



# Hanley Crouch Community Association Child Protection Policy

This policy was reviewed on: **23 June 2022**. It will be reviewed and/or following any updates to national and local guidance and procedures. This policy will be next reviewed on or before **23 June 2023**.

This is a core policy that forms part of the induction for all staff. It is a requirement that all members of staff have access to this policy and sign to say they have read and understood its contents

## **Key Safeguarding Contacts:**

The Designated Safeguarding Lead (DSL) for child protection is: **Colin Adams**

The Deputy Designated Safeguarding Leads are: Richard Corbin

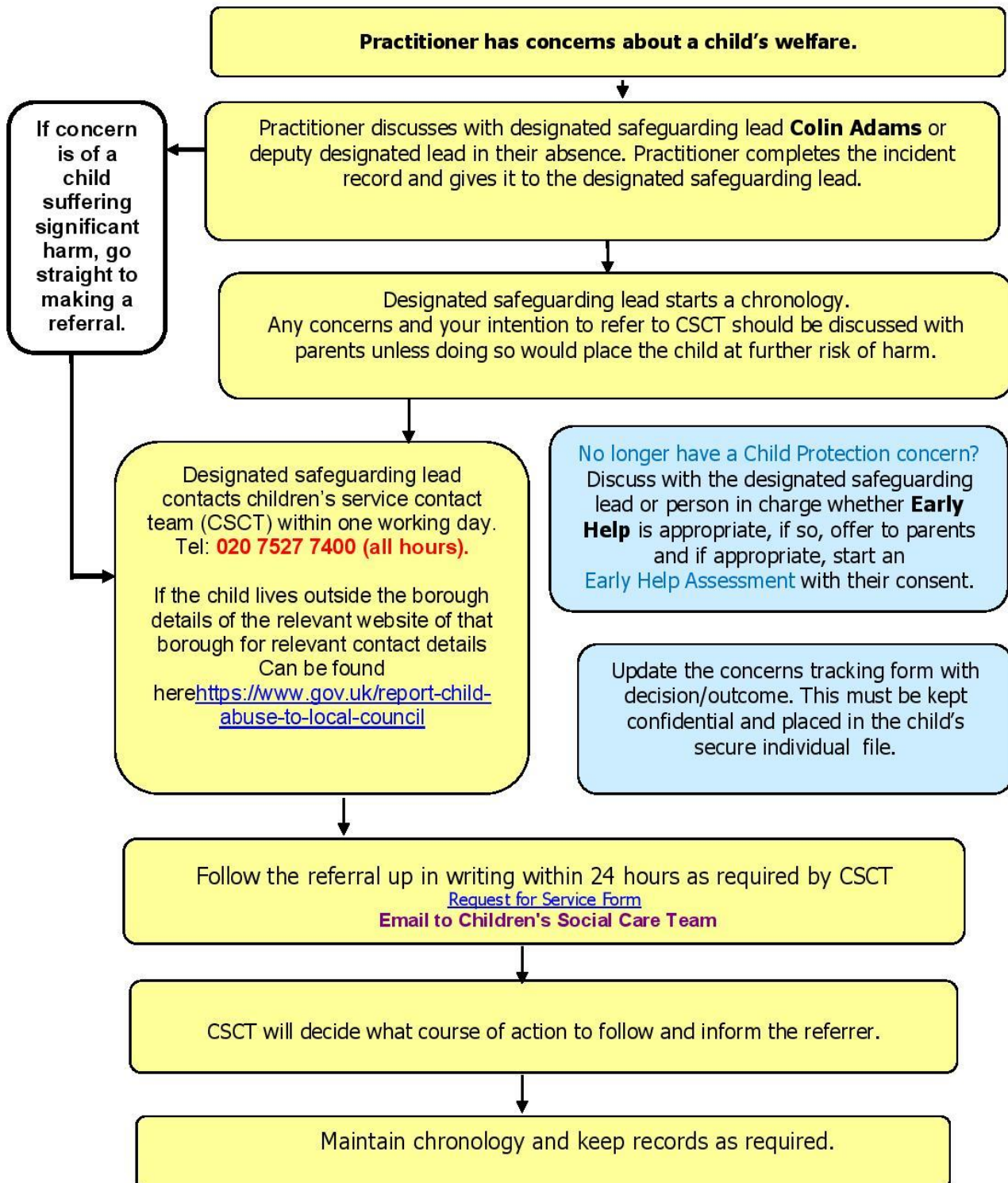
The Designated Manager for Allegations against Staff and Volunteers is: Natalie Lewis

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**Making A Child Protection Referral**

July 2021



# SAFEGUARDING AND CHILD PROTECTION POLICY FOR

## Brickworks Community Centre

### 1. Introduction

- a. **Hanley Crouch Community Association** and their staff team form part of the wider safeguarding system for children. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child. (*Keeping Children Safe in Education – DfE, 2019- Updated in September 2021*)
- b. This Safeguarding and Child Protection Policy is for all staff, parents, volunteers and the wider community. It forms part of the safeguarding arrangements for the setting. It should be read in conjunction with the Staff Code of Conduct Policy, Behaviour Policy, Safer Recruitment Policy, Health and Safety Policy, E-safety Policy. It should also be read in conjunction with the Early Years Foundation Stage 2017, Chapter one of Working Together to Safeguard Children 2018 and the first part of Keeping Children Safe in Education (DfE, 2019).
- c. Safeguarding and promoting the welfare of children is defined in **Working Together to Safeguard Children, 2018** (Updated Dec 2020) 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

**Brickworks Community Centre** policy and procedures have been devised in accordance with the London Child Protection Procedures (2018), Section 11 of the 2004 Children Act which places a duty upon all those who work within Early Years setting, to safeguard and promote the welfare of children, ‘Working Together to Safeguard Children’ 2018, the EYFS 2017 and the Prevent Duty 2015.

### 2. Statutory framework

- a. The development of appropriate procedures and the monitoring of good practice in Islington are the responsibilities of the [Islington Safeguarding Children Board](#) (ISCB). In Islington (and London) all professionals must work in accordance with the London Child Protection Procedures (LCPP), 2018.
- b. Our setting works in accordance with the following legislation and guidance:
  - [Keeping Children Safe in Education](#) (DfE, 2019)(Updated Sept 2021)
  - [Working Together](#) (HMG, 2018) (Updated Dec 2020)
  - Early Years Foundation Stage (2017)
  - Education Act 2002
  - Children Act 2004
  - Children Act 1989
  - Data Protection legislation (including the General Data Protection Regulation, 2018).
  - Information sharing advice for safeguarding practitioners (HMG, 2018)
  - [What to do if you're worried a child is being abused](#) (HMG, 2015)
  
  - [Counter-Terrorism and Security Act \(HMG, 2015\)](#)
  - [Serious Crime Act 2015](#) (Home Office, 2015)
  - Education (Pupil Registration) Regulations 2006
  - Sexual Offences Act (2003)
  - [Searching, screening and confiscation](#) (DfE, 2014)

- Preventing and Tackling Bullying (DfE, 2017),
- Female Genital Mutilation Act 2003 (S. 74 - Serious Crime Act 2015)

### 3. Roles and responsibilities

- a. All adults working with or on behalf of children have a responsibility to protect them and to provide a safe and secure environment in which they can learn and achieve their full potential. However, there are key people within the setting and the Local Authority who have specific responsibilities under child protection procedures. The names of those in our centres with these specific responsibilities (e.g., the designated safeguarding lead and deputy designated safeguarding lead) are shown on the cover sheet of this document.
- b. All staff, and volunteers will read Working together 2018- updated in 2021 and Keeping Children Safe in Education 2019- updated in September, Chapter one and the settings safeguarding policy and procedure. The Designated Safeguarding Lead (DSL) will support all staff in understanding this key document and implementing it in their practice.
- c. The Centre Manager
  - The Centre Manager works in accordance with the requirements upon all setting staff (see below). In addition, (s)he ensures that all safeguarding policies and procedures adopted are followed by all staff.
- d. The Designated Safeguarding Lead (DSL) (and Deputy DSL)
  - The DSL in the setting takes lead responsibility for managing child protection referrals, safeguarding training and raising awareness of all child protection policies and procedures. They ensure that everyone in the setting (including temporary staff, volunteers and contractors) is aware of these procedures and that they are followed at all times. They act as a source of advice and support for other staff (on child protection matters) and ensure that timely referrals to Islington's Children's Social Care (Children's Services Contact Team) or other local authorities are made in accordance with London Child Protection Procedures. They work with statutory, targeted and universal agencies as required.
  - The DSL takes lead responsibility for co-ordinating early help assessments for children within the Setting.
  - The DSL takes lead responsibility for keeping full written chronological records of all concerns about a child even if there is no need to make an immediate referral to CSC. These records are kept confidentially and securely and are separate from other children's records.
  - The DSL or a deputy should always be available to discuss safeguarding concerns. If for any reason the DSL is unavailable, one of the named deputy DSLs will act in their absence.
- e. All Setting staff and volunteers
  - Everyone has a responsibility to provide a safe learning environment in which our children can learn. All staff members are prepared to identify children who may benefit from early help and understand their role within this process. This includes identifying any emerging problems so appropriate support may be provided and liaising with the DSL to report any concerns. This includes children and young people who:
    - Are disabled and have specific additional needs
    - Have special educational needs (whether or not they have an Education, Health and Care Plan (EHCP))
    - Poor attendance and children frequently missing nursery
    - Are at risk of modern slavery, trafficking or exploitation
    - Are at risk of being radicalised or exploited

- Are in challenging family circumstances such as drug and alcohol misuse, adult mental health issues and domestic abuse
  - Have returned home to their family from care
  - Are privately fostered.
- All staff will develop their understanding of the signs and indicators of abuse and of their responsibility for referring any concerns.
  - All staff members are aware of and follow children's social care procedures (as set out in this policy) and are aware of how to make a referral to Social Care if there is a need to do so.
  - All members of staff know how to respond to a child who discloses abuse in line with the London Child Protection procedures and will pass this information on immediately to the DSL, or, in their absence, the deputy DSL.
  - If, in exceptional circumstances, the DSL (or deputy) is not available, staff should speak to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.
  - All members of staff know how to access edition 5 of the London Child Protection Procedures at <http://www.londoncp.co.uk/>
  - All staff are aware of Islington's 'Whistleblowing policy and Managing Allegations procedures and how to access it.

#### **4. Types of abuse / specific safeguarding issues**

a. Keeping Children Safe in Education (DfE, 2019 – Updated Sept 2021) defines abuse as the 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 or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children”*

b. The four main types of abuse are

- Physical
- Emotional
- Sexual
- Neglect

Our Setting is aware of the signs of abuse and neglect so we are able to identify children who may be in need of help or protection. (See Appendix 1)

#### **c. Neglect**

- Neglect differs from other forms of abuse in that there is rarely a single incident or crisis that draws attention to the family. It is repeated, persistent neglectful behaviour that causes incremental damage over a period of time.
- It is important to avoid 'start again' syndrome. Neglect should not only be measured by the most recent set of events but should be judged by the cumulative impact on the child of any previous incidents.
- There is no set pattern of signs that indicate neglect other than that the child's basic needs are not adequately met. In this context:

- The child's basic needs are for food, shelter, clothing, warmth, safety, stimulation, protection, nurture, medical care, education, identity and play;
- Adequately means sufficient to avoid harm or the likelihood of **Significant Harm**;
- Failure to meet the child's needs does not necessarily mean that the parents/carers are intentionally neglectful, but it points to the need for intervention;
- It is essential to monitor the outcome of intervention – are the child's needs being adequately met after the intervention and is there a sustainable improvement?

The essential factors in demonstrating that a child is being neglected are:

- The child is suffering, or is likely to suffer, Significant Harm;
- The harm, or risk of harm, arises because of the failure of parents or carers to meet the child's needs;
- Over time, the harm or risk of harm has become worse, or has not improved to the point at which the child is consistently receiving a "good enough" standard of care;
- Persistent, severe neglect indicates a breakdown or a failure in the relationship between parent and child.

#### d. Domestic Abuse

The Home Office definition of Domestic violence and abuse was updated in May 2018 as:

“Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality”. The abuse can encompass, but is not limited to:

- Psychological
- Physical
- Sexual
- Financial
- Emotional

- **Controlling behaviour is:** a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- **Coercive behaviour is:** an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim."

In addition, Working Together to Safeguard Children has introduced the concept of Contextual Safeguarding (Assessment of risk to children outside the home) which recognises that as well as threats to the welfare of children from within their families, children may be vulnerable to abuse or exploitation from outside their families. These extra-familial threats might arise at school and other educational establishments, from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

#### **e. Peer on peer abuse**

- Hanley Crouch Community Association may be the only stable, secure and safe element in the lives of children at risk of, or who have suffered harm. Nevertheless, whilst at the setting, their behaviour may be challenging and defiant, or they may instead be withdrawn, or display abusive behaviours towards other children. Our Setting recognises that some children may abuse their peers and any incidents of peer on peer abuse will be managed in the same way as any other child protection concern and will follow the same procedures.
- We do not tolerate any harmful behaviour in the setting and will take swift action to intervene where this occurs. We use activities to help children understand, in an age-appropriate way, what abuse is and we encourage them to tell a trusted adult if someone is behaving in a way that makes them feel uncomfortable.
- Staff are vigilant in observing any harmful behaviour between children. Abuse of any kind is not tolerated or passed off as harmless banter. We are clear in our understanding that peer on peer abuse can take place in different forms:
  - Physical abuse such as biting, hitting, kicking and hair pulling
  - Sexually harmful behaviour (inappropriate sexual language and touching)
  - Name calling and prejudiced behaviour
- There may be many reasons why a child physically harms another child and staff take time to understand the reasons why. The settings Behaviour Policy outlines how staff manage children's emotions and will take time to listen to the children involved and try to support both equally. Staff ensure that victim is offered empathy, is comforted and that they are supported in being able to say when they are hurt/upset. We model the Makaton sign for Stop to empower non-verbal communicators a way of saying 'No.' Staff also support children to help them to manage their feelings by positive encouragement, modelling empathetic behaviour and by ensuring that they engage in purposeful learning alongside adults. All incidents are recorded and shared with parents.
- Sometimes it is necessary to record persistent peer on peer abuse in a systematic way and it is important that staff build up a picture of how and why this may be happening. Close working with parents/carers can help build a clearer picture as sometimes children may be displaying challenging behaviour due to circumstances at home, anxieties, or a special educational need. The setting has close links with CAMHS and our link Education Psychologist are effective in referring and supporting children and families where necessary.
- Staff are clear about the possible links between children that purposefully hurt others and abuse that they may be experiencing themselves. In these incidents staff use other documents such as The Neglect Toolkit and The Brook Traffic Light Tool to support concerns that they may have. If from the information that we gather, we believe that a child may be at risk of significant harm, we will follow our procedures and make a referral to Children's Social Care.
- Staff have an understanding that children's poor behaviour may be a sign that they are suffering harm or that they have been traumatised by abuse – see behaviour management policy.

#### **f. Children with special educational needs and disabilities**

- Hanley Crouch Community Association understands that children with special educational needs and disabilities can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children. This can include:



- Being more prone to peer group isolation than other groups and being disproportionately impacted by things like bullying, without outwardly showing signs of being bullied
  - Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability rather than abuse or neglect
  - Communication barriers and difficulties in overcoming these barriers in relation to disclosing abuse or neglect
- Our Setting understands the additional vulnerability of children with special educational needs and disabilities and will ensure positive and proactive behaviour support to reduce the occurrence of risky behaviour and the need to use restraint.

**g. Children's attendance**

- The setting recognises that a child who is frequently absent from ASC may be a potential indicator of abuse or neglect and the setting will follow the Early Years Attendance procedures if there are concerns.
- The Setting will hold at least 2 emergency contact numbers for each child and will use both numbers, if necessary, as part of the First Day calling process.
- Parents should always inform us of the reason for any absence. Where contact is not made, a referral may be made to another appropriate agency (Targeted Early Years Services).

**h. Child Sexual Exploitation (CSE)**

- Child Sexual Exploitation (CSE) is a form of child abuse, which can happen to boys and girls from any background or community.

*"Child Sexual Exploitation is a form of child sexual abuse. It occurs when an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 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. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology".*

(Department of Education (DfE), 2017)

**i. Sexting:**

- The term 'sexting' relates to the sending of indecent images, videos and/or written messages with sexually explicit content; these are created and sent electronically. They are often 'shared' via social networking sites and instant messaging services. It is inappropriate and illegal amongst young people and can have extremely damaging and long-lasting consequences. Sexting is unacceptable behaviour. The misuse of electronic communication, such as sexting, inappropriate comments on Facebook for example, being the object of cyber-bullying and online grooming are all potential safeguarding concerns.

**j. Sexual violence and sexual harassment between children**

- Sexual violence and sexual harassment can occur between two children of **any** age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children.
- Children who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their learning and development. Sexual violence and sexual harassment exist on a continuum and may overlap. They can occur online and offline (both physical and verbal) and are never acceptable. It is important that **all** victims are taken seriously and offered appropriate support. Staff should be aware that some groups are potentially more at risk. Evidence shows girls, children with SEND and LGBT children are at greater risk.

- Staff should be aware of the importance of:
  - making clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up
  - not tolerating or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, “just having a laugh” or “boys being boys”
  - challenging behaviours, such as grabbing bottoms, breasts and genitalia.
  - Not dismissing or tolerating such behaviours as this risks normalising them.

. So-called ‘honour-based violence’ (including Female Genital Mutilation and forced marriage)

- **Female Genital Mutilation** comprises all procedures involving partial or total removal of the external female genitalia or other injury to female genital organs. It is illegal in the UK and a form of child abuse.
- As of October 2015, the Serious Crime Act 2015 (Home Office, 2015) introduced a mandatory duty on **teachers** (and other professionals) to notify the police, on **101**, of **known** cases of female genital mutilation where it appears to have been carried out on a girl under the age of 18. Our setting operates in accordance with the statutory requirements relating to this issue, and in line with existing local safeguarding procedures.
- **Forced Marriage** A forced marriage is one entered into without the full consent of one or both parties. It is where violence, threats or other forms of coercion is used and is a crime. Our staff understand how to report concerns where this may be an issue.

L. Prevent Duty

As of July 2015, the [Counter-Terrorism and Security Act \(HMG, 2015\)](#) placed a new duty on schools and other education providers. Under section 26 of the Act, settings are required, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty. Essential that staff are able to identify children who may be vulnerable to radicalisation, and know what to do when they are identified. **Protecting children from the risk of radicalisation should be seen as part of schools’ and childcare providers’ wider safeguarding duties**, and is similar in nature to protecting children from other harms (e.g. drugs, gangs, neglect, sexual exploitation), whether these come from within their family or are the product of outside influences.

It requires settings to:

- Embed the Fundamental British values within a broad and balanced curriculum within the early year’s foundation stage, e.g. personal, social, emotional development and knowledge and understanding of the world.
- Promotes spiritual, moral, cultural, mental and physical development of children and prepares them for the opportunities, responsibilities and experiences of life and must promote community cohesion
- Be safe spaces in which children/young people can understand and discuss sensitive topics, including terrorism and the extremist ideas that are part of terrorist ideology, and learn how to challenge these ideas

**CHANNEL** is a national programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism. Our staff understand how to identify those who may benefit from this support and how to make a referral.

M. Statement on spirit possession or witchcraft

- Spirit possession is when parents, families and the child believe that an evil force has entered a child and is controlling them; the belief includes the child being able to use the evil force to harm others.

- A child may suffer emotional, physical and sexual abuse and neglect if they are labelled and treated as being possessed with an evil spirit. Significant harm may occur when an attempt is made to 'exorcise' or 'deliver' the evil spirit from the child.
- Dismissing the belief may be harmful to the child involved.
- Professionals should consult with their designated safeguarding children professional and make a referral to Children's Social Care, 020–7527 7400.
- For supplementary guidance please refer to the government's *Safeguarding Children from Abuse Linked to a Belief in Spirit Possession*:  
<https://www.education.gov.uk/publications/eOrderingDownload/DFES-00465-2007.pdf>

## 5. Promoting the Well-being of Children

The Centre will promote the well-being of all its children as per the Education and Inspections Act 2006. Well-being is defined in the Children Act 2004 in terms of: -

- physical and mental health and emotional well-being.
- protection from harm and neglect.
- education, training, and recreation.
- the contribution children make to society.
- social and economic well-being.

Every Child Matters is a set of reforms supported by the Children Act 2004. The centre's aim is for every child, whatever their background or circumstances, to have the support they need to:

- be healthy
- stay safe
- enjoy and achieve
- make a positive contribution
- achieve economic well-being.

The centre believes in involving children and young people in this process.

Further information for parents/carers:

<https://www.gov.uk/government/publications/covid-19-guidance-on-supporting-children-and-young-peoples-mental-health-and-wellbeing/guidance-for-parents-and-carers-on-supporting-children-and-young-peoples-mental-health-and-wellbeing-duri>

## 6. Procedures

- a. All action is taken in accordance with the following guidance;
  - London Child Protection Procedures (2018)
  - Keeping Children Safe in Education (DfE, 2019) (Updated Sept 2021)
  - Working Together to Safeguard Children (DfE, 2018) (Updated December 2020)
  - PREVENT Duty - Counter-Terrorism and Security Act (HMG, 2015)
- b. When new staff, volunteers or regular visitors join our setting they are informed of the safeguarding arrangements in place, the name of the DSL and how to share concerns with them.
- c. Any member of staff, volunteer or visitor to the setting who receives a disclosure or allegation of abuse, or suspects that abuse may have occurred **must** report it immediately to the DSL (or, in their absence, the deputy DSL). See flowchart 'What to do if you are worried about a child/young person' on page 3.

- d. The DSL or the deputy will immediately refer cases of suspected abuse or allegations, by telephone, to the Children's Services Contact Team (CSCT) in Islington on 0207 527 7400 or the local authority where the child lives. For Islington referrals the telephone referral to CSCT will be confirmed in writing using the CSCT Request for Service/Referral Form within 48 hours. Referrals to other local authority statutory services will be followed up, within the same timescale, using their referral forms. (see safeguarding flowchart)
- e. All referrals will include the child's name, address, date of birth, family composition, the reason for the referral, whether the child's parents are aware of the referral plus any other relevant information or advice given.
- f. Wherever possible, the setting will share any safeguarding concerns, or an intention to refer a child to Children's Social Care, with parents or carers. However, we will not do so where it is felt that to do so could place the child at greater risk of harm or impede a criminal investigation. On occasions, it may be necessary to seek advice from CSCT and/or Police in making decisions about when it is appropriate to share information with parents / carers.
- g. If a member of staff continues to have concerns about a child and feels the situation is not being addressed or does not appear to be improving, they should press the DSL for re-consideration of the case.
- h. Safeguarding contact details are displayed in the setting to ensure that all staff members have unfettered access to safeguarding support.

## 7. Training

- a. The DSL (and deputy) undertake ISCB Group 5 and Update/Refresher training child protection training at least **every three years** and regularly update their safeguarding and child protection knowledge and skills through attending DSL briefings and reading safeguarding newsletters, e.g. NSPCC Casper Weekly Updates. The manager and all staff members receive appropriate child protection training which is regularly updated and in line with advice from the ISCB.
- b. The Setting ensures that the DSL (and deputies) also undertake training in multi-agency working and specific safeguarding areas as appropriate.
- c. In addition, all staff members receive safeguarding and child protection updates as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. Training will always include a reminder of children social care referral processes. Topics may include:
  - Indicators of abuse
  - Prevent
  - CSE
  - Online Safety
  - FGM
  - County Lines
  - Sexual violence and sexual harassment
- d. Induction for all new members of staff, volunteers and students will include:
  - Safeguarding and child protection policy
  - Staff code of conduct and staff acceptable use policy
  - Behaviour policy
  - Procedures for managing children's non-attendance
- e. Records of all child protection training undertaken are kept for all staff.

## **8. Confidentiality**

- a. Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. A member of staff must never guarantee confidentiality to anyone about a safeguarding concern (including parents / carers or children), or promise to keep a secret.  
  
b. In accordance with statutory requirements, child protection concerns must be reported to the DSL and may require further referral to and subsequent investigation by statutory agencies (i.e., children's social care and police).

Information on individual child protection cases may be shared by the DSL (or deputy) with other relevant staff members on a 'need to know' basis only and where it is in the child's best interests to do so.

## **9. Records and information sharing**

- a. Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst Data Protection legislation (including the General Data Protection Regulation, 2018) places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or vulnerable adult being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life should not prevent sharing where there are real safeguarding concerns. Fears about sharing information should not stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect.
- b. Well-kept records are essential to good child protection practice. Our setting is clear about the need to record any concern held about a child or children within our setting, the status of such records and when these records should be shared with other agencies.
- c. Any member of staff receiving a disclosure of abuse or noticing signs or indicators of abuse, will record it on the Safeguarding Concern/Incident Form noting what was said or seen (if appropriate, using a body map to record), giving the date, time and location. All records will be dated and signed and will include any action taken at the time. This is then presented to the DSL (or deputy), who will decide on the next steps and record this accordingly.
- d. All records related to child protection are kept in an individual safeguarding / child protection file for that child (which is separate to the child's file). All child protection records are stored securely and confidentially and will be retained for 25 years after the child's date of birth.
- e. Where a child transfers from our setting to another setting / educational setting the DSL (or deputy DSL) will copy their safeguarding / child protection file in its entirety and forward the original file to the new educational setting. This will be marked 'Strictly Confidential' and for the attention of the receiving settings DSL, with a return address on the envelope so it can be returned to us if it goes astray. We will obtain evidence that the paperwork has been received by the new setting and place this on the copied file which will be archived in line with our retention policy.
- f. Where a child joins our setting, we will routinely check with the previous early years setting whether there are current or historical safeguarding / child protection records.

## **Multi-Agency Working**

- a. It is the responsibility of the DSL to ensure that the setting is represented at any child protection conference called for children attending the setting or previously known to them. In addition, we will ensure that a child protection conference report is submitted two working days in advance of an initial conference and five working days for a review conference, in line with London Child Protection Procedures.

- b. Where possible and appropriate, any report will be shared in advance with the parent(s) / carer(s). Whoever attends will be fully briefed on any issues or concerns the school has and be prepared to contribute to the discussions at the conference in line with London Child Protection Procedures.
- c. If a child is subject to a Child Protection, Child in Need plan or Early Help Assessment and Plan, the DSL will ensure the child is monitored regarding their settings attendance, emotional well-being, progress, welfare and presentation.
- d. Where the setting is part of the core group, the DSL will ensure the setting is represented, provides appropriate information and contributes to the plan at these meetings. Any concerns about the Child Protection plan and / or the child's welfare will be discussed and recorded at the core group meeting, unless to do so would place the child at further risk of significant harm. In this case the DSL will inform the child's social worker immediately and then record that they have done so and the actions agreed.

## **10. Allegations about members of the workforce**

- a. All staff members are made aware of the boundaries of appropriate behaviour and conduct. These matters form part of staff induction, listed on our policy and are outlined in the Islington Code of Conduct.
- b. The setting works in accordance with statutory guidance and the Allegations against Staff/Volunteers (ASV/LADO) procedures (LSCB, 2017) in respect of allegations against an adult working with children (in a paid or voluntary capacity). Section 7 of the current London Child Protection Procedures provides detailed information on this.
- c. The setting has processes in place for reporting any concerns about a member of staff (or any adult working with children). Any concerns about the conduct of a member of staff will be referred to the Centre Manager. This role is distinct from the DSL as the named person should have sufficient status and authority in the setting to manage employment procedures. Staffing matters are confidential and the setting operates within statutory guidance around Data Protection. (See Appendix 4)
- d. Where the concern involves the Manager, it should be reported directly to the Chair of Trustees.**
- e. ASV/LADO procedures (LSCB, 2017) require that, where an allegation against a member of staff is received, the Chair of Trustees must inform the duty Local Authority Designated Officer (LADO) on **0207 527 8101/8102** within one working day. However, wherever possible, contact with the LADO will be made immediately as they will then advise on how to proceed and whether the matter requires police involvement. This will include advice on speaking to children, staff and parents and HR. The setting will not carry out any investigation before speaking to the LADO.

## **11. Low Level Concerns**

The safety and wellbeing of children in our setting is dependent on the vigilance of all staff and their prompt communication with the centre manager, of any concerns, no matter how small, about any conduct by an adult which causes doubt about that adult's suitability to work with, or have access to, children.

We want to create and embed a culture of openness and trust and transparency; in which the settings values and expected behaviour, as set out in the professional code of conduct, are consistently abided by, monitored, and reinforced by all staff.

All references in this section to "adult" should be interpreted as meaning any adult and any visitor, unless otherwise stated.

The term 'low-level' concern does not mean that it is insignificant; but that the behaviour towards a child does not meet the Local Area Designated Officer (LADO) threshold allegations that might indicate a person would pose a risk of harm.

It is crucial that any concerns, including those which do not meet the harm threshold are shared responsibly and with the right person, recorded and are dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in, or on behalf of, the setting from potential false allegations or misunderstandings.

### **Difference between an Allegation and a Low Level Concern.**

The term '**allegation**' means that it is alleged 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 or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

An **allegation** can also relate to an adult's behaviour outside of work, and their relationships with others, if they:

- have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for the possession of a weapon
- have, as a parent or carer, become subject to child protection procedures
- are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering).

**If there are allegations made against staff the procedures which are displayed on the flowcharts throughout the centre must be followed.**

### **Low Level Concerns**

**A low-level concern** for this purpose, is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the HCCA's Professional Code of Conduct; including inappropriate conduct outside of work and does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to;

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door or,
- using inappropriate sexualised, intimidating or offensive language.

### **Low-Level Concerns about self-reporting**

From time to time, an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued.

Equally, an individual may for whatever reason, have behaved in a manner which on reflection he/she considers falls below the standard set out in the Professional Code of Conduct policy.

Self-reporting in these circumstances is encouraged, as it demonstrates both awareness of the expected behavioural standards, and also self-awareness as to the individual's own actions, or how they could be perceived. As such, HCCA's sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

### **Low Level Concerns about an adult**

From time to time, an individual may notice behaviour or actions in others which leave them concerned.

These are behaviour or actions which fall short of a formal allegation of abuse.

These tend to be behaviours which indicate that the professional Code of Conduct has not been met.

Any such concerns can be dealt with as a low-level concern and reported to the centre manager or most senior person on duty.

### **Procedure for a low-level concern**

Having established that the concern is low-level, the centre manager as appropriate, will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary.

Most low-level concerns by their very nature, are likely to be minor and will be dealt with by means of management guidance, training etc.

Once a low-level concern has been shared and investigated, a confidential record will be kept in a central file which logs all low-level concerns. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- a) the concern (or group of concerns) has been reclassified as an allegation as above; or
- b) the concern (or group of concerns) is sufficiently serious to result in formal action under the children's centre grievance, capability or disciplinary procedure.

### **Data Protection**

The Data Protection Act 2018 makes specific provision for the processing of personal data necessary for safeguarding children from harm. The Information Sharing Code of Practice (Information Commissioner's Office 2019) specifically cites safeguarding of children as a 'clear example of a compelling reason' to share personal data. Where a concern is low-level, rather than an allegation, the balance between safeguarding interest and personal data rights will be considered carefully to ensure it is a reasonably necessary measure that the data should be shared.

### **Records**

Records should be retained (including those subsequently deemed to relate to behaviour which is entirely consistent with the Code of Conduct) in the safeguarding log held by the centre manager.

Where there are multiple low-level concerns relating to the same individual, these will be kept in chronological order as a running record. These records should be kept confidential and held securely with only the centre manager or HR having access.



Where concerns also involve issues of misconduct or poor performance, or disciplinary, grievance or whistleblowing procedures are triggered, the normal records required would still be made and kept according to procedure in addition to the low-level concerns records.

Where the low-level concern is serious enough to be referred to the LADO, the relating records will be placed and retained on the staff member's personnel file.

Where a low-level concern is reclassified as an allegation, the records relating to it will be treated accordingly. Refer also to the Managing Allegations against Staff Procedure.

### **How long to keep Low Level Concerns records?**

There is currently no guidance on the retention of low-level concerns, but the point at which an employee leaves the organisation would be considered a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims) and is therefore necessary to keep.

### **Should low level concerns be included in references?**

With reference to KCSIE guidance, which is only applicable to schools and colleges, allegations which are proven to be false, unsubstantiated or malicious, should not be included in employer references. Likewise, a history of repeated concerns which have all been found to be false, unsubstantiated or malicious should also not be included in any reference. Misconduct or consistent poor performance, where relevant, may be included. This would not normally include low-level safeguarding concerns unless the threshold is met for referral and found to be substantiated, where it should then be referred to in a reference.

Where KCSIE does not apply, consideration must be given to legal obligations and duty of care in giving accurate references.

## Flowchart: Allegations Made Against A Member of Staff (2021)

If an allegation is made that a member of staff has harmed a child or is alleged to have behaved in a way in their private life that may suggest they are unsuitable to work with children and young people the head or manager **Colin Adams** or in their absence the most senior member of staff, must be informed immediately. If the allegation concerns the manager/head, the chair of the board of governors'/management committee/proprietor must be informed.

To assess the most appropriate course of action, the following initial information must be collated:

- the date and time of the observation or the disclosure
- the exact words spoken by the child/staff/member/parent/volunteer as far as possible
- the name of the person to whom the concern was reported (with date and time)
- the names of any other person present at the time
- wider relevant knowledge or background information

**(Note: it is not appropriate at this stage to conduct formal interviews or take written statements from staff as this could compromise an investigation)**

The Local Authority designated officer (LADO) **must be informed within one working day** on Tel: **020 7527 8102**.  
[LADO Referral Form](#)

The LADO will clarify if and how the matter will be taken forward and what appropriate course of action should be taken  
(A referral to the police may be made if it is a potential criminal offence)

After discussing the situation with the LADO it may become clear that a referral to Children's Services Contact Team (CSCT) is required.

Refer the allegation to Children's Services Contact Team: 020 7527 7400  
Follow the referral up in writing within 24 hours as required by CSCT online  
[CSCT REFERRAL](#)

Children's Social Care will contact the setting as to how to proceed. A formal strategy meeting will take place between Children's Social Care, the settings representative and the police (as appropriate). This meeting will agree what action is required immediately to safeguard and promote the welfare of the child, and/or provide interim services and support.

Ofsted **must** be informed within 24 hours on (0300 123 1231) of any allegation or concerns made against a member of staff. [Ofsted Notification Form](#)  
(It is a breach of regulation if Ofsted are not notified within this time).

Once the investigation is complete, Ofsted may visit to discuss the implications of the investigation. It may be necessary to implement the setting's disciplinary, grievance or complaints procedure.  
**DBS (Disclosure and Barring Service) must be informed if a staff member has been dismissed as a result of the allegation**

After discussing the situation with the LADO, it may become clear that a referral to Children's Services Contact Team is **not** required and the setting is to follow their own complaints and disciplinary procedures.

The incident should be documented and Early Years Safeguarding Leads Gwen Fitzpatrick 0207 527 5629 or Amanda Joy 020 7527 3154 should be informed of this outcome in writing where applicable.

The member(s) of staff may be suspended on full pay (in line with your HR procedures. This overall decision to suspend is vested in the chair of the board of Governors/ management committee/proprietor. Suspension is a neutral act and allows a full investigation of facts to take place.

## 12. Whistleblowing

- a. Whistleblowing is 'making a disclosure in the public interest' and occurs when a worker (or member of the wider community) raises a concern about danger or illegality that affects others, for example children or families who attend the setting or members of the public.
- b. All staff are made aware of the duty to raise concerns about the attitude or actions of staff in line with the Code of Conduct / Whistleblowing policy.
- c. We want everyone to feel able to report any child protection / safeguarding concerns. However, for members of staff who feel unable to raise these concerns internally, they can call the NSPCC whistleblowing helpline on: 0800 028 0285 (line is available from 8:00 AM to 8:00 PM, Monday to Friday) or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- d. Parents or others in the wider community with concerns can contact the NSPCC general helpline on: 0808 800 5000 (24-hour helpline) or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## 13. On Line Safety/E-Safety: Use of Photographic, Video recording, image recording/mobile phone/cameras and social media.

Hanley Crouch Community Association will ensure that appropriate filtering and monitoring systems are in place when children and staff access the settings systems and internet provision. The setting will be careful to ensure that these systems do not place unreasonable restrictions on internet access or limit what children can be taught with regards to online teaching and safeguarding.

### Our aim is to:

- Protect children and young people who use the centre. Provide staff and volunteers with the principles that guide our approach to e-safety
- Protect professionals
- Ensure that, as an organisation, we operate in line with our values and within the law in terms of how we use information technology
- Anyone entering the setting are requested not to use their mobile phones while on the premises

It is not the intention to prevent parents / carers from taking pictures, but to ensure that photographic practices are monitored and to reduce the risks of inappropriate photography / filming. No one is permitted to photograph or record images with their personal cameras' or mobile phones. Only the settings cameras are to be used.

Children / young people can only be photographed if permission of parents / carers is given

- Those taking photos, including staff / volunteers must identify themselves
- Photographers will be required to have formal identification which must be worn at all times
- Children's / young people's images will not be used for promotional or press releases unless parents / carers have consented
- Unsupervised access to children / young people or one-to-one photo sessions are prohibited
- Photo sessions outside the organisation / organisation's activities need to have consent
- Personal details which might make a child / young person vulnerable, for example, address, email address, phone number, should never be revealed
- Any concerns regarding inappropriate or intrusive photography / filming reported to, or observed by, the organiser must be followed up by them with the person in question. If concerns persist this person can be requested to leave

The Editorial Board of the London Child Protection Procedures has considered what changes are required to the Procedures to ensure compliance with the General Data Protection Regulations (GDPR) - implemented through the Data Protection Act 2018. As a result, the Board recommends that '**legal obligation**' and '**public task**' (as defined in the GDPR) are relied on as the primary basis for processing information to establish whether or not there is a need to safeguard the welfare of a child. This means that, whilst families will be informed when personal data is being shared or processed, their consent will not be required.

### **Safe Recruitment:**

Our setting follows safe recruitment procedures to ensure that staff are suitable to look after children. For further information, See our Safe Recruitment and Staff Code of Conduct Policy and Procedures.

**Signed:**

**Print name:**

**Date:**

## **APPENDIX 1**

### **Signs and Indicators of Abuse**

#### **Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces illness in a child; see **Fabricated or Induced Illness Procedure**.

#### **Emotional Abuse**

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve:

- Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person;
- Imposing age or developmentally inappropriate expectations on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction;
- Seeing or hearing the ill-treatment of another e.g. where there is domestic abuse;

- Serious bullying, causing children frequently to feel frightened or in danger;
- Exploiting and corrupting children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

## **Sexual abuse**

Sexual abuse involves forcing or enticing 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 (e.g. rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing

Sexual abuse includes non-contact activities, such as involving children in looking at, including online and with mobile phones, or in the production of pornographic materials, watching sexual activities or encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

In addition; Sexual abuse includes abuse of children through sexual exploitation. Penetrative sex where one of the partners is under the age of 16 is illegal, although prosecution of similar age, consenting partners is not usual. However, where a child is under the age of 13 it is classified as rape. **Sexual Offences Act 2003**. See **Part B1, Practice Guidance**.

## **Neglect:**

Neglect is the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance misuse, maternal mental ill health or learning difficulties or a cluster of such issues. Where there is domestic abuse and violence towards a carer, the needs of the child may be neglected.

Once a child is born, neglect may involve a parent 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 care-givers);
- Ensure access to appropriate medical care or treatment.

## **Indicators:**

Neglect differs from other forms of abuse in that there is rarely a single incident or crisis that draws attention to the family. It is repeated, persistent neglectful behaviour that causes incremental damage over a period of time.

It is important to avoid 'start again' syndrome. Neglect should not only be measured by the most recent set of events but should be judged by the cumulative impact on the child of any previous incidents.

There is no set pattern of signs that indicate neglect other than that the child's basic needs are not adequately met. In this context:

- The child's basic needs are for food, shelter, clothing, warmth, safety, stimulation, protection, nurture, medical care, education, identity and play;
- Adequately means sufficient to avoid harm or the likelihood of **Significant Harm**;
- Failure to meet the child's needs does not necessarily mean that the parents/carers are intentionally neglectful, but it points to the need for intervention;
- It is essential to monitor the outcome of intervention – are the child's needs being adequately met after the intervention and is there a sustainable improvement?

The essential factors in demonstrating that a child is being neglected are:

- The child is suffering, or is likely to suffer, Significant Harm;
- The harm, or risk of harm, arises because of the failure of parents or carers to meet the child's needs;
- Over time, the harm or risk of harm has become worse, or has not improved to the point at which the child is consistently receiving a "good enough" standard of care;
- Persistent, severe neglect indicates a breakdown or a failure in the relationship between parent and child.