



Topkidz Safeguarding children, young people & vulnerable adults Policy

Policy statement

Our setting will work with children, parents and the community to ensure the rights and safety of children, young people* and vulnerable adults.

Procedures

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

- Our designated persons who co-ordinate child, young person and vulnerable adult protection issues is Dupe Balogun/Sally Davis

They are responsible for ensuring that they are kept informed of the latest inter agency procedures and feed this information back to the rest of the staff. They ensure that child protection procedures are included in the induction training of new staff. They also ensure that parents are aware that staff have a duty of care to the child and must therefore share child protection issues with other professionals and agencies.

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- At each Topkidz site the managers and deputies will have attended the designated persons training and be responsible for any safeguarding issues.
 - The designated person (and the person who deputises for them) understands LSCB safeguarding procedures, attends relevant LSCB training at least every three years.
 - We ensure all staff are trained to understand our safeguarding policies and procedures and that parents are made aware of them too.
 - All staff have an up-to-date knowledge of safeguarding issues, are alert to potential indicators and signs of abuse and neglect and understand their professional duty to ensure safeguarding and child protection concerns are reported to the local authority children's social care team or the NSPCC.
 - All staff are confident to ask questions in relation to any safeguarding concerns and know not to just take things at face value but can be respectfully sceptical.
 - All staff understand the principles of early help (as defined in *Working Together to Safeguard Children*, 2015) and are able to identify those children and families who may be in need of early help and enable them to access it.
 - All staff understand LSCB thresholds of significant harm and understand how to access services for families, including for those families who are below the threshold for significant harm.

- All staff understand their responsibilities under the General Data Protection Regulations and the circumstances under which they may share information about you and your child with other agencies.
- All staff understand how to escalate their concerns in the event that they feel either the local authority and/or their own organisation has not acted adequately to safeguard.
- All staff understand what the organisation expects of them in terms of their required behaviour and conduct, and follow our policies and procedures.
- Applicants for posts within the setting are clearly informed that the positions are exempt from the Rehabilitation of Offenders Act 1974.
- Enhanced criminal records and barred lists checks and other suitability checks are carried out for staff and volunteers prior to their post being confirmed, to ensure that no disqualified person or unsuitable person works at the setting or has access to the children.
- Where applications are rejected based on information disclosed, applicants have the right to know and to challenge incorrect information.
- Enhanced criminal records and barred lists checks are carried out on anyone living or working on the premises.
- Information is recorded about staff qualifications, and the identity checks and vetting processes that have been completed including:
 - the criminal records disclosure reference number;
 - certificate of good conduct or equivalent where a UK DBS check is not appropriate;
 - the date the disclosure was obtained; and
 - details of who obtained it.
- All staff and volunteers are informed that they are expected to disclose any convictions, cautions, court orders or reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment with us).
- All staff and volunteers are required to notify us if anyone in their household (including family members, lodgers, partners etc.) has any relevant convictions, cautions, court orders, reprimands or warnings or has been barred from, or had registration refused or cancelled in relation to any childcare provision or have had orders made in relation to care of their children.
- We notify the Disclosure and Barring Service of any person who is dismissed from our employment, or resigns in circumstances that would otherwise have led to dismissal for reasons of a child protection concern.
- Procedures are in place to record the details of visitors to the setting. They are expected to sign the visitors book, it records details of the visitors and the purpose of their visit. Visiting professionals are expected to show their ID to the member of staff who opens the door. Visitors are given our list of rules to read and are expected to adhere to them during their time visiting Topkidz.
- Any personal information is held securely and in line with data protection requirements and guidance from the ICO.
- We keep a written record of all complaints and concerns including details of how they were responded to, this is detailed in our Making a complaint policy.

- The designated person will inform the designated officer at the first opportunity of every significant safeguarding concern, however this should not delay any referrals being made to children's social care, the LADO, Ofsted or Riddor.
- We have a separate whistleblowing policy which all staff are aware of to ensure that if a member of staff has concerns about another member of staffs' actions they are able to report it directly.
- Staff/volunteers know they can contact the organisation Public Concern at Work for advice relating to whistleblowing; if they feel that the organisation has not acted adequately in relation to safeguarding they can contact the NSPCC whistleblowing helpline.

Key commitment 2

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

Responding to suspicions of abuse

- We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.
- Staff have knowledge of Female Genital mutilation. They have all done online training and know what a serious issue it is. A new mandatory reporting duty for FGM is in place via the serious crime act 2015. The duty requires regulated health and social care professionals and teachers in England and Wales to report known cases of FGM in under 18 year olds to the police.
- We ensure that all staff have an understanding of the additional vulnerabilities that arise from special educational needs and/or disabilities, plus inequalities of race, gender, language, religion, sexual orientation or culture, and that these receive full consideration in relation to child, young person or vulnerable adult protection.
- When children are suffering from physical, sexual or emotional abuse, or experiencing neglect, this may be demonstrated through:
 - significant changes in their behaviour;
 - deterioration in their general well-being;
 - their comments which may give cause for concern, or the things they say (direct or indirect disclosure);
 - changes in their appearance, their behaviour, or their play;
 - unexplained bruising, marks or signs of possible abuse or neglect; and
 - any reason to suspect neglect or abuse outside the setting.
- We are aware of the 'hidden harm' agenda concerning parents with drug and alcohol problems and consider other factors affecting parental capacity and risk, such as social exclusion, domestic violence, radicalisation, mental or physical illness and parent's learning disability.

- We are aware that children's vulnerability is potentially increased when they are privately fostered and when we know that a child is being cared for under a private fostering arrangement, we inform our local authority children's social care team.
- We are prepared to take action if we have concerns about the welfare of a child who fails to arrive at a session when expected. The designated person will take immediate action to contact the child's parent to seek an explanation for the child's absence and be assured that the child is safe and well. If no contact is made with the child's parents and the designated person has reason to believe that the child is at risk of significant harm, the relevant professionals are contacted immediately and LSCB procedures are followed. If the child has current involvement with social care the social worker is notified on the day of the unexplained absence.
- We will contact all parent or carers if we have not received an email, text or call to say their child will be absent.
- We are aware of other factors that affect children's vulnerability that may affect, or may have affected, children and young people using our provision, such as abuse of children who have special educational needs and/or disabilities; fabricated or induced illness; child abuse linked to beliefs in spirit possession; sexual exploitation of children, including through internet abuse; Female Genital Mutilation and radicalisation or extremism.
- In relation to radicalisation and extremism, we follow the Prevent Duty guidance for England and Wales published by the Home Office and LSCB procedures on responding to radicalisation.
- All staff complete the online prevent training.
- We are aware of the mandatory duty that applies to teachers and health workers to report cases of Female Genital Mutilation to the police.
- All staff have completed online training for Female Genital Mutilation
- We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with.
- Where we believe that a child in our care or that is known to us may be affected by any of these factors we follow the procedures below for reporting child protection concerns and follow the LSCB procedures.
- Where such evidence is apparent, the designated person makes a dated record of the details of the concern. The information is stored in a confidential file and is accessed on a "need to know" basis only.
- In the event that a staff member or volunteer is unhappy with the decision made of the designated person in relation to whether to make a safeguarding referral they must follow escalation procedures.
- We refer concerns to the local authority children's social care team and co-operate fully in any subsequent investigation. NB In some cases this may mean the police or another agency identified by the Local Safeguarding Children Board.
- We take care not to influence the outcome either through the way we speak to children or by asking questions of children.

- We take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

Recording suspicions of abuse and disclosures

- Where a child makes comments to a member of staff that give cause for concern (disclosure), or a member of staff observes signs or signals that give cause for concern, such as significant changes in behaviour; deterioration in general well-being; unexplained bruising, marks or signs of possible abuse or neglect; that member of staff:
 - listens to the child, offers reassurance and gives assurance that she or he will take action;
 - does not question the child, although it is OK to ask questions for the purposes of clarification;
 - makes a written record that forms an objective record of the observation or disclosure that includes: the date and time of the observation or the disclosure; the exact words spoken by the child as far as possible; the name of the person to whom the concern was reported, with the date and time; and the names of any other person present at the time.
- These records are signed and dated and kept in the child protection file which is kept securely and confidentially and is kept in a locked filing cabinet.
- The member of staff acting as the designated person is informed of the issue at the earliest opportunity, and within one working day.
- Where the Local Safeguarding Children Board stipulates the process for recording and sharing concerns, we include those procedures alongside this procedure and follow the steps set down by the Local Safeguarding Children Board.

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

- We would use the "Meeting the Needs Threshold Document" to help us assess the level of need for the child.

If there is a clear safeguarding concern we would contact :

Customer Service Centre: 0300 123 4043

This would be referred to MASH (Multi Agency Safeguarding Hub) team.

- For cases where there is not an immediate child protection concern we may consider a families first early help assessment to enable a range of professional to work together and decide how best to support the family's needs.
- **Topkidz would call the customer services 0300 123 4043 and ask for early help and advice to support a family through early help/Families first** – if Customer Service centre decided it was a concern they would redirect.

- **MASH Practitioner consultations if designated persons were unsure is: 01438 737511**
- **Families first portal: [www. Hertfordshire.gov.uk/familiesfirst](http://www.Hertfordshire.gov.uk/familiesfirst)**
- **Email to: familiesfirstassessment@hertfordshire.gov.uk**

The designated person is responsible for making these calls and reporting any concerns. Once the referral has been made the designated person will ensure the red Child Protection Referral form is completed and emailed (by secure password encrypted protected email) or posted within 24 hours. The form is for reporting concerns about child safety and a record of the information given over the phone should be included on it.

If there are any concerns that a child is at risk of immediate significant harm or Topkidz is unsure whether a child or young person is at risk of harm, the first action is to call the Customer Service Centre to discuss. In an emergency it may be necessary to call 999.

Escalation process

- If we feel that a referral made has not been dealt with properly or that concerns are not being addressed or responded to, we will follow the LSCB escalation process.
- We will ensure that staff are aware of how to escalate concerns.
- All members of staff are familiar with the “What to do if you’re worried a child is being abused’ each person has been given a copy and there is a copy attached to this policy.

Informing parents

- Parents are normally the first point of contact. Concerns are discussed with parents to gain their view of events, unless it is felt that this may put the child at risk, or interfere with the course of a police investigation. Advice will be sought from social care if necessary.
- Parents are informed when we make a record of concerns in our child protection file and that we also make a note of any discussion we have with them regarding a concern.
- If a suspicion of abuse warrants referral to social care, parents are informed at the same time that the referral will be made, except where the guidance of the Local Safeguarding Children Board does not allow this, for example, where it is believed that the child may be placed at risk.
- This will usually be the case where the parent is the likely abuser.
- If there is a possibility that advising a parent beforehand may place a child at greater risk (or interfere with a police response) the designated person should seek advice from the Customer Service Centre, we act within Hertfordshire’s Safeguarding Children and Child Protection guidance in deciding about whether or not to advise parents at the same time and we record and follow the advice given.

Liaison with other agencies

- We work within the Hertfordshire Safeguarding Children Board guidelines.
- Staff are aware of and have read the relevant sections of the government’s statutory guidance “Working together to Safeguard Children” (DCSF 2015).

- We notify Ofsted of any incident or accident and any changes in our arrangements which may affect the well-being of children or where an allegation of abuse is made against a member of staff (whether the allegations relate to harm or abuse committed on our premises or elsewhere). Notifications to Ofsted are made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.
- Contact details for the local National Society for the Prevention of Cruelty to Children (NSPCC) are also kept.

Allegations against staff

- We ensure that all parents know how to complain about the behaviour or actions of staff or volunteers within the setting, or anyone living or working on the premises occupied by the setting, which may include an allegation of abuse. We display a copy of the “Recognise, Respond, Refer. Poster on the noticeboard for parents and visitors to see as well as having extra posters displayed on the staff noticeboard.. This has details for LADO as well as Children’s Services, Customer Service Centre.
- We respond to any inappropriate behaviour displayed by members of staff, volunteer or any other person living or working on the premises, which includes:
 - inappropriate sexual comments;
 - excessive one-to-one attention beyond the requirements of their usual role and responsibilities, or inappropriate sharing of images.
- We follow the guidance of the Hertfordshire Safeguarding Children Board when responding to any complaint that a member of staff or volunteer within the setting, working on the premises occupied by the setting, has abused a child.
- We ensure that all staff and volunteers know how to raise concerns about a member of staff or volunteer within the setting. We respond to any concerns raised by staff and volunteers who know how to escalate their concerns if they are not satisfied with our response
- We respond to any disclosure by children or staff that abuse by a member of staff or volunteer within the setting, may have taken, or is taking place, by first recording the details of any such alleged incident.

The designated persons are responsible for;

- Understanding the procedures for managing allegations or concerns against staff and volunteers, and understanding and following the criteria under which allegations or concerns of abuse must be notified to the LADO
- Attendance at strategy discussions and contribution to initial evaluations
- Informing the LADO when a concern, complaint or allegation is made against a member of staff or volunteer
- Liaising with the LADO and gathering additional information which may have a bearing on the allegation, and in respect of information to be provided to the child, parent, accused person and others
- Liaising with the designated officer informing them of any issues and on-going investigations
- Ensuring that the organisations policy and procedures are updated and reviewed in accordance with the HSCB
- Keeping detailed and accurate, secure written records of allegations or concerns received and how

these were resolved, including the progress of external investigations.

- The designated person should not investigate the allegation or ask leading questions and should not promise confidentiality. The designated person will take a written record of the allegation using the informant's words including time, date and place where the alleged incident took place, what was said and anyone else present. The record will be signed and dated.
- The designated person will inform the LADO immediately and always within 1 working day when an allegation is made. If there is any difficulty in communicating this to the LADO allegations should be reported direct to the police (CAIU) or Social Care via the Customer Services Team: 0300 123 4043.
- We refer any such complaint immediately to the Local Authority Designated Officer (LADO) to investigate and/or offer advice:

Local Authority Designated Officer: 01992 555420

- We also report any such alleged incident to Ofsted (unless advised by LADO that this is unnecessary due to the incident not meeting the threshold), as well as what measures we have taken. We are aware that it is an offence not to do this.
- We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
- Topkidz has a duty of care to its staff members and will act to manage and minimise stress caused by these allegations. Individual staff members will be informed of the allegation as soon as possible and given an explanation of the likely course of action, unless there is an objection by social care or the police.
- Where the management team and children's social care agree it is appropriate in the circumstances, the member of staff or volunteer will be suspended for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place, but is to protect the staff, as well as children and families, throughout the process.

Disciplinary action

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

In the event of the disqualification of a registered provider or member of staff or of a person living in the same household as the registered provider or member of staff, or a person employed in that household, the provider must not continue as an early year's provider nor be directly concerned in the management of the provision. Where a person is disqualified, Topkidz would not continue to employ that person in connection with the early year's provision. Where Topkidz becomes aware of relevant information that may lead to disqualification of an employee pre-school would take relevant action to ensure the safety of the children and this would include barring to the premises. The pre-school leader and staff may also be disqualified if they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed.

Prevent Strategy

Under the Counter-Terrorism and Security Act 2015 we also have a duty “*to have due regard to the need to prevent people from being drawn into terrorism*”

Staff have done online training for Prevent Duty.

We will build the children’s resilience by promoting British Values and enable them to challenge extremist views. We will assess the risk, by means of formal risk assessment, of children being drawn into terrorism, and we will ensure all staff understand the risks so they can respond in an appropriate way. Staff will be alert to changes in children’s, young people and vulnerable adults behaviour which could indicate that they may be in need of help or protection, however we will not carry out unnecessary intrusion into family life but we will take action when we observe behaviour of concern. Any member of staff who observes any behaviour of concern should immediately report to Dupe. Who will then make the referral to: **Hertfordshire’s Police safeguarding adults and abuse team (safa@herts.pnn.police.uk) who will refer to the Channel co-ordinator.**

The DofE Helpline for Concerns Relating to Extremism 020 7340 7264

Non-emergency: counter.extremism@education.gsi.gov.uk

Key commitment 3

We are committed to promoting awareness of child abuse issues throughout our training and learning programmes for adults. We are also committed to empowering children through our early childhood curriculum, promoting their right to be strong, resilient and listened to.

Training

- Training opportunities are sought for all adults involved in the setting to ensure that they are able to recognise the signs and signals of possible physical abuse, emotional abuse, sexual abuse (including child sexual exploitation) and neglect and that they are aware of the local authority guidelines for making referrals.
- All staff update their child protection training every 3 years.
- All staff have completed the on-line training on PREVENT and they are given guidance and information on the Prevent duty.
- Designated persons receive appropriate training, as recommended by the Local Safeguarding Children Board, every three years and refresh their knowledge annually.
- We ensure that all staff know the procedures for reporting and recording any concerns they may have about the provision.

Confidentiality

- All suspicions and investigations are kept confidential and shared only with those who need to know. Any information is shared under the guidance of the Hertfordshire Safeguarding Childrens Board.

Support to families

- We believe in building trusting and supportive relationships with families, staff and volunteers.

- We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, monitoring of the child, and liaising at all times with Customer Services Team.
- We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- We follow the Child Protection Plan as set by the child's social worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child in accordance with the Confidentiality and Client Access to Records procedure, and only if appropriate under the guidance of the Hertfordshire Safeguarding Childrens Board.

Legal framework

Primary legislation

- Children Act (1989 s47)
- Protection of Children Act (1999)
- The Children Act (2004 s11)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)
- General Data Protection Regulations (GDPR) (2018)

Secondary legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equality Act (2010)
- Data Protection Act (1998)
- Childcare (Disqualification) Regulations (2009)
- Children and Families Act (2014)
- Care Act (2014)
- Serious Crime Act (2015)
- Counter-Terrorism and Security Act (2015)
- Protection of Freedoms Act 2012
- Adoption & Childrens Act 2002
- FGM Act 2003

Further guidance

- Working Together to Safeguard Children (HMG, 2015)
- What to do if you're Worried a Child is Being Abused (HMG, 2015)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)

- The Common Assessment Framework for Children and Young People: A Guide for Practitioners (CWDC 2010)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2008)
- Hidden Harm – Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
- Information Sharing: Guidance for Practitioners providing Safeguarding Services (DfE 2015)
- Disclosure and Barring Service: www.gov.uk/disclosure-barring-service-check
- Revised Prevent Duty Guidance for England and Wales (HMG, 2015)
- Inspecting Safeguarding in Early Years, Education and Skills Settings, (Ofsted, 2016)

Contact details:

Customer Service Centre -Children, Schools and Families (CSF) –: 0300 123 4043

<https://www.hertfordshire.gov.uk/media-library/documents/childrens-services/hscb/child-protection-referral-form.pdf>

CSF.hertsdirect@hertfordshire.gov.uk

**Multi-Agency Service Hub Practitioner Consultations:
01438 737511**

**Local Authority Designated Officers (LADO):
01992 555420**

NSPCC Child Protection helpline – 0808 800 5000

A free 24 hour service providing counselling, information and advice to anyone concerned about a child at risk of abuse.

Hertfordshire Police Child Abuse Investigation Unit – 0845 3300 222 (24 hours)

A specialist team responsible for child protection investigation.

Hertfordshire’s police safeguarding adults and abuse team - (safa@herts.pnn.police.uk) Specialist team for PREVENT Duty Channel co-ordinator.

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