

Safeguarding Children - Child Protection Policy and Procedure

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Part 1.

Safeguarding Children and Child Protection Policy and Procedure

Safeguarding Children Policy Statement

Introduction

National Day Nurseries Association is a national charity, which aims to enhance the development and education of children in their early years, through the provision of support services to childcare providers and local authorities (LAs). NDNA is dedicated to the support and promotion of high-quality care and education for the benefit of children, families and communities and committed to safeguarding children and promoting their welfare.

NDNA works with childcare providers and other agencies to develop quality childcare services, which in turn will promote and safeguard children.

This policy and procedure sits within NDNA's wider organisational policies and procedures, which govern the way in which we work with employees, trustees, associates/consultants, volunteers, partners and customers.

Trustees, associates/consultants, volunteers and partners shall be known as stakeholders for the purpose of this policy. Depending on the stakeholders role in the organisation they may take part in front line activities in early years settings or out in communities. All stakeholders have a responsibility for safeguarding children and being vigilant about identifying and reporting any safeguarding concerns, in line with this and supporting policies.

NDNA is committed to ensuring that all staff and stakeholders have the necessary knowledge and skills to carry out their duties and have a sufficient understanding of how this policy and procedure supports them in promoting and safeguarding the welfare of children. This will be done through the recruitment, induction and introduction process and by offering training and support to all staff and stakeholders, appropriate to their specific role it will be monitored, internally, through staff reviews and appraisals and stakeholder reviews and feedback to ensure knowledge and awareness is in place. This policy links to NDNA's training, induction and recruitment policies and procedures.

Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the Designated Safeguarding Lead (DSL).

Purpose

This policy makes it clear that within NDNA, we all have a responsibility to safeguard children and young people, and to protect them from harm. These procedures aim to raise awareness of how to safeguard and promote the welfare of children.

Fulfilling Our Responsibilities – application of the policy

As part of our commitment to safeguarding and promoting the welfare of children this document is underpinned by other organisational policies listed on the front cover of this policy with additional procedures that are listed below for stakeholders:

- Code of Conduct for Trustees and Board Directors
- NDNA Code of Conduct for Members
- Terms and Conditions of Membership
- Articles of Association
- Associate/Consultant Agreement
- Volunteer Agreement
- And where relevant NDNA policies:
 - Data Protection/GDPR
 - Anti-harassment and Bullying
 - ICT Acceptable Use and Information Security Policies

All of these policies are reviewed regularly to ensure they are in line with current guidance and good practice. The safeguarding/child protection policy will be evaluated and reviewed annually and be subject to Board approval to ensure it remains in line with statutory guidance and relevant to the work of the organisation.

Staffing

Recruitment and Selection

Through the implementation of our recruitment and selection policy, we endeavor to prevent unsuitable people from taking posts by completing a number of checks. These include taking up references prior to employment, establishing the identity of applicants' and conducting criminal records disclosure, and enhanced DBS disclosures/Disclosure Scotland checks (where they fall under a requirement). We use specific criteria and processes during the recruitment and selection process that assist us in determining an individual's suitability for the role.

Staff and apprentices/students/learners (on and off NDNA premises) under the age of 18

The UNCRC defines a child as everyone under the age of 18. NDNA has a responsibility to ensure all staff and learners under the age of 18 are protected, as per this policy.

Induction and Probationary Period for NDNA staff

As part of the induction process, and by the end of the probationary period, all new workers will receive basic training on the organisation's safeguarding policy and child protection procedures so they have the necessary knowledge and skills to safeguard and promote the welfare of children.

Within the first week of their induction, all staff will receive a copy of this policy and procedures. It is the line manager's responsibility to ensure that the new staff member understands it and is able to follow it. For staff not based at head office, it is the responsibility of the individual, and their line manager, within the first week of employment of NDNA, to ensure they also have the relevant knowledge of the Local Safeguarding Partners (England and Wales)/Child Protection Committee (Scotland) procedures within the area(s) they work

in, as appropriate to their role. If contracts require staff to work locally, they should familiarise themselves with local arrangements and policies.

Induction for Stakeholders

As part of the introduction period, all new stakeholders will receive basic training on the organisation's safeguarding policy and child protection procedures so they have the necessary knowledge and skills to safeguard and promote the welfare of children.

Stakeholder's will receive a copy of this policy and will be required to sign up to it as part of their agreement to work with NDNA.

It is the stakeholder's responsibility to ensure they also have the relevant knowledge of the Local Safeguarding Partners (England and Wales)/Child Protection Committee (Scotland) procedures within the area(s) they work in. If contracts require stakeholders to work locally, they should familiarise themselves with local arrangements and policies.

Training

Basic training on NDNA's safeguarding policy and child protection procedures will be delivered to all staff on the commencement of their employment. All staff are required to undertake refresher training every two years to remain up to date with current policy and procedures.

The designated safeguarding lead (DSL) within NDNA will be required to retain their knowledge of child protection and undertake specialist training to ensure they are up to date with current policy and legislation. This training will be cascaded to NDNA staff supporting members with safeguarding concerns. All stakeholders are expected to keep their own safeguarding knowledge and skills up-to-date and report any concerns they may have. The designated safeguarding lead will support stakeholders by providing four safeguarding newsletter updates per year, training updates and clear reporting procedures.

It is the responsibility of NDNA to ensure that stakeholders work within this framework. If any child protection concerns are highlighted, these concerns must be raised following the steps outlined in this policy.

All stakeholders will be required to provide evidence that they have undertaken basic child protection training, and also evidence that they fully understand the NDNA policy and reporting procedure. Any stakeholders that are working in nurseries or working with NDNA safeguarding specialist materials will be required to have undertaken an advanced version of the child protection training.

All training materials will have the NDNA Head Office contact details on in order for staff and stakeholders to contact the NDNA if any concerns arise during working for or with NDNA, or if they have any concerns whilst on nursery premises. Stakeholders working in a nursery must raise their concerns with both the nursery manager/owner and the NDNA Designated Safeguarding Lead.

Placement Providers

On occasions, NDNA deliver work placement programmes under funded contacts. In instances when employers working with NDNA take on learners from these programmes, they will be required to sign up to and adhere to this policy. It is the responsibility of NDNA to ensure that placement providers are familiar with and sign up to the NDNA Safeguarding Children and Child Protection Policy and agree to work within this framework. If there are any child protection concerns with the conduct of learners, these concerns must be raised following the steps outlined in this policy.

Learners on Placements or in Employment

It is the responsibility of NDNA to ensure that learners on placement or in employment are familiar with and sign up to the NDNA Safeguarding Children and Child Protection Policy and agree to work within this framework. The learners will receive basic child protection training prior to their entrance into the placement/employment setting which will cover this policy. If there are any child protection concerns relating to the placement (either for the children within their care or for learners falling under this policy), these concerns must be raised following the steps outlined in this policy.

Learners/students under the age of 18 are classed as children and will be protected as such. Risk assessments will be completed (in their work placement) to ensure their safety and well-being are protected and supported during their employment/training period.

If situations arise during employment/placement which highlights those under the age of 18 are at risk from abuse or neglect, we will contact the appropriate bodies to ensure the individual is safeguarded.

If a student on placement raises a concern about the practice in the setting or about a staff member then this should be reported to the project support worker. The project support worker will follow the reporting guidelines set out in this policy

If a student reports a safeguarding concern the project support worker will remove the student from the placement with immediate effect and follow project guidelines for sourcing a new placement.

Safeguarding Definitions

Definitions

For the purposes of this procedure, safeguarding and promoting the welfare of children shall mean:

- Protecting children from maltreatment
- Preventing the impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes.

(Definition taken from the HM Government document 'Working together to safeguard children 2018').

Child protection refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm and is an integral part of safeguarding children and promoting their overall welfare.

Definition of Significant Harm

The Children Act 1989 introduced the concept of significant harm as *‘the threshold that justifies compulsory intervention in family life in the best interests of children’*. It gives local authorities (LAs) a duty to make enquires to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

Whilst there are no absolute criteria to rely on when judging what constitutes significant harm, consideration should be given to:

- The severity of the ill-treatment, including the degree of harm
- The extent and frequency of abuse and/or neglect
- The impact this is likely to have or is having to the child/children involved

This may be a single traumatic event, e.g. a violent assault, suffocation or poisoning or it can be a combination of events, both acute and long-standing, that impairs the physical, intellectual, emotional, social or behavioural development of the child. Such incidences could include: (this list is not exhaustive; however, these are items that may start to highlight concerns)

- A child placed in danger due to unsatisfactory supervision
- A child left all day in a dirty nappy
- Insufficient fluids given resulting in a child being dehydrated
- A child being treated badly, e.g. shouted at violently, pulled by their arm deliberately
- Physical punishment in an early years setting or parental punishment that leaves a mark
- Talking to a child in a downgrading manner (e.g. telling them they are stupid, worthless, etc.)
- Children in unsuitable clothes for the weather (e.g. too many thick clothes for hot weather, too few and thin for the winter)
- Not signing children in and out of buildings, logging visitors.

These may be an indicator that more is happening to this child/ren so these types of incidences represent safeguarding concerns and all staff/stakeholders should follow the reporting procedures in this policy. If in any doubt about what constitutes a safeguarding concern, refer to the designated safeguarding lead. It is always best to report any concern, safeguarding is everyone’s responsibility.

Definition of Abuse and Neglect, and Possible Signs and Indicators

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by harming them, or by failing to prevent harm. Children may be abused within a family, institution, or community setting by those known to them, or a stranger(s), (an adult or adults or another child or children).

The signs and indicators listed below may not necessarily indicate that a child has been abused, but will help indicate that something may be wrong, especially if a child shows a number of these symptoms or any of them to a marked degree.

Indicators of child abuse

- Failure to thrive and meet developmental milestones
- Fearful or withdrawn tendencies
- Unexplained injuries to a child or conflicting reports from parents or staff
- Repeated injuries
- Unaddressed illnesses or injuries
- Significant changes to behaviour patterns

Softer signs of abuse as defined by National Institute for Health and Care Excellence (NICE) include:

- Low self-esteem
- Wetting and soiling
- Recurrent nightmares
- Aggressive behaviour
- Withdrawing communication
- Habitual body rocking
- Indiscriminate contact or affection seeking
- Over-friendliness towards strangers
- Excessive clinginess
- Persistently seeking attention

We are aware that peer on peer abuse does take place, so we include children in our policies when we talk about potential abusers. This may take the form of bullying, physically hurting another child, emotional abuse, or sexual abuse. We will report this in the same way as we do for adults abusing children, and will take advice from the appropriate bodies.

Physical abuse

A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

All children can suffer injuries during their early years as they explore and develop. If an explanation of how a child received their injury doesn't match the injury itself or if a child's injuries are a regular occurrence or there is a pattern to their injuries then you must report your concerns.

Female genital mutilation (FGM)

FGM can also be known as Female Genital Cutting. FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can

cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death (definition taken from the Multi-agency Statutory Guidance on Female Genital Mutilation)

The procedure may be carried out shortly after birth and during childhood as well as adolescence, just before marriage or during a woman's first pregnancy and varies widely according to the community.

FGM is child abuse and is illegal in the UK. It can be extremely dangerous and can cause:

- Severe pain
- Shock
- Bleeding
- Infection such as tetanus, HIV and hepatitis B and C
- Organ damage
- Blood loss and infections
- Death in some cases

Breast Ironing/flattening

Breast ironing, also known as "breast flattening", is a process where young girls' breasts are ironed, massaged and/or pounded down through the use of hard or heated objects in order for the breasts to disappear or delay the development of the breasts entirely. It is believed that by carrying out this act, young girls will be protected from harassment, rape, abduction and early forced marriage.

Breast Ironing/Flattening is a form of physical abuse and can cause serious health issues such as:

- Abscesses
- Cysts
- Itching
- Tissue damage
- Infection
- Discharge of milk
- Dissymmetry of the breasts
- Severe fever

Fabricated Illness

This is a type of physical abuse. This is where a child is presented with an illness that is fabricated or induced by an adult. . The carer may seek out unnecessary medical treatment or investigation. The signs may include a carer exaggerating a real illness or symptoms, complete fabrication of symptoms or inducing physical illness, e.g. through poisoning, starvation, inappropriate diet. This may also be presented through false allegations of abuse or encouraging the child to appear disabled or ill to obtain unnecessary treatment or specialist support.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects in the child's emotional development. It may involve conveying

to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.

It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

Signs and indicators may include:

- Physical, mental and emotional development lags
- Sudden speech disorders
- Overreaction to mistakes
- Extreme fear of any new situation
- Neurotic behaviour (rocking, hair twisting, self-mutilation)
- Extremes of passivity or aggression
- Appear unconfident or lack self-assurance

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. If a child is being sexually abused you may see both emotional and physical symptoms.

Emotional signs:

- Being overly affectionate or knowledgeable in a sexual way inappropriate to the child's age
- Personality changes such as becoming insecure or clingy
- Regressing to younger behaviour patterns such as thumb sucking or bringing out discarded cuddly toys
- Sudden loss of appetite or compulsive eating
- Being isolated or withdrawn
- Inability to concentrate
- Lack of trust or fear of someone they know well, such as not wanting to be alone with a carer
- Becoming worried about clothing being removed

- Suddenly drawing sexually explicit pictures or acting out actions inappropriate for their age
- Using sexually explicit language

Physical Signs:

- Bruises
- Bleeding, discharge, pains or soreness in their genital or anal area
- Sexually transmitted infections
- Pregnancy

Child sexual exploitation (CSE) and Child criminal exploitation (CCE)

Keeping Children Safe in Education (2021) states that:

Both CSE and CCE are forms of abuse that occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity, in exchange for something the victim needs or wants, and/or for the financial advantage or increased status of the perpetrator or facilitator and/or through violence or the threat of violence. CSE and CCE can affect children, both male and female and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities, such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet. CSE can occur over time or be a one-off occurrence, and may happen without the child's immediate knowledge e.g. through others sharing videos or images of them on social media. CSE can affect any child, who has been coerced into engaging in sexual activities. This includes 16 and 17 year olds who can legally consent to have sex. Some children may not realise they are being exploited e.g. they believe they are in a genuine romantic relationship.

CCE. Some specific forms of CCE can include children being forced or manipulated into transporting drugs or money through county lines, working in cannabis factories, shoplifting or pickpocketing. They can also be forced or manipulated into committing vehicle crime or threatening/committing serious violence to others. Children can become trapped by this type of exploitation as perpetrators can threaten victims (and their families) with violence, or entrap and coerce them into debt. They may be coerced into carrying weapons such as knives or begin to carry a knife for a sense of protection from harm from others. As children involved in criminal exploitation often commit crimes themselves, their vulnerability as victims is not always recognised by adults and professionals, (particularly older children), and they are not treated as victims despite the harm they have experienced. They may still have been criminally exploited even if the activity appears to be something they have agreed or consented to. It is important to note that the experience of girls who are criminally exploited can be very different to that of boys. The indicators may not be the same, however professionals should be aware that girls are at risk of criminal exploitation too. It is also

important to note that both boys and girls being criminally exploited may be at higher risk of sexual exploitation.

Some of the following can be indicators of both child criminal and sexual exploitation where children:

- appear with unexplained gifts, money or new possessions;
- associate with other children involved in exploitation;
- suffer from changes in emotional well-being;
- misuse drugs and alcohol;
- go missing for periods of time or regularly come home late; and
- regularly miss school or education or do not take part in education

County Lines

The National Crime Agency (NCA) describe county lines as 'a term used when drug gangs from big cities expand their operations to smaller towns, often using violence to drive out local dealers and exploiting children and vulnerable people to sell drugs. These dealers will use dedicated mobile phone lines, known as 'deal lines', to take orders from drug users. Heroin, cocaine and crack cocaine are the most common drugs being supplied and ordered. In most instances, the users or customers will live in a different area to where the dealers and networks are based, so drug runners are needed to transport the drugs and collect payment'. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children's homes and care homes

Signs and indicators to be aware of include:

- Changes in the way young people you might know dress
- Unexplained, sometimes unaffordable new things (e.g. clothes, jewellery, cars etc.)
- Missing from home or schools and/or significant decline in performance
- New friends or relationships with those who don't share any mutual friendships with the victim or anyone else
- May be carrying a weapon
- Receiving more texts or calls than usual
- Sudden influx of cash, clothes or mobile phones
- Unexplained injuries
- Significant changes in emotional well-being
- Young people seen in different cars/taxis driven by unknown adults
- Young people seeming unfamiliar with your community or where they are
- Truancy, exclusion, disengagement from school
- An increase in anti-social behaviour in the community
- Unexplained injuries
- Gang association or isolation from peers or social networks

Cuckooing is a form of county lines crime in which drug dealers take over the home of a vulnerable person in order to criminally exploit them by using their home as a base for drug dealing, often in multi-occupancy or social housing properties.

Signs and indicators to be aware of include:

- An increase in people entering or leaving a home or an increase in cars or bikes outside a home
- A neighbour who hasn't been seen for an extended period
- Windows covered or curtains closed for a long period
- New faces appearing at the house or flat
- New and regularly changing residents (e.g. different accents compared to local accent)
- Change in resident's mood and/or demeanour (e.g. secretive/ withdrawn/ aggressive/ emotional)
- Substance misuse and/or drug paraphernalia
- Increase in anti-social behaviour

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing (e.g. shoes may be too small on a persistent basis) or shelter (including exclusion from the 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.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Signs and indicators may include:

- Constant hunger
- Poor personal hygiene/nappies remaining unchanged for a significant period of time
- Constant tiredness
- Poor state of clothing or clothing such as shoes being too small/big and hurting the child when wearing them
- Untreated medical problems
- Compulsive scavenging
- Destructive tendencies.

Online Safety

NDNA is aware of the growth of internet and mobile device use and the advantages this can bring. The use of technology has become a significant component of many safeguarding issues. Child sexual exploitation; radicalisation; sexual predation: technology often provides the platform that facilitates harm.

The breadth of issues classified within online safety is considerable, but can be categorised into four areas of risk:

- **content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racist or radical and extremist views;
- **contact:** being subjected to harmful online interaction with other users; for example commercial advertising as well as adults posing as children or young adults; and
- **conduct:** personal online behaviour that increases the likelihood of, or causes, harm; for example making, sending and receiving explicit images, or online bullying.
- **commerce** - risks such as online gambling, inappropriate advertising, phishing and or financial scams. If you feel your pupils, students or staff are at risk, please report it to the Anti-Phishing Working Group (<https://apwg.org/>).

To ensure staff and stakeholders understand their responsibilities the induction/ introduction process to the organisation includes a thorough understanding of the policies listed on page 4. In addition staff and stakeholders have access to online safety training which can be found at <https://moodle.ndna.org.uk>

Should staff or stakeholders have a concern they should report this through the DSL at NDNA and to the Child Exploitation and Online Protection Centre (CEOP) London: National Crime Agency (NCA). For further information visit <https://www.ceop.police.uk>

Should staff or stakeholders receive emails with inappropriate content this will also be reported to the DSL who will report this to the internet watch foundation (IWF www.iwf.org.uk)

NDNA has IT policies and procedures in place that cover the use of ICT systems and data security, including compliance with the General Data Protection Regulations (GDPR).

Prevent Duty – Risk of Radicalisation in Early Years

Early Years providers have a duty to safeguard at risk or vulnerable children under the Counter-Terrorism and Security Act 2015 to have “due regard to the need to prevent people from being drawn into terrorism”. (As defined in the Revised Prevent Duty Guidance for England and Wales).

Children can be exposed to different views and receive information from various sources. Some of these views may be considered radical or extreme. Radicalisation is the way a person comes to support or be involved in extremism and terrorism. It’s a gradual process so young people who are affected may not realise what’s happening.

Radicalisation is a form of harm. The process may involve:

- Being groomed online or in person
- Exploitation, including sexual exploitation
- Psychological manipulation
- Exposure to violent material and other inappropriate information
- The risk of physical harm or death through extremist acts

For further information visit <https://www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty>

If members or stakeholders call NDNA with a concern about radicalisation the DSL will support the setting to contact Channel or their local dedicated authority for further help and support.

Whistleblowing

Whistleblowing is the term used when a worker passes on information concerning wrongdoing. If staff or any other NDNA/stakeholder has a whistleblowing concern relating to malpractice, fraud, abuse or other inappropriate acts/omissions that put the organisation at risk then they must follow the NDNA Whistleblowing policy. If the concern relates to safeguarding, internally or externally, then the DSL must be informed so our safeguarding procedures can be followed.

All safeguarding allegations must be passed on the DSL, it is not our job to decide if a report is true or not. Any allegation must be investigated by the relevant authorities.

Keeping children safe is our highest priority and if, for whatever reason, you do not feel able to report concerns to the DSL or deputy DSL you can report any concerns anonymously to:

- NSPCC
- Police
- Your Local Authority social services safeguarding children team

Allegation against Staff/Stakeholders

An allegation against a member of staff/stakeholder may relate to a person who has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Any allegation about a member of staff or stakeholder will be reported to the appropriate authorities (Local Authority Designated Safeguarding Officer, Police, Ofsted, Care Inspectorate Wales, Care Inspectorate Scotland. This includes historical cases of abuse.

NDNA's role is to gather and record the allegation information and to pass this on to the relevant agencies, who have the expertise and legal remit to investigate allegations. NDNA will cooperate fully with the authorities involved and follow any guidance given.

We will make every effort to maintain the confidentiality of all parties while an allegation or concern is being investigated. We understand that dealing with an allegation can be a stressful experience and to support the staff member/stakeholder NDNA will offer a named person (usually the DSL or Deputy DSL) to liaise with. The timeframes for an investigation will follow the external bodies' guidelines.

NDNA reserves the right to suspend a member/stakeholder until the investigation is concluded. Further action will be determined by the outcome of the investigation.

Founded allegations will be dealt with as gross misconduct in accordance with our disciplinary procedures and may result in the termination of employment. The Disclosure and Barring Service (DBS) or DBS Scotland will be informed to ensure their records are updated and where appropriate we will inform Ofsted, Care Inspectorate Wales, Care Inspectorate Scotland. NDNA retains the right to dismiss any member of staff in connection with founded allegations following an inquiry.

All safeguarding records will be kept until the person reaches normal retirement age or for 21 years and 3 months if that is longer. This will ensure accurate information is available for references and future DBS checks and avoids any unnecessary reinvestigation.

Unfounded allegations will result in all rights being reinstated. A return to work plan will be put in place for any member of staff/stakeholder returning to work after an allegation has been deemed unfounded. Individual support will be offered to meet the needs of the staff member/stakeholder and the nature of the incident; this may include more frequent supervisions, coaching and mentoring or external support services.

If the member of staff/stakeholder resigns during the investigation NDNA will inform the Disclosure and Barring Service (England and Wales) or Disclosure Scotland and if necessary the appropriate regulatory body and may contact the Police, if appropriate.

Confidentiality

Confidentiality should not override the right of children to be protected from harm. However, we will make every effort to ensure confidentiality is maintained for all concerned when an allegation has been made and is being investigated. The aim of this policy is to not only protect children, but also the staff and volunteers who have responsibility for them, or regular contact with them.

If you are in any doubt about whether you can disclose sensitive information to a third party please call the **Information Commissioner's Office on 0303 123 1113**

They will advise you about the particulars relating to each individual case and provide you with the official line on what information you can share and what you can't.

Data Storage

NDNA will follow the NDNA GDPR/Data Protection policy with regards to any information received from any individual. If the information relates to child protection, we store this in a secure manner. It is stored for 25 years in line with Government guidelines. All information will be stored securely together in one place and any investigating body will have access to all information stored in order to support the investigation. Only persons involved in the investigation should handle this information. Details relating to safeguarding will not be stored on NDNA's IMiS system, but a reference will be made on the IMiS to the records/correspondence which will be stored in an area of the K drive and only authorised personnel will be able to access the files.

Backups of data are stored both offline and offsite. There is no auto-archiving of data in place and, should this be implemented, specific areas will be identified as not being subject to archiving.

Persons having access to the restricted area on the shared drive are:

- NDNA Designated Safeguarding Lead, TBD
- NDNA Deputy Designated Safeguarding Lead, Fiona Bland
- NDNA National Membership Manager, Glenn Rothwell
- NDNA Senior Management Team

The IMiS reference will include who, within NDNA, to contact for details. If the nursery is involved in a child protection case, there will be a note placed on IMiS informing staff to contact the DSL or SMT member before contacting this nursery.

Part 2. Reporting Procedures

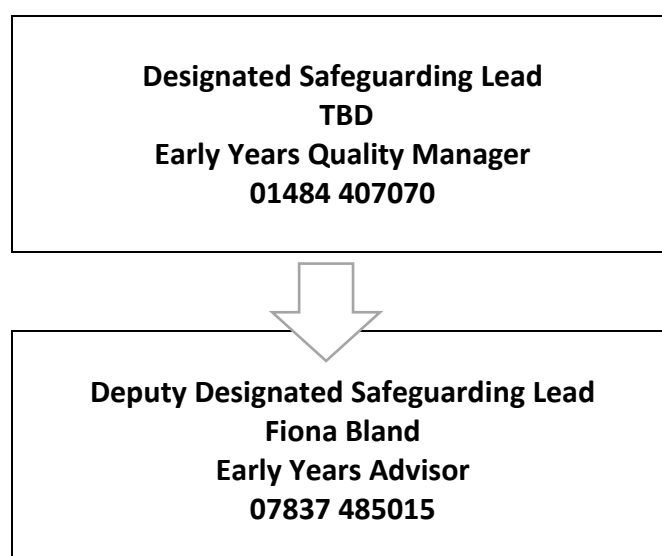
NDNA Designated Safeguarding Lead (DSL)

The DSL at NDNA has overall responsibility for the Safeguarding Children and Child Protection policy and procedures. It is their role to ensure that the policy and procedures are implemented to safeguard and promote the welfare of children. They are responsible for coordinating safeguarding and child protection training for staff across the organisation.

The Designated Safeguarding Lead is TBD

The Deputy Designated Safeguarding Lead is Fiona Bland

In the unlikely event of the DSL or Deputy DSL absence and to ensure immediate action can be taken, the following flow chart should be used:





The Role of the Designated Safeguarding Lead

The role of the DSL is to:

- Monitor and update the Safeguarding Children and Child Protection policy and procedure in line with new legislation to ensure it is working well. This will be done by making sure that everyone understands the correct procedure to follow via individual annual review through NDNA on line HR portal
- Ensuring updates and new legislation are reflected in NDNA services as soon as they emerge
- Act as a source of support, advice and expertise for all staff, stakeholders, members, children and parents who have child protection concerns.
- Ensure detailed, accurate, secure written records of concerns and referrals
- Review and reporting of all safeguarding written reports
- Assess the information provided promptly, carefully and refer as appropriate to external agencies
- Provide signposting to other organisations
- Consult with statutory child protection agencies and regulatory bodies where required
- Make a formal referral to statutory child protection agencies or the police
- Annul reporting to the board of trustees on reportable incidents

Provide further support for members and NDNA staff following safeguarding/child protection cases. Ensure SMT and the Chief Executive are kept informed of any involvement in child protection cases.

It is also the role of the DSL to:

- Keep up-to-date on good practice and national requirements for safeguarding and child protection
- Provide information on safeguarding and child protection within NDNA

- Advise NDNA of any safeguarding and child protection training needs, and implement where necessary
- Retain up-to-date knowledge of the role of the local safeguarding partnership arrangements and the existence of local child protection procedures.

It is not the DSL's role to decide whether or not a child has been abused or to investigate an allegation/disclosure. It is the responsibility of the DSL to ensure effective implementation of this policy. Investigation must be done by the appropriate authorities, usually the police and social services.

Support for NDNA Staff during Safeguarding Incidents

The DSL will support all staff throughout any of the processes listed above and will organise appropriate counselling should this be required.

If any member of staff or stakeholder has any concerns about the content of this policy and its procedures, they should speak to the DSL as soon as possible. If any member of staff wishes to talk confidentially about any safeguarding concern or any other issue relating to child protection or personal circumstance, it is important to do this as soon as this arises in order to receive the appropriate support mechanisms from NDNA.

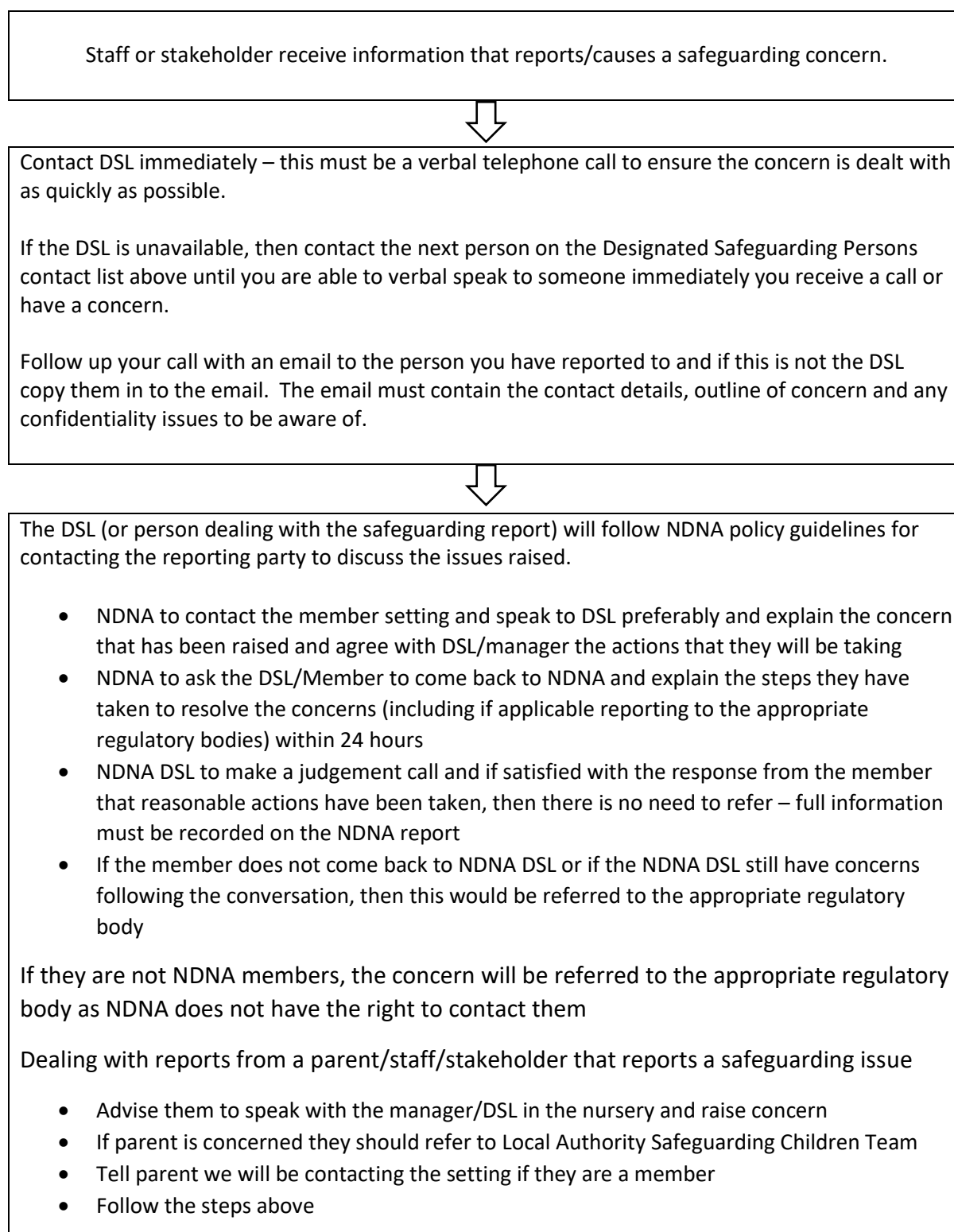
Child Protection Procedures (For all staff and stakeholders)

All concerns that are reported to NDNA staff or stakeholders will be followed through, regardless of the nature of the concern and to whom the allegation relates. If you have any concerns during contact with members/stakeholders that relates to the safety of a child or young person up to the age of 18 (regardless of whether you feel this is malicious or not) you must follow the procedures laid out in this policy.

NDNA will always act on behalf of the child and will do everything possible to ensure the safety and welfare of any child, so will take all allegations of potential abuse seriously. This procedure should be followed if: for any reason you believe that a child is subject to welfare issues, including physical, sexual, emotional abuse or neglect.

NDNA Safeguarding Reporting Procedure

The reporting procedure is for all staff and stakeholders working with external nurseries. This must be followed when any concerns are reported.



DSL will complete the NDNA written report form describing actions taken. If stakeholders are involved the DSL will request a report be completed within 5 days of the concern being raised. All reports will be stored securely to maintain confidentiality.



If appropriate, the DSL will contact the regulatory body, Ofsted, CIW, Care Inspectorate, Children's Social Care. A confirmation email will be requested by the NDNA DSL and attached alongside the NDNA DSL's report.



If the concern is an allegation against a member of nursery staff this will always be reported, the LADO (England and Wales) or Care Inspectorate and the Child Protection Team (Scotland) will be informed.

A confirmation email will be requested by NDNA and attached alongside the DSL's report.

If they were a member the DSL would contact the DSL/manager to inform them of any allegations made and advise them to initiate their own safeguarding procedure and advise we will be speaking to the appropriate regulatory body.



A member of SMT will review the written reports and actions taken/needed against the NDNA Safeguarding procedure to ensure the process has been applied in line with the policy.

If a concern is raised anonymously and we have no contact details we must assume the concern is valid and follow our procedures as above, contacting the Information Commissioners Office (ICO) (see below for details) to ensure data we share is appropriate to be shared without permission from the author. We will not make a judgement on whether this correspondence is malicious, all will be treated the same. A child may be in danger.

Allegation against a Member of NDNA Staff or Stakeholder

If an allegation is made against a member of staff or NDNA stakeholder, regardless of whether the allegation relates to work they are contracted to do for NDNA, we will follow the procedure below.

NDNA receive information that reports/causes a safeguarding concern involving an NDNA staff member or stakeholder



Contact DSL immediately – this must be a verbal telephone call to ensure the concern is dealt with as quickly as possible.

If the DSL is unavailable, then contact the next person on the Designated Safeguarding Persons contact list above until you are able to verbally speak to someone immediately after you receive a call or have a concern.

If the allegation refers to the DSL then you should report to a member of HR or SMT.

Follow up your call with an email to the person you have reported to and if this is not the DSL copy them in to the email. The email must contain the contact details, outline of concern and any confidentiality issues to be aware of.



The DSL (or deputy) will contact one of the following to discuss the reported concerns:

- HR department
- SMT

The DSL/HR/SMT will follow the staff allegation procedures set out in this policy guided by 'Working Together to Safeguard Children 2018 and Keeping Children Safe in Education 2021 NDNA will cooperate with the appropriate regulatory bodies during any investigation.



Once an allegation has been made against a member of staff/stakeholder the following action will be taken:

- NDNA reserves the right to suspend the member of staff whilst the allegation is investigated in line with the procedures set out within this policy and in the NDNA disciplinary policy.
- NDNA reserves the right to suspend the Associate in accordance with NDNA Associate Agreement and will follow procedures laid out in this policy
- If an allegation was made regarding an NDNA Trustee/Board Member NDNA reserves the right to ask the trustee/board member to step down temporarily from the board pending the outcome as per NDNA Criteria and Eligibility for the Appointment of Trustees and Board Directors guidance.

If the member of staff/stakeholder resigns during the investigation NDNA will inform the Disclosure and Barring Service (England and Wales) or Disclosure Scotland and if necessary the appropriate regulatory body and may contact the Police, if appropriate.



DSL/HR will complete a written report describing the actions taken. If other stakeholders are involved the DSL will request a report be completed within 5 days of the concern being raised. All reports will be stored securely to maintain confidentiality.

A member of SMT will review the written reports and actions taken/needed against the NDNA Safeguarding procedure to ensure the process has been applied in line with the policy.



If appropriate, the DSL will contact the regulatory body, Ofsted, CIW, Care Inspectorate, Children's Social Care. A confirmation email will be requested by the NDNA DSL and attached alongside the NDNA DSL's report.

Contact numbers for regulatory bodies:

- England - Ofsted: 0300 123 1231
- Scotland - Care Inspectorate: 0345 600 9527
- Wales - CIW: 0300 7900 126

Contact details for Information Commissioners Office (ICO)

<https://ico.org.uk/global/contact-us/> for online contact submission form

Telephone: 0303 123 1113

Legislation and Guidance

NDNA adheres to all current legislation and staff will work in the best interests of the child to ensure their welfare and safety. Listed below are current legislative acts and guidance relating to safeguarding.

- Children and Social Work Act 2017
- The Childcare Act 2006
- Care Standards Act 2002 (Scotland)
- Children and Young People (Scotland) Act 2014
- The Children Act 2004
- Children (Scotland) Act 1995
- The Children Act 1989 (England and Wales)
- Safeguarding Vulnerable Groups Act 2006
- The Protection of Vulnerable Groups (Scotland) Act 2007
- The Counter-Terrorism and Security Act 2015
- Criminal Justice and Court Services Act 2000
- The Police Act 1997
- The Data Protection Acts 1984 and 1998
- The Human Rights Act 1998
- The Sexual Offences Act 2003

- Freedom of Information Act 2012
- Working together to safeguard children, HM Government, 2018
- Working together under the children act, Welsh Assembly Government, 2006
- Caring for Young Children and the Vulnerable
- NSPCC Child Protection Helpline 0808 800 5000

The sources of information used in producing this policy and procedures are:

- Statutory guidance in making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004
- Working together to safeguard children - HM Government (2018)
- Keeping Children Safe in Education (2021)
- NSPCC – www.nspcc.org.uk
- Kidscape www.kidscape.org.uk

We maintain records to ensure all staff and stakeholders have received the training they need. On reading this document if you need clarity of any points please speak to your line manager/NDNA contact.

Appendix

Appendix 1. Responding to and Recording Disclosures

The NDNA has a wide breadth of roles in early years settings and local communities and staff working on the frontline may receive a safeguarding disclosure. To support frontline staff please see the guidance below for responding to and reporting disclosures of abuse.

Responding to a child's disclosure of abuse when out in the community (what to do and say)

- Stay calm and listen carefully. Try not to look shocked
- Find an appropriate opportunity to say that the information will need to be shared and do not promise to keep the information shared a secret
- Allow the child to continue at their own pace
- Only ask questions for clarification and avoid asking any questions that may suggest a particular answer
- Reassure the child that they have done the right thing in telling you and tell them what you will do next and with whom the information will be shared. Reassure them that this is not their fault
- Record this in writing using the child's own words as soon as possible after the disclosure
- Ensure that this includes the date and time, any names mentioned and to whom the information was given
- Sign and date this before securely storing this record and referring this to the nursery manager and the DSL.

Recording a case of disclosure or suspicions of abuse when out in the community.

If you note a concern or one is disclosed to you, NDNA staff should make an objective record of any observation or disclosure (with support from the nursery manager) and include (wherever possible):

- Child's name and address
- Age of the child and date of birth
- Setting name and address
- Date and time of the observation or the disclosure
- Exact words spoken by the child/parent/staff member and details of the concern using factual information
- Exact observation of a child's/adult's actions
- Exact injury or wound seen, including position and size
- Name of the person to whom the concern was reported, with date and time; and the names of any other person present at the time (including your details if a member of staff then relays the information to you).

This should then be discussed with the nursery manager and reported to the NDNA DSL or Deputy DSL. NDNA expects all members of staff and stakeholders, to co-operate with the Children's Social Care/Child Protection team and Ofsted/CIW/Care Inspectorate, Police in any way necessary to ensure the safety of the children.