by the Pre-School of any instances in which a child is missing from Pre-School without satisfactory explanation. Please refer also to the Pre-School's missing child procedures. If a child does not attend and we have not been informed of a reason the Leader will contact the parents that day.

**17. EQUAL TREATMENT**

We are committed to equal treatment for all children regardless of sex, race, special educational needs, disability, religion or belief. We keep a record of racist incidents. We aim to create a friendly, caring and perceptive environment in which every individual is valued. We endeavour to contribute positively towards the growing autonomy, self-esteem and safety of each child. (See the Equality and Diversity Policy)

**18. BULLYING AND PEER ON PEER ABUSE** (See Anti-Bullying Policy) All staff will be aware that safeguarding issues can manifest themselves via peer on peer abuse and it can take different forms such as:

• Bullying

• Physical abuse to include sexual abuse. Sexual violence can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or harassing a single child or group of children

Upskirting – which is a criminal offence. The practice typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks.

We treat all children and their parents fairly and with consideration and we expect them to reciprocate towards each other, the staff and the Pre-School. Bullying is a very serious issue that can cause considerable anxiety and distress. At its most serious level, bullying can have a disastrous effect on a child’s wellbeing. All incidences of bullying and prejudice-based bullying will be recorded and reported and will be managed through our behaviour and tackling-bullying procedures. All cases of peer on peer abuse will be reported to the LADO

**19. FEMALE GENITAL MUTILATION (FGM)**

Whilst all staff should speak to the DSL (or Deputy) with regards any concerns about FGM, there is a specific legal duty on staff. If a staff member discovers that an act of FGM appears to have been carried out on a girl under the age of 18 they must report this to the police.

**20. COMPLAINTS PROCEDURE**

Copies of the Pre-School's complaints procedure can be sent to any parent on request. Any complaint arising from the implementation of this policy will be considered under the Pre-School's Complaints Procedure.

**21. WHISTLEBLOWING**

If a member of staff has concerns about the behaviour of another member of staff towards a child, he or she should report it at once to the DSL or to the Committee where the concern relates to the Leader. Any concern will be thoroughly investigated under the Pre-School's whistleblowing procedures. Where there are allegations of criminal activity, the statutory authorities will always be informed. No one who reports a genuine concern in good faith needs to fear retribution. Under the **Public Interest Disclosure Act 1998** the member of staff may be entitled to raise a concern directly with an external body where the circumstances justify it. (see the Whistleblowing Policy)

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 and email: help@nspcc.org.uk. You must whistleblow on anyone who puts children at risk. It is your duty. 0300-123-3155

**22. TRANSFER OF CHILD PROTECTION RECORDS AND RECORD KEEPING**

• Any member of staff receiving a disclosure of abuse from a child or young person, or noticing signs or symptoms of possible abuse in a child or young person, will make notes as soon as possible (within the hour), writing down as exactly as possible using the child’s own words, what was said or seen, putting the scene into context, and giving the time and location. Dates and times of events should be recorded as accurately as possible, together with a note of when the record was made. All records must be signed in ink and dated clearly. At all times GDPR will be kept in mind.

• All records of a child protection nature (handwritten or typed) will be given to the Designated Safeguarding Lead for safekeeping. This includes child protection conference minutes and written records of any concerns. Access to any records will be on a ‘need to know ‘basis. All records must be held separately from the main child file, and in a secure place.

• When a child who has had a child protection plan leaves the Pre-School and/or transfers to another Pre-School, the DSL will inform the child’s new Pre-School immediately and discuss with the child’s social worker the transfer of any confidential information the Pre-School may hold.

• When children transfer or move to another Pre-School part way through an academic year, all information about any past or current child protection concerns will, if possible, be sent confidentially to the DSL of the receiving Pre-School/college. Any records that cannot be passed on will be retained confidentially until a t least the child’s 25th birthday or as required.

**23. OFF-SITE VISITS**

Appropriate risk assessments must be in place prior to any off-site visit taking place

**24. PHYSICAL INTERVENTION**

Physical intervention can be taken for the purposes of averting immediate danger of personal injury to any person (including a child) or to manage a child’s behaviour if absolutely necessary (EYFS 3.53)

Where physical intervention is used records will be kept and parents informed on the same day as soon as is reasonably practicable ((EYFS 3.53)

Staff will work with parents to develop suitable strategies to use.

25. **VISITORS**

Visitors to the setting have to ring the front door bell and are admitted by a member of staff. They are required to hand in their mobile phones and sign a visitors’ book. They are not allowed any unsupervised access to children.

26 MEDICAL **MATTERS AND FIRE EVACUATION**

Separate policies designed to safeguard our children in both of these areas are in place and available in the policies folder.

**27. CONTEXTUAL SAFEGUARDING**

Safeguarding incidents and/or behaviours can be associated with factors outside the pre-school and can occur between children outside the pre-school. All staff but especially the DSL and DDSL should be considering the context within which such incidents and or/behaviours occur. This is known as contextual safeguarding, which simply means assessments of children should consider whether wider environmental factors are present in a child’s life that are a threat to their safety and /or welfare. Children’s social care assessments should consider such factors so it is important that as much information as possible is provided during the referral process. This will allow any assessment to consider all the available evidence and the full context of any abuse.

**ANNEX A – WHAT IS CHILD ABUSE**

Abuse is a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional community setting by those known to them or more rarely, by others. They may be abused by an adult or adults or another child or children.

• Physical Abuse – a form of abuse which 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.

* Fabricated or Induced Illness – Physical harm caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child.
* Emotional Abuse – the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a 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.
* Neglect – 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 abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs.
* Harm caused by culture, faith and beliefs - is defined for the purposes of this policy as the belief that an evil force has entered a child and is controlling him. Sometimes the term ‘witch’ is used and is defined here as the belief that a child is able to use an evil force to harm others. There is also a range of other language that is connected to such abuse. This includes black magic, kindoki, ndoki, the evil eye, djinns, voodoo, obeah, demons, and child sorcerers. In all these cases, genuine beliefs can be held by families, carers, religious leaders, congregations, and the children themselves that evil forces are at work. Families and children can be deeply worried by the evil that they believe is threatening them, and abuse often occurs when an attempt is made to ‘exorcise’, or ‘deliver’ the child. Exorcism is defined here as attempting to expel evil spirits from a child. The abuse usually occurs in the household where the child lives. It may also occur in a place of worship where alleged ‘diagnosis’ and ‘exorcism’ may take place.
* Female Genital Mutilation – Staff need to be aware of what this is. (FGM) The partial or total removal of external female genitalia, practiced in some cultures. Mandatory reporting of FGM is in place If you become aware of a case, legislation requires you to make a report to the police. It is recommended that you make a report orally by calling the police using the non-emergency number 101
* Sexual Abuse – involves forcing or entice.ng a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex), breast ironing or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Child Sexual exploitation is a form of child abuse that involves the perpetrator befriending children and/or tricking them into relationships and providing gifts in return for sexual favours or taking advantage of a child in a sexually explicit manner by taking inappropriate photographs

Disguised Compliance is when a parent/guardian gives the impression that they are co-operating with child welfare agencies and avoid raising suspicion. It could be consistent failure to turn up to appointments but telling the Pre-School that they have or agreeing a course of action but not following through. It could also mean that the child’s attendance improves if there is an impending visit from a social worker or any action aimed at deflecting or diffusing professional intervention

Upskirting The practice typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks.

* Protecting children from the risk of radicalisation should be seen as part of our wider safeguarding duties, and is similar in nature to protecting children from other forms of harm and abuse. During the process of radicalisation it is possible to intervene to prevent vulnerable people being radicalised. As with managing other safeguarding risks, staff should be alert to changes in children’s behaviour which could indicate that they may be in need of help or protection. Staff should use their professional judgement in identifying children who might be at risk of radicalisation and act proportionately which may include making a referral to the Channel programme.

For advice and support on extremism, contact: Jill Bartlett: SO15 Counter Terrorism Intelligence Officer for Bromley & Lewisham; – 07769 164 201, [jill.bartlett@met.pnn.police.uk](mailto:jill.bartlett@met.pnn.police.uk)

Robert Affleck (PC1402CT) Local Prevent Engagement Officer: – 07775 036 482, rob.p.affleck@met.pnn.police.uk Or the Police on the non-emergency number 101.

Further information on the following specific safeguarding issues can be found on the TES website and the NSPCC website

These are some of the signs and symptoms and types of behaviour which may indicate that a child is being abused. In themselves they may not be proof of abuse, but they may suggest abuse if a child exhibits several of them or if a pattern emerges. There is a good deal of overlap between the signs and symptoms of the different categories of abuse.

Possible Signs of Physical Abuse

• Unexplained injuries or burns, particularly if they are recurrent

• Refusal to discuss injuries

• Improbable explanations for injuries

• Untreated injuries or lingering illness not attended to

• Admission of punishment which appears excessive

• Shrinking from physical contact

• Fear of returning home or of parents being contacted

• Fear of medical help

• Aggression, bullying

• Over-compliant behaviour

• Running away

• Significant inexplicable changes in behaviour

• Unexplained pattern of absence, which may serve to hide injuries

Possible signs of Fabricated Illness

• The only person noticing the symptoms is the parent or carer

• Exaggerating or fabricating symptoms to suggest the presence of an illness

• Repeatedly being absent for apparent medical reasons

Possible signs of harm caused by culture, faith or beliefs

• Beating, shaking, burning, cutting, stabbing, semi-strangulation, tying up the child, rubbing chilli peppers or other substances on the child’s genitals or eyes or placing chilli peppers or other substances in the child’s mouth

• Not allowing the child to eat or share a room with family members or threatening to abandon them

• Telling a child that they are possessed

• Failure to ensure appropriate medical care, supervision, regular Pre-School attendance, good hygiene, nourishment, clothing

Possible signs of neglect

•Constant hunger

• Poor personal hygiene

• Inappropriate clothing

• Frequent lateness or non-attendance

• Low self-esteem

• Poor social relationships

• Compulsive stealing or scrounging

• Constant tiredness

Possible signs of emotional abuse:

• Low self-esteem

• Changes in behaviour

• Withdrawal

• Extreme aggression or passivity

• Air of detachment - ‘I don’t care’

• Mistrust of adults

• Over-compliance

• Social isolation

• Frequent tummy pains and other pains

• Repression

• Depression

• Self-inflicted injuries

• Running away

• Reluctance to go home

• High level of attention-seeking behaviour

• Flinching from contact

• Sudden speech disorders

Possible signs of sexual abuse

• Bruises, scratches or bite marks on the body

• Sexual awareness inappropriate to the child’s age – shown, for example, in drawings, vocabulary, games etc.

• Attempts to teach other children about sexual activity

• Refusing to stay with certain people or to go to certain places

• Aggressiveness, anger, anxiety, tearfulness

Withdrawal from friends

Possible signs of emotional abuse:

• Low self-esteem

• Changes in behaviour

• Withdrawal

• Extreme aggression or passivity

• Air of detachment - ‘I don’t care’

• Mistrust of adults

• Over-compliance

• Social isolation

• Frequent tummy pains and other pains

• Repression

• Depression

• Self-inflicted injuries

• Running away

• Reluctance to go home

• High level of attention-seeking behaviour

• Flinching from contact

• Sudden speech disorders

Possible signs of bullying

These signs must be investigated and are deemed unacceptable. Their legal threshold must be understood and the position of vulnerable children, including those with SEND, acted upon in accordance with this policy and local authority guidelines.

• Physical pushing, kicking, hitting and punching

Verbal name calling, sarcasm, spreading rumours, humiliation and continuous ignoring of individuals

• Racial taunts, taunts to children with SEND, graffiti and gestures

• Sexual and abusive comments and unwanted physical contact

• Banter which is threatening to another child

Further information can be accessed via the NSPCC's child protection fact sheet "Signs of Abuse" ([www.nspcc.org.uk/signsofabuse](http://www.nspcc.org.uk/signsofabuse))

Other types of abuse of current concern include

Child Sexual Exploitation (CSE) Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity

(a) in exchange for something the victim needs or wants, and/or

(b) for the financial advantage or increased status of the perpetrator or facilitator. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. All children can be at risk from Child Sexual Exploitation.

**Annex B**

**THE LANGUAGE OF SAFEGUARDING AND CHILD PROTECTION**

**Child/Children** - Everyone under the age of 18.

**Safeguarding** – Safeguarding and promoting the welfare of children refers to the process of protecting children from maltreatment, preventing the impairment of health or development, ensuring that children grow up in circumstances consistent with the provision of safe and effective care and taking action to enable all children to have the best outcomes. It can also include issues such as health and safety, use of reasonable force, meeting the needs of pupils with medical conditions, providing first aid, educational visits, intimate care and emotional wellbeing, online safety and associated issues and security – taking into account local context.

**Child Protection** - Child Protection is one very important aspect of safeguarding. It refers to the activity which is undertaken to protect specific children who are suffering, or at risk of suffering, significant harm. Safeguarding, in addition to child protection, encompasses issues such as pupil health and safety, bullying/cyber-bullying, appropriate medical provision, drugs and substance misuse. These areas have specific policies and guidance which should be read in conjunction with this document.

**Significant harm** - The Children’s Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention by statutory agencies in family life in the best interests of children. There are no absolute criteria on which to rely when judging what constitutes significant harm. Sometimes it might be a single traumatic event but more often it is a compilation of significant events which damage the child’s physical and psychological development. Decisions about significant harm are complex and require discussion with the statutory agencies.

**Early Help** – Providing support as soon as a problem emerges at any point in a child’s life, from the foundation years through to the teenage years. It is about providing support quickly whenever difficulties emerge to reduce the impact of problems.

**Responsibilities** - The responsibility for child safeguarding falls on everybody who is employed at the Pre-School. All adults who work at this Pre-School are expected to support the Pre-School’s Child Protection Policy, with overall responsibility falling upon the Leader.

**CAF – Common Assessment Framework** - an early help inter-agency assessment. It offers a basis for early identification of children's additional needs, the sharing of this information between organisations and the coordination of service provision. Early help assessments should identify what help the child and family require to prevent needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 1989. The findings from the Common Assessment Framework may give rise to concerns about the child's safety and welfare. In these circumstances, it should be used to support a Referral to Children's Social Care: however undertaking a CAF is not a pre-requisite for making a referral.

**Staff** - Refers to all those working for or on behalf of the Pre-School, full time or part time, temporary or permanent, in either a paid or voluntary capacity.

**Parent** - Refers to birth parents and other adults who are in a parenting/carer role, for example step-parents, foster carers and adoptive parents.

**Designated Officer** – New term for LADO – a post in the local authority, to coordinate and manage allegations against staff.

**Social Care Direct** – Local Authority children social care/Family services.

**BCP** Bromley Children Project

**BSCP** Bromley Safeguarding Children Partnership

**LSCB** - Local Safeguarding Children Board

**DSL** - Designated Safeguarding Lead.

This policy was adopted at a meeting of St Mary’s Pre-school Shortlands Committee held on 8th October 2019

Signed on behalf of the pre-school………………………………………