



Busy Bees @ LPS Safeguarding Policy

Designated Member of Staff:

The Designated Members of Staff at Busy Bees are:

Emma Davis (Term time Manager) - Group 5 trained
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In her absence, all Safeguarding matters will be dealt with by:

Beverley Hughes – Deputy Manager

Group 3 Trained

As stated in 'Working Together to Safeguard Children', 2015 (p9)

'Everyone who works with children – including teachers, GPs, nurses, midwives, health visitors, early years professionals, youth workers, police, Accident and Emergency staff, paediatricians, voluntary and community workers and social workers – has a responsibility for keeping them safe.'

As stated in 'Statutory Framework for the Early Years Foundation Stage (EYFS) (2014)

3.1 'Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them. The safeguarding and welfare requirements.....are designed to help providers create high quality settings which are welcoming, safe and stimulating, and where children are able to enjoy learning and grow in confidence.'

Busy Bees recognises the importance of ensuring children are protected in a safe environment, free from abuse or suspicion of abuse. Staff at Busy Bees are in day to day contact with the children and thereby are in a place to identify possible signs of abuse and offer support. Incidents relating to safeguarding children will be handled responsibly and sensitively in order to support the child in need. The legal framework for this policy reflects:

Children Act 2004/1989

Working Together to Safeguard Children (2015)

Safeguarding Vulnerable Groups Act 2006

The Rehabilitation of offenders Act 1974

Human rights Act 1998

The Data Protection Act 1998

Convention on the rights of the child UNICEF 1989

Every Child Matters

Statutory Framework for the Early Years Foundation Stage (2014)

The Equality Act 2010

This safeguarding policy will aim to:

Prevent abuse through a safe, secure environment in which children are listened to, respected and have confidence in the support of the staff. There are plenty of adults at the setting for the child to approach for help and the child will be understood within their own culture and race origin. Busy Bees has a culture of listening to and developing dialogue with the children at the setting. The views of the children are sought in ways which are appropriate to their age and understanding and this develops a sense of trust and respect.

All Practitioners have received Safeguarding training enabling them to identify possible signs of abuse – they are fully aware of the procedure for reporting concerns, including the Whistleblowing policy.

Staff at Busy Bees will offer **Protection** by being aware of the Safeguarding policy and the procedure to follow when identifying, monitoring and reporting suspicions or allegations. Busy Bees protect children through a thorough recruitment procedure ensuring only appropriate staff with a current enhanced DBS work with the children. Security is tight with no one unauthorised gaining access through the secure gate. Any unknown persons will be asked for identification prior to being given access to Busy Bees. All worries and concerns expressed by children will be taken seriously.

Children will be offered **Support** and adults in contact with those children who may be victims of abuse will also be offered support.

In order to Prevent, Protect and Support children, Busy Bees @ LPS will ensure the following:

- All staff and Committee members will accept that responsibility for safeguarding children is a priority and will be given the necessary support, guidance and training to alert them to possible signs of abuse or neglect and follow the correct procedure to act on their concerns.
- There will be a Designated Member of Staff and a Deputy Designated Member of Staff who will take responsibility for safeguarding issues. All staff, volunteers and Committee members will be aware of the person/s to contact regarding Safeguarding and Child Protection.
- All staff will be aware of the Herefordshire Safeguarding Children Board (HSCB) procedures.
- All staff will receive appropriate training. All staff will have training from Group 1-3. The Designated Member of Staff, Deputy Designated Member of Staff and Supervisor will have Group 1-5 training. The Designated Member of Staff is currently trained to Group 5 level.
- Staff, volunteers and students will understand how to recognise suspected signs of abuse and the responsibility to refer concerns to the designated member of staff.
- Staff will effectively monitor all children who have been identified as 'at risk'.
- Effective links will be developed between Busy Bees and appropriate agencies in order to support children and staff.
- Where this is a concern about a child, written records are kept to log suspicions. These written logs will be reviewed on a regular basis.
- Busy Bees will maintain confidentiality in ensuring that records are kept securely locked in a cupboard
- Any worrying changes observed in a child including behaviour, appearance or physical condition will be recorded and will be kept separately from their learning journey. The record will include timed and dated observations, name, address and age of the child and any concerns. Where possible, the exact words spoken by the child should be recorded.
- Any suspicions of Child Abuse will be dealt with in accordance with the Busy Bees @ LPS Safeguarding policy.
- Information we hold about a child on the Child Protection register will be transferred to new settings immediately should a child leave.
- Busy Bees will promote healthy living and procedures will be in place to help prevent the spread of infections
- Children's behaviour is managed in a way appropriate for their age and stage of development.
- We will only release children into the care of individuals who have been notified to us by the parent

Recruitment:

Safe recruitment procedures will be followed at Busy Bees to ensure all staff working with children are safe and suitable to do so. We also employ staff in accordance with our Equal Opportunities policy. When staff are recruited, the following procedure will apply:

- Safe recruitment procedures will be followed. Individuals will fill in an application form detailing employment history. They will be required to provide two references (one of these to be current or most recent employer if possible), have a Disclosure and Barring Service (DBS) 'Enhanced With List' check and will be required to provide proof of identity. More information on the DBS checks can be found here: <https://www.gov.uk/disclosure-barring-service-check/overview>
- It is against the law for employers to employ someone or allow them to volunteer for work with children if they know they are on one of the barred lists.
- The Manager and Committee will make a judgement on the suitability of the candidate based on the interview, references, application form and trial to determine whether that person is appropriate and nobody will begin their employment prior to a successful Enhanced DBS check.
- Explanations will be sought if there are any unexplained gaps in employment history.
- Proof of qualifications must be provided and evidence of these will be inserted in the Staff Certificates file for future reference should the candidate become an employee.
- Although we are an inclusive setting and have an Equal Opportunities policy, we will ensure that all staff have sufficient use and understanding of the English language to ensure the well-being of children in the setting.
- All appointments will be subject to an agreed probationary period of 6 months. In the case of staff on a temporary contract, their practice will be continually monitored for the duration of their contract.
- Staff will be informed of their roles and responsibilities during induction training.
- All staff will be issued with a contract, job description, and confidentiality agreements and be required to read and demonstrate understanding of all policies.
- Induction training will cover information on:
 - Emergency evacuation procedures
 - Safeguarding & Whistleblowing
 - Child Protection
 - Equality policy
 - Health and Safety

- Employees will already have a sound knowledge of Child Development and how to recognise signs of abuse.
- Busy Bees will ensure effective supervision of staff takes place in accordance with our Supervision policy. We are aware that effective supervision provides support, coaching and training for practitioners and promotes the interests of children.
- All new staff will be assigned a mentor to support them in adjusting to their new role.

Staff are not at any time permitted to be under the influence of alcohol or any other substance which may affect their ability to care for children. Should practitioners be required to take medication, Busy Bees will only permit them to work with the children should medical advice confirm that the medication is unlikely to impair their ability to look after children properly. This information is written into Practitioner's contracts.

Staff medication on the premises must be securely stored and out of reach of children at all times.

Busy Bees will not permit any person whose suitability has not been checked, including through a DBS check, to have unsupervised contact with children being cared for.

Disqualification

Reasons for Disqualification:

There are a number of reasons that a person may be disqualified from working with children, under the Childcare Act 2006. These may be grouped under the following general headings:

- Grounds relating to the care of children
- Offences against children
- Offences against adults
- Inclusion on the list held by the Disclosure and Barring Service
- Living on or working on premises where a disqualified person lives or where a disqualified person is employed. This includes a provider or a nursery worker living in a household with a person that is disqualified
- Having registration refused or cancelled (this does not apply to a person whose registration as a childminder or childcare provider is cancelled in England for non-payment of fee after 1 September 2008)
- Offences include those committed overseas that, had the offence been committed in the UK, would disqualify that person from registration, regardless of how the offence is described in the law of the other country.

A list of the offences and cautions for which a person may be disqualified can be found in the information included in the Annexes (pages 106-120) in the Early Years Compliance Handbook (Ofsted, 2015):

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/458912/Early_years_compliance_handbook.pdf

Checking suitability:

It is essential that providers have robust systems in place to check staff members' suitability to work with and to continue working with children. Checking staff suitability will not only be done during the recruitment process but will be an ongoing process that is embedded into regular practice. All staff are required to sign annual declarations to confirm they are 'suitable persons'. Practitioners must inform the Manager of any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children. The issue is also broached during meetings and one to one discussions to ensure we take every step to ascertain the suitability of staff.

In the event of information that suggests a person is disqualified from working with children, the provider must not allow that person to work with children and must dismiss them if disqualification is confirmed and not waived

If a member of staff is living in a household with someone who is disqualified then they too are disqualified from working with children by association. This applies to household members including partners, children including foster children, house share colleagues and lodgers.

However there are two points to bear in mind:

First the person is not guilty of an offence if they do not know a person they are living with is disqualified. For example, a member of staff may live in shared housing and may not have any knowledge about the people they live with including whether those people are disqualified. Neither the member of staff nor the provider has any legal requirement to seek this type of information. Second the law is clear that this is about 'knowingly employing' someone who is disqualified. Providers who regularly ask staff to confirm there are no changes in their circumstances and act on any information received that brings into doubt a staff member's suitability are taking appropriate steps to make sure they do not knowingly employ someone who is disqualified.

If we become aware of information which may lead to the disqualification of a member of staff we will report it to Ofsted as soon as reasonably practicable but at the latest within 14 days

Role of the Designated Member of Staff:

The Designated Member of Staff, in conjunction with Busy Bees Committee, will ensure policies and procedures are in place in relation to Safeguarding. The designated member of staff will ensure all staff have read and understood the Safeguarding policy and are aware of the procedure to follow, should a Safeguarding matter arise. All staff will receive training to enable them to identify possible signs of abuse and neglect at the earliest opportunity and to respond in a timely and appropriate way. The designated person will be informed immediately should there be any safeguarding concerns or incidents and will have the appropriate training and guidance to enable them to deal effectively with the situation and refer cases of abuse or suspected cases of abuse by following the procedures in place by HSCB (Herefordshire Safeguarding Children Board).

The Designated Member of Staff will also be a source of advice and will ensure the setting keeps up to date with current legislation. They will ensure the setting's safeguarding policy is available to all staff, volunteers, students and regular visitors. The safeguarding policy will be reviewed annually by the Designated Member of Staff, the Deputy Designated Member of Staff, all other staff and the Committee. They will keep accurate records in a secure, confidential location. Parents will be informed of the Safeguarding policy and it will be made available to read both in the setting and on Busy Bees @ LPS website.

The Designated Member of Staff will ensure all staff have undertaken safeguarding training:

All staff: Group 1-3

Designated Member of Staff, Deputy Designated Member of Staff, Supervisor:
Group1-5.

The Designated Member of Staff must ensure that staff, students, volunteers and committee members feel confident to raise concerns and be confident that the designated member of staff will handle their concerns effectively, confidentially and sensitively. They should also be able to initiate a CAF when required or appropriate.

Why might staff be concerned for a child's welfare?

- A child with an injury not normally associated with usual bumps and cuts
- A child has regular unexplained injuries
- A child has regular injuries which are explained but are very frequent
- A child who gives confusing or conflicting accounts of how the injuries happened
- A child shows significant changes in behaviour
- Indulges in sexual behaviour or uses sexual references or language
- The child gives cause to believe he/she may be suffering from significant harm.
- A child or parent of a child makes an allegation against a member of staff

Please refer to Appendix One for further information

Procedure to follow:

The following procedure should be followed should any staff member, volunteer or Committee member have seen an injury which cannot be explained or if another person expresses concern regarding the safety of a child or if a child makes a disclosure. A child may be acting very differently from the way they normally would or may tell you something which you deem a concern. Concerns should not be dealt with by members of staff or volunteers other than the designated member of staff or the deputy designated member of staff. All concerns must be passed on immediately to the designated member of staff or the deputy designated member of staff.

- Listen, non judgementally and without displaying shock or disbelief. Allow the child to talk and do not ask leading questions.
- Be reassuring and assure them it is not their fault.
- Do not make promises – the child must be told that you may need to tell someone else.
- Do not ask a child to undress should you see any suspicious marks or injuries.
- If staff have **any** concerns about any child, the concerns must be discussed immediately with the designated member of staff or, in their absence, the deputy.
- The member of staff who has raised concerns and the designated member of staff will complete a record of what the child has said using the child's own words.

Record: The Date
 Time
 Setting
 Persons present
 What was said, preferably in the child's own words.
 Non verbal body language
 Behaviour
 If appropriate – draw or indicate any obvious injuries or marks
 on an outline of a body

Information will be recorded in the Safeguarding file in the lockable office cupboard. The record must be accurate, concise and factual. The record must be dated and locked in the filing cabinet to maintain confidentiality.

- Do not discuss the matter with anyone else. Confidentiality must be maintained. Only discuss the matter with the designated member of staff or their deputy.
- Seek advice from the Herefordshire Safeguarding Children Board.
- As stated in 'What To Do If You're Worried A Child Is Being Abused':

'In general, seek to discuss your concerns with the child, as appropriate to their age and understanding, and with their parents and seek their agreement to making a referral to social services unless you consider a discussion would place the child at risk of significant harm.'

- Refer to 'Herefordshire Levels of Need and Service Response Guidance' (August 2010) If there are further concerns but it is not a child protection issue, the situation should be discussed with parents/carers and a CAF procedure could be followed or referral as 'Child In Need' to Children's Services.
- If no concerns remain, there will be no further Child Protection action although services may be highlighted to reflect the needs identified.
- If there are concerns and the issue is deemed to be a Child Protection issue, the suspicions should be shared with the parent – unless the child is deemed at risk of serious danger or harm. If the child is deemed at risk of serious danger or harm then the matter should not be discussed with the parents or carers of the child. The outcome of the discussion with parents/carers should be recorded. Parent/Carer permission must be recorded on the Referral form. Should parental permission for the referral not be sought, this must also be recorded on the referral form stating why.
- If there is a physical injury:
 - Ask the child or parent how it happened and make a note on a skin map if appropriate
 - Consider the need for treatment
 - Record carefully what the child says, recording accurately and in child's own language.
 - Do not over-question or ask leading questions
 - Let the child know she s/he will have to tell someone who may be able to help her or him
 - Reassure her or him that it is not their fault and that they are right to tell.

REMEMBER: No one other than a qualified medical practitioner is competent to diagnose the nature, extent or severity of an injury.

- **Referrals must be made to the Multi-Agency Safeguarding Hub (MASH) on 01432 260 800 or if out of hours the Emergency Duty Team 01905 768 020**
- In the unlikely event that contact cannot be made with the Referral and Assessment Team or the Emergency Duty Team, the incident must be reported to the local Police Department – West Mercia Police (08457 444 888)

- Referrals made over the telephone must be followed up with a completed 'Herefordshire Multi-Agency Referral Form' within 48 hours. The Referral forms and 'Standards and Guidance For Multi-Agency Referrals To Children's Social Care' are kept in the Safeguarding Information file in the classroom. This file contains information for all staff regarding Safeguarding procedures.
- The referral will be acknowledged and action will be decided upon within one day.
- Ofsted will be informed by the Manager of the setting or the Deputy in their absence of any allegations of abuse by any person living, working or looking after children at the premises, or any other abuse alleged to have taken place on the premises as soon as possible and within 14 days.

Parents are made aware of the importance of informing us of any injuries their child may have incurred outside of Busy Bees. If a child has received an injury prior to the start of the session, parents are required to complete an 'Existing Injuries' form with details of the incident and whether medical attention was sought.

In the unlikely event that a child arrives at Busy Bees with a serious injury requiring medical attention, the child will be taken by ambulance to the Accident and Emergency department of the nearest hospital in order for treatment to be given.

In the Event of An Allegation Made Against Staff, Committee or Volunteers:

Busy Bees offers a safe, trusting and secure environment where staff should feel confident to express their concerns about others in order to protect the children. Should staff have any concerns about another member of staff, they should refer to the Whistleblowing policy. Dealing with an allegation that a Professional, staff member, carer or volunteer has abused a child is difficult but would always be taken seriously and dealt with carefully and fairly.

Busy Bees @ LPS will follow safe recruitment procedures and ensure that all staff or volunteers are suitable to be working with children. We have procedures in place to deal with allegations of abuse against people who work with children. All staff working at Busy Bees are aware of the procedures and where to access them.

Allegations may be made by children or concerned adults, including staff and parents and may include:

- An allegation that an adult in the setting has harmed a child or may have harmed a child
- An allegation that an adult in the setting has committed a criminal offence against a child
- An allegation that an adult has behaved towards a child that makes that person deemed inappropriate to work with children

Additionally, concerns may also arise about:

- A person's behaviour towards their own children
- A person's behaviour towards children unrelated to their employment or voluntary work and there has been recommendation from a strategy discussion that consideration should be given to the risk posed to children they work with
- An allegation of abuse that took place some time ago and the accused person may still be working with or having contact with children.

All allegations must be immediately brought to the attention of the designated member of staff or deputy in their absence. In the event that an allegation is made against the designated member of staff, the allegation should be reported to the deputy designated member of staff, Bev Hughes. However, we recognise that should the person making the allegation not feel it is appropriate to refer to the Deputy then the matter must be referred to the Chair. Any allegations made against staff, volunteers or committee will be fully investigated.

Procedure for staff to follow should a suspicion arise or an allegation made:

- Providing the allegation is not against the Designated Member of Staff, report the allegation to the Designated Member of staff or Deputy Designated Member of Staff in their absence as soon as possible.(Allegations against the Designated Member of Staff must be referred to the Deputy Designated Member of staff OR if not deemed appropriate then refer to the Chair. Contact details for the Chair are on the Contact List on the Staff Board and the number is stored in the work mobile)
- The staff member must make a signed and dated record of concerns, observations or information received and pass it to the Designated Member of Staff or Deputy Designated Member of Staff in their absence.
- Ensure the staff member is away from the child in question and that the child is safe and reassured.
- The Staff member should not:
 - Attempt to deal with the situation themselves
 - Make assumptions
 - Offer alternative explanations
 - Diminish the seriousness of behaviour or alleged incidents
 - Take action which may undermine future investigations or disciplinary procedure, such as interviewing the alleged victim or witnesses or informing the alleged perpetrator or parents/carers
- Staff should be aware that the same procedure applies if the allegation relates to something which has happened in the past.
- If a child has been significantly injured and/or there is clear evidence of significant harm, immediate referral to the Police or Social Care must be made and the Designated Member of Staff informed as soon as possible. The care and welfare of the children is our overriding concern.

Action By Designated Member of Staff (or Deputy Designated Member of Staff in their absence)

- When a report has been made to the Designated Member of Staff it will be clear in some cases that an immediate referral must be made. This will be if a child appears to have been harmed or is at risk of significant harm or a criminal act appears to have been committed.
- The Local Authority Designated Officer (LADO) should be informed within **ONE WORKING DAY** of all allegations and will provide advice and guidance as well as being involved in the management and oversight of all allegation cases as well as liaising with the Designated Member of Staff at the setting. The LADO can be contacted on 01432 260 800
- The Designated Member of Staff (or Deputy/Chair should the allegation be made against the Designated Member of Staff) should:
 - Date and sign the referral
 - Record with whom they have had the conversation
 - Record any written reports
 - Collate and record information held and personal details about (i). The child/ren, parents/carers, siblings; (ii) the person against whom the allegation has been made; and (iii) details of any known or possible witnesses, including checking on and recording, with times, dates etc and any other incidents or concerns about the child/ren or the member of staff/volunteer concerned together with actions taken and outcomes.
 - Contact the LADO within 1 working day
 - Inform the person reporting the allegation or concern what action will be taken, in accordance with local procedures and with regard to local information sharing protocols and the need to maintain confidentiality.
 - Ensure the alleged perpetrator or person about whom there is a concern is informed of the allegation as soon as possible **after** consulting with the LADO and in accordance with any restrictions imposed by Police or social care. How enquiries will proceed and possible outcome (dismissal, disciplinary action, referral to regulatory body etc) should be explained together with sources of support and advice.
 - Help all parties understand the process.
 - Ofsted will be informed by the Manager of the setting or the Deputy in their absence of any allegations of abuse by any person living, working or looking after children at the premises, or any other abuse alleged to have taken place on the premises as soon as possible and within 14 days.
- The Designated Member of Staff (or Deputy/Chair in their absence **or** should the allegation be made against the Designated Member of Staff) **WILL NOT:**

- Take any action which may undermine future investigations or disciplinary procedure (interviewing victims/witnesses or informing the alleged perpetrator, prior to contacting the LADO (or without the go-ahead of Police or social care if a direct referral has been made)
- Automatically suspend or dismiss staff without seeking further advice
- Inform parents/carers of the child/ren until advised to do so by the LADO or strategy meeting, other than in an emergency situation, such as when the child has been injured and needs medical attention. The LADO will advise on how/when parents/carers will be informed.

Action by Designated Member of Staff and LADO:

The initial discussion between the Designated Member of Staff and the Local Authority Designated Officer (LADO) will establish that the concern or allegation has, or may have some foundation and should be dealt with under these procedures. If it does not, no further action will be taken under these procedures and this will be recorded by the LADO. The senior manager within Herefordshire Safeguarding Children Board should consider how the matter should be dealt with under the organisation's procedures e.g. complaints or disciplinary procedure. If the allegation is demonstrably false or malicious, consideration should be given to any action that may need to be taken against the person who made the false allegation.

In accordance with the policies and procedures set out by Herefordshire Safeguarding Children Board

(http://westmerciaconsortium.proceduresonline.com/chapters/p_all_against_adults.html?printMe.x=12&printMe.y=11&printMe=Print+this+Page)

'The employer should inform the accused person about the allegation as soon as possible after consulting the LADO however, where a Strategy Discussion is needed or it is clear that the police or Children and Young People's Services may need to be involved, this should not be done until agencies have been consulted and agreed what information can be disclosed to the person. If the person is a member of a trade union or a professional association they should be advised to seek support from that organisation;

If there is cause to believe the child has suffered or is likely to suffer Significant Harm then a Strategy Meeting should be convened in accordance with LSCB Child Protection guidance. The employer, or a representative of the employer, should be invited to the Strategy Meeting unless there is good reason not to do so'

If a Strategy Meeting is not required but a police investigation might still be needed, the LADO should have a discussion with the police, the employer and any other agencies involved with the child to evaluate the allegation and decide how it should be dealt with.

Any further action regarding the allegation will be discussed between the LADO, employer, possibly the Police and any other relevant persons.

The LADO and Designated Member of Staff should be alert to signs of organised or widespread abuse and the involvement of other perpetrators or institutions, as the matter may need to be dealt with in accordance with complex abuse procedures, which will take priority, if applicable.

The LADO will monitor the progress of the case, offering guidance and support in line with the procedures set out by Herefordshire Safeguarding Children Board.

The Designated Member of Staff will liaise with the Committee as necessary and in accordance with the settings policies and procedures.

If no further action is appropriate in relation to the allegation i.e. the case is concluded, we will ensure that this is recorded and kept on the accused person's confidential personnel file. A copy will also be given to the person concerned.

Allegation is Unsubstantiated:

The decision as to whether an allegation is false will not be made without prior consultation with the Local Authority Designated Officer (LADO). Whilst some behaviour reported or initially considered as allegations may not fall within the scope of these procedures, wholly falsified allegations by children are rare and may be an indicator of abuse from elsewhere which requires further exploration.

If an allegation made by a child does prove to be demonstrably false, the Designated Member of Staff should refer the matter to the MASH team to determine whether the child is in need of services or might have been abused by someone else. If it is established that the allegation has been deliberately invented i.e. is malicious, the LADO should ask the police to consider what action may be appropriate.

The LADO will forward any decisions regarding the case to the Designated Member of Staff, including whether there is insufficient evidence to support the case.

The Designated Member of Staff must ensure that all records are kept on the accused person's confidential personnel file and a copy should be given to the person concerned.

These and any subsequent records are to be kept on file until the person reaches normal retirement age or for 10 years if that is longer. This is to enable accurate information to be given in response to any future request for a reference and to explain what took place if a future DBS check throws up police details of an allegation that was made that did not result in prosecution or conviction. It will also be relevant if further concerns are raised or allegations made in the future.

Considering Disciplinary Action:

The Local Authority Designated Officer (LADO) and the Designated Member of Staff will discuss whether disciplinary action is appropriate in all cases.

The Designated Member of Staff will liaise closely with the Committee to ensure that disciplinary action, if followed, is appropriately implemented and in accordance with guidance provided by the LADO. This will ensure we are meeting the requirements set out by Herefordshire Safeguarding Children Board.

Consideration must be given to any potential misconduct or gross misconduct by the accused person.

Consideration should also be given to whether suspension is appropriate.

If disciplinary action is not deemed appropriate, but professional advice is considered necessary, the nature and content of this advice should be agreed between the LADO and Busy Bees, taking into account any recommendations that may have been made by the police or social care. This should be actioned within 3 working days of the advice being agreed. We will ensure that this is recorded and kept on the accused person's confidential personnel file. A copy will be given to the person concerned. These and all subsequent records are to be kept on file until the person reaches normal retirement age or for 10 years if that is longer.

If further investigation is needed to decide whether disciplinary action needs to be taken, the Designated Member of Staff and the LADO should discuss whether it may be appropriate for the investigation to be undertaken by an independent person. Circumstances where this may be appropriate are where resources may not be available or adequate within Busy Bees, where the case is particularly complex or where objectivity needs to be ensured. In any case, the investigation should be completed and reported to the employer within 10 working days.

When Busy Bees has received an investigation report, a decision as to whether a disciplinary hearing is needed should be made within 2 working days. If that is the case, a hearing should be held within 15 working days.

In the case of supply, contract and volunteer workers, the LADO will advise on an appropriate course of action.

It is not appropriate to draw up compromise agreements which state that the accused person agrees to resign provided that disciplinary action is not taken and future references will make not mention the behaviour that led to the allegation being made.

Considering suspension

Suspension is a neutral act. It should not be automatic and should not be done without careful thought. It should be considered in any case where:

- there is cause to suspect, or it is clearly evident that, a child is at risk of or has suffered significant harm,
- the allegation warrants a police investigation,
- The allegation is so serious that it might be grounds for dismissal.
- the possible risks to children by the accused person should be evaluated and effectively managed in respect of the child involved and any other children in the accused person's home, workplace or community.

If a person has been suspended and is to return to work on conclusion of the case, the Designated Member of Staff in consultation with the Committee, should consider what support should be made available to the member of staff, e.g. a phased return, provision of a mentor, temporary change of working arrangements etc. How best to manage the member of staff's contact with the child, who made the allegation, if still in the workplace, should also be considered.

Action on conclusion of a case

1. If an organisation removes an individual (paid worker or unpaid volunteer) from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason;
2. If it is decided that a person who has been suspended can return to work the employer should consider how best to facilitate that. A phased return and/or the provision of a mentor may be appropriate. The person should also consider how the person's contact with the child or children who made the allegation can be best managed if they are still in the workplace;
3. If an allegation is determined to be unfounded, the employer should refer the matter to Children and Young People's Services to determine whether the child concerned is in need of services or may have been abused by someone else;
4. In the rare event that an allegation is shown to have been deliberately invented or malicious, the police should be asked to consider whether any further action against the person responsible might be appropriate;
5. Details of allegations that are found to be malicious should be removed from personnel records.

Information taken from 'Managing Allegations Against Adults who work with Children and Young People'

(http://westmerciaconsortium.proceduresonline.com/chapters/p_all_against_adults.html?printMe.x=12&printMe.y=11&printMe=Print+this+Page)

Learning Lessons and Reporting:

On conclusion of any case, Busy Bees, in consultation with the LADO where possible, should review the circumstances and outcomes of the case with a view to learning any lessons and determining whether any further action is needed to improve policy and practice within the organisation or within any other agency involved e.g. any training needs. In some cases consideration may be needed as to whether a Serious Case Review (SCR) is necessary.

The LADO prepares and presents an annual report on the outcomes of referrals to Herefordshire Safeguarding Children Board.

Information Sharing and Confidentiality:

- Information should be shared in a timely manner and in accordance with local information sharing protocols and current child protection procedures.
- While the allegation is being considered or investigated every effort should be made to maintain confidentiality, and guard against publicity. Apart from keeping the child, parents, carers and accused person up to date on the progress of the case, in accordance with these procedures, information sharing should be restricted to those who have a need to know in order to protect children, facilitate enquiries or manage related disciplinary or suitability procedures.
- It is important that any information obtained in the course of a social care enquiry that is relevant to a disciplinary case should be shared with the employer or regulatory body without delay. Similarly, police and the CPS should share relevant information, without delay, with the employer at the conclusion of their investigation or any court case, so that appropriate action can be taken.
- If, during the course of an employer's investigation, new information comes to light that raises further concerns or identifies additional risks, this should be shared with the LADO without delay, as a different course of action may need to be taken.
- The police should not provide identifying information to the press or other media unless and until a person is charged, except in exceptional circumstances, e.g. an appeal to trace a suspect. In such cases, partner agencies should be consulted beforehand and the reasons documented.

Record Keeping

Recording is an essential part of the service provided to children and families. Busy Bees @ LPS have in place clear, systematic case recording and record-keeping systems. The designated member of staff or their deputy in their absence will keep a detailed record of the allegations.

Safeguarding at Busy Bees @ LPS

Busy Bees adopts the Values Education promoted by Ledbury Primary School and recognise that the values can link in with Safeguarding by encouraging high self esteem, confidence and support.

As well as ensuring the children are safeguarded and protected from abuse or possible abuse through the safeguarding policy, the setting also has in place the following policies which ensure children are safe and free from harm:

- Complaints Procedure
- Confidentiality
- Behaviour Management
- Health and Safety
- Health and Hygiene
- First Aid
- Whistle Blowing
- Social Networking
- Imagery
- Inclusion
- Observations
- Missing Child
- Outings
- Non Collection of Child
- Serious Accident
- Ill in Care/Sick Child
- Administration of Medicines
- No Smoking
- Food hygiene, food & drink, packed lunch etc.
- Fire Safety
- Risk Assessment
- Values Education

All at Busy Bees promote British Values which are woven in to all aspects of the provision:

- Rule of Law
- Democracy
- Tolerance for those with different faiths and beliefs
- Individual liberty
- Mutual respect

The Prevent Duty

The Prevent Duty is issued under section 29 of the Counter-Terrorism and Security Act 2015. This places a duty on us, as a setting which comes into contact with children, 'to have due regard to the need to prevent people from being drawn into terrorism.' To comply with this Duty, Busy Bees take the following actions:

- All staff understand what is meant by 'extremism' (active opposition to British Values. Also includes those who call for the death of members of the Armed Forces, in the UK and abroad) and 'radicalisation' (the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups). There is also an understanding of why and how people are vulnerable of being drawn into terrorism.
- We are adept at partnership and multi-agency working and will do so in regard to safeguarding children from radicalisation.
- We will share information as and when appropriate and with regard to information sharing policies and legislation.
- Busy Bees promote children's spiritual, cultural, moral and mental well-being – this is part of our ethos. Additional, as mentioned on the previous page, we promote British Values as part of our everyday activities and experiences and also through the Early Years Foundation Stage (EYFS) curriculum, particularly Personal, Social and Emotional development and Understanding the World.
- We will assess the risks of children being drawn into terrorism. Children are protected by our robust safeguarding policy.
- Any concerns regarding children at risk will be passed to the Multi-Agency Safeguarding Hub (MASH).

Camera and Mobile Phone Use:

Although Busy Bees recognises the importance of recording events through the use of photographs, we also have a duty to safeguard the welfare of children and protect children who may be particularly vulnerable.

Staff take photos of the children only using the Busy Bees camera. Parents or other professionals will not be allowed to photograph the child without the parent's prior permission. Parents consent to their child's photo being taken, used for displays, in the local press and on the website when completing the registration form to enrol their child at Busy Bees.

Parents are permitted to take photos of their child during specific events such as Sports Day or Christmas Productions but prior permission must be sought from all parents who have children in attendance during that session.

When we have a commercial photographer in (e.g. Tempest) parents will be notified beforehand and they have the right to withhold consent if they choose. At no time will the photographer have any unsupervised access to the children.

Staff are not permitted to carry their mobile phones on their person during working hours and mobile phones will be left in the office at all times. A notice is displayed on the door of the setting to remind parents not to use their phones and if they are seen using it, they will be told that it is against our policy and they will be referred to our Mobile Phone policy.

Security

Busy Bees recognises the importance of ensuring the children are kept safe and free from harm during their time at the setting. The following measures are in place to ensure the safety of all children.

- During Preschool drop off and collection times, parents enter through the back door. The front door is not used by parents as it is difficult to monitor two doors at once. Extended Services parents enter through the front door as they do not all collect at the same time.
- A senior member of staff will be present in the corridor at the beginning and end of every Preschool session to ensure children are accompanied out of the door by a parent. This is also to monitor that parents close the gate behind them to prevent other children from going through it.
- Parents and visitors gain access by pressing the buzzer on the secure front gate. The gate then has to be opened from in the portacabin using a disabling button near the front door. **Only staff** are permitted to operate this (new staff are not permitted to allow access to parents as they may not know them which is considered a safety risk – this is made clear during the induction procedure). Should a member of staff not recognise the person at the gate, the gate will not be opened. The member of staff will approach the gate and ask to see identification from the person visiting.
- In the event that a person unknown should enter the gate when following parents in, the person will be immediately approached by a member of staff and identification sought.
- External doors are kept locked other than when the children are playing outside supervised by staff.
- All visitors are required to sign in upon entry and their belongings will be left in the office. Identities will be checked.
- Staff will keep their belongings in the office to ensure there is no access to them by children.
- A qualified member of staff will collect and drop off children to and from the LEA nursery on site. They will keep to ratios and will not be left in sole charge of more than eight children at any one time.
- Qualified Extended Services staff collect Reception and Nursery children who are coming to After School Club. All other children are collected from the library – the school will be contacted immediately should a child not arrive who is booked in. We will also contact the parent to ascertain where the child is. Children's time of arrival is marked on the After School Club register. All children are signed out when they are collected.
- Children will only be permitted to leave with an adult who has parental responsibility for the child or an adult who has confirmed permission from the parent.

- The gates joining on to the school property are secured to prevent children opening them.
- The doors are locked at all times when the front garden is not in use.

Staff Conduct

Staff at Busy Bees must retain a professional relationship with the children and parents. Staff will be made aware of the behaviour expectations at the setting and professional boundaries.

Staff must be aware of the dangers which may arise when working with young children and should consider the following dangers:

- Working alone with a child.
- Cultural and gender stereotyping.
- Confidentiality when dealing with sensitive information.
- Disclosure of personal information inappropriately.

Staff may face Disciplinary action should they fail to report a concern regarding abuse or suspected abuse of a child at the setting and if they fail to act in accordance with the Busy Bees Safeguarding policy or Whistleblowing policy. The designated member of staff and the designated deputy must follow the Safeguarding policy and the procedures set out by HSCB.

Notifying Ofsted

Busy Bees will inform Ofsted of any allegations of abuse by any person working or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). Details must include:

- Details of any order, determination, conviction or other grounds for disqualification from regulations made under Section 75 of the Childcare Act 2006
- The date of the order, determination or conviction, or the date when other grounds for disqualification arose.
- The body or court which made the order, determination or conviction
- The sentence imposed, if any
- A certified copy of the relevant order (in relation to an order or conviction)

Busy Bees will notify Ofsted of the action taken in respect of allegations, as above.

Notifications must be made as soon as possible, but at the latest within **14 days** of the allegations being made.

A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence.

References:

- 'Your Role and Responsibility in Child Protection/Safeguarding Children' (March 2010) Herefordshire Council
- Herefordshire Safeguarding Children's Board – contacted via email and also used the website
- Revised Prevent Duty Guidance: for England and Wales Guidance for specified authorities in England and Wales on the duty in the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism. (July 2015) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance__England_Wales_V2-Interactive.pdf [accessed 12.10.15 15:11pm]
- Preschool Learning Alliance
- Managing Allegations Against Professionals (LADO) Policy and Procedure
- NSPCC
- Standards and Guidance for Multi-Agency Referrals To Children's Social Care – published by HSCB, April 2011
- 'Working Together To Safeguard Children – A Guide to Inter-Agency Working to Safeguard and Promote The Welfare of Children' Department for Children, Schools and Families (2015) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf [accessed 12.10.15]
- Statutory Framework for the Early Years Foundation Stage (2014)
- EYFS Statutory Framework Audit Tool, Herefordshire Council
- Disqualification under the Childcare Act 2006 (2015)

Appendix 1

Possible signs of abuse – Physical Abuse

All children have accidents, like bumps and falls, which cause injury. However, you may have reasons for thinking that an injury has been inflicted on purpose if:

- There are unexplained injuries or burns
- A child is injured repeatedly
- Untreated injuries
- Withdrawal from physical contact
- Significant change in children's behaviour
- Deterioration in general well-being
- Children's comments which give cause for concern
- Fear of returning home
- Arms and legs are fully covered in clothes even in hot weather
- A parent delays seeking treatment
- A parent or child gives unconvincing or inconsistent explanations about an injury.

What injuries are normal for children?

- Bruising on the shins, knees, elbows, and backs of the hands.
- Bruising on children who are crawling or walking (especially older children).
- Bruising on the forehead (for toddlers).
- Scalds from hot liquid spills on the upper body.

What could be abuse?

- Bruising on the cheeks, ears, back, buttocks, palms, arms, tummy, hips, backs of legs, and feet.
- Bruising on babies who are not yet crawling or walking.
- A history of bruising.
- Multiple bruises in clusters, usually on the upper arms or outer thighs.
- Bruises which look like they have been caused by fingers, a hand, or an object.
- Burns of the backs of the hands, feet, legs, genitals, or buttocks.
- Burns which have a clear shape, like a circular cigarette burn.
- Large oval shaped bite marks.

As well as the visible signs of injury, physically abused children may also display signs in their behaviour: such as aggression, difficulties with peers and adults, or hiding their injuries.

Sexual Abuse

The following signs may indicate that a child may have been or is being sexually abused:

- Suddenly starts to behave differently- withdrawal, depression
- Poor self esteem
- Sexualised play
- Regression e.g. bed wetting or soiling
- Displays sexually inappropriate behaviour, including use of sexual language and sexual information which you would not expect them to know
- Has physical symptoms that suggest sexual abuse – these can include anal or vaginal soreness or an unusual discharge
- Fears an adult or is reluctant to socialise with them
- Tries to tell you about abuse indirectly, through hints or clues
- Describes inappropriate behaviour by an adult

Neglect

Neglect can have a debilitating and long-lasting effect on a child's physical wellbeing, and on their mental, emotional and behavioural development. The effects of physical neglect may include:

- Poor muscle tone/prominent joints
- Short stature and underweight for age
- Constant hunger or thirst
- Unresponsive
- Poor skin: sores, rashes, flea bites
- Thin or swollen tummy
- Poor hygiene, e.g. being dirty or smelly
- Untreated health problems, such as bad teeth
- Unwashed clothing
- Inadequate clothing, e.g. not having a coat in winter
- General deterioration in well-being

Emotional Abuse:

A parent's behaviour is central to a child's development. If a parent's negative behaviour towards their child is severe and persistent, it may indicate that a child is being emotionally abused.

- A difficult relationship with the parent and child – the child may be anxious, withdrawn and fearful of the parent
- Behaviour indications such as hair pulling, rocking, aggression

This appendix was written using guidance from the NSPCC website accessed 29/11/11 13:35pm

Appendix 1 (Cont...)

Everyone at Busy Bees should also be aware of possible abuse of children by members of staff or others who have regular contact with children on the premises. Warning signs could be:

- Inappropriate behaviour displayed by members of staff
- Inappropriate sexual comments
- Excessive one to one attention beyond the requirements of their usual roles and responsibilities
- Inappropriate sharing of images.

Appendix 2

Useful contacts

Multi-Agency Safeguarding Hub (MASH) 01432 260 800

Out of office hours: The Emergency Duty Team 01905 768020

West Mercia Police 08457444888

Herefordshire Safeguarding Children Board:
<http://www.herefordshire.gov.uk/hscb/7.htm>

NSPCC Helpline 0808 800 5000

Herefordshire PCT Safeguarding Advice 01432 363916

This policy was adopted on	
Signed on behalf of the preschool	
Date disseminated to staff	
Date for review	