



Safeguarding Children and Child Protection

(Including managing allegations of abuse against a member of staff)

Policy statement

Over the Rainbow will work with children, parents and the community to ensure the rights and safety of children and to give them the very best start in life. Over the Rainbow believes that children have the right to be completely safe from both the fear and reality of abuse, and we are committed to protecting all the children in our care from harm.

Procedures

Over the Rainbow will appoint a member of staff as the Designated Safeguarding Officer (DSO). The DSO will have suitable experience, training and expertise, and will be responsible for liaising with social services, the City of York Safeguarding Children Partnership (CYSCP) and Ofsted in any safeguarding matter. The Setting's DSO is Lucy Perkin (Manager), the Deputy Designated Safeguarding Officer is Millie Bailey

The Setting's Safeguarding procedures comply with all relevant legislation and other guidance or advice from the City of York Safeguarding Children Partnership (CYSCP).

Over the Rainbow is committed to reviewing its Safeguarding policy and procedures at regular intervals. The policy and its procedures will be shared with parents/carers during their child's settling in period.

Recognising Child Abuse

Child abuse manifests itself in a variety of different ways, some overt and others much less so. All staff will have Safeguarding training and will be vigilant to signs and evidence of physical, sexual and emotional abuse or neglect.

Physical Abuse: This involves hitting, shaking, throwing, burning, suffocating or any other physical harm. Deliberately causing a child's ill health also constitutes as physical abuse.

Sexual Abuse: This involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. Showing children pornographic materials, sexual activities, or encouraging children to behave in sexually inappropriate ways also constitutes sexual abuse.

Emotional abuse: Varying degrees of emotional abuse is present in virtually all Safeguarding incidents but can also constitute abuse in its own right. Emotional abuse involves persistent or severe emotional ill treatment or torture causing, or likely to cause, severe adverse effects on the emotional stability of a child. Such behaviour may involve conveying to a child that they are worthless, unloved, or inadequate, or making them feel unnecessarily frightened or vulnerable.

Neglect: Neglect is the persistent failure to meet a child's basic physical, emotional or psychological needs, such as is likely to have a severe impact on their health, development or emotional stability. Neglect may involve failing to provide adequate food, shelter or clothing for a child, or failing to adequately protect them from physical harm or ill health. Neglect can also manifest itself in a failure to meet the basic emotional needs of child.

Peer on Peer Abuse: Is the matter where one child or young person abuses another, the nature of which can vary. The settings practitioners have the responsibility to identify any explicit behaviour and prevent this from happening. Risk assessments have been in place and identify the blind spots of the setting. Adequate supervision of the children has been put in place, with a duty rota, explaining what staff responsibilities for that day.



Child Sexual Exploitation

Child Sexual Exploitation: Sexual exploitation (CSE) of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, money, drugs) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example, being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Female Genital Mutilation (FGM)

Female Genital Mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision, cutting or sunna. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence. There are no medical reasons to carry out FGM. It does not enhance fertility and it does not make childbirth safer. It is used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health.

From October 2015, the FGM Act 2003 (as amended by section 74 of the Serious Crime Act 2015) introduced a mandatory reporting duty for all regulated health and social care professionals and teachers in England and Wales. Professionals must make a report to the police, if, in the course of their duties: They are informed by a girl under the age of 18 that she has undergone an act of FGM, or, they observe physical signs that an act of FGM may have been carried out on a girl under the age of 18.

Over the Rainbow is committed to comply with the law and will ensure staff receive appropriate training on spotting the signs of FGM and how to deal with a disclosure.

Staff Support and Training

Over the Rainbow is committed to ensuring that it meets its responsibilities in respect of Safeguarding through the provision of support and training to staff.

Therefore, the Setting will ensure that:

- All staff, students and volunteers are carefully recruited, have verified references and have full and up to date Disclosure and Barring Service Checks (DBS).
- All staff and volunteers are given a copy of the Safeguarding policy during their induction, and have its implications explained to them.
- All staff and volunteers receive regular training and supervision in Safeguarding issues and are provided with any relevant information and guidance. All staff of Over the Rainbow will also receive training in the Prevent Duty 2015.
- All staff are provided with supervision and management support commensurate with their responsibilities in relation to Safeguarding, and their requirement to maintain caring and safe relationships with children.
- All staff are aware of the main indicators of child abuse.
- All staff are aware of their statutory requirements in respect of the disclosure or discovery of child abuse and the procedure for doing so. All students and volunteers are instructed to report the disclosure or discovery of abuse to the Manager.



- Over the Rainbow will take appropriate action in relation to the findings of any investigation into allegations of abuse, consistent with its duties to protect the safety of children and uphold fair processes for staff, students and volunteers.

Mental Health and Wellbeing

Negative experiences and distressing life events, such as the current circumstances, can affect the mental health of children and their parents. (Nursery Name) ensure appropriate support is in place for them.

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

Staff may require appropriate instruction and training on identifying and supporting vulnerable children and parents that return to the setting, for example by signposting them to appropriate local services such as mental health, domestic or substance abuse services. It will be necessary to consider how vulnerable children, who are currently attending the setting, continue to have their needs met and to be supported as the setting takes on more children.

Local Authority Designated Officer (LADO)

Concern about a Professional or Volunteer

Where you have a safeguarding concern about a professional or volunteer who works with children, this matter should be notified to the LADO.

Where appropriate, a referral should be sent to the LADO using the [LADO Referral Form](#) (also available on the York Safeguarding Partnership website) giving as much detail as possible. Completed forms should be emailed using secure mail (e.g. gcsx, pnn, cjsm, [nhs.net](#), etc.) to: lado@york.gov.uk If you do not have secure email please contact 01904 551783.

The Local Authority Designated Officer (LADO) is: Emma Coates/Debra Lane/Leigh Moore

The LADO can be contacted on 01904 551783.

If a child abuse allegation is made against a member of staff the setting will inform the police, social services and Ofsted. The Member of staff will be suspended pending a full investigation. All allegations and concerns will be reported to the Local Authority Designated Officer (LADO) within the same working day. The LADO will then decide what action to take.

Where possible the Setting will give the staff member the opportunity to continue to work at the setting should the allegation be found to be false or malicious.

Safe Caring

All staff will understand the Setting's Safeguarding procedures and have had appropriate training and guidance in the principles of safe caring. To this end:

- Every effort will be made to avoid or minimize time when members of staff, students or volunteers are left alone with a child. If staff find themselves alone with a child, the door of the room should be kept open and another member of staff should be informed.
- If a child makes inappropriate physical contact with a member of staff, students or volunteer, this will be recorded fully in the Incident Record Book.



- Staff will never carry out a personal task for children that they can do for themselves. Where possible (according to staff ratios), staff will offer support to a child whilst being accompanied by a colleague. Unless a child has a need, staff should not accompany children into the toilet. Staff should be aware that this and other similar activities could be misconstrued. If only two members of staff are on duty at any one time and a child needs assistance, the member of staff must inform the other in where they are going.
- Staff will be mindful of how and where they touch children, given their age and emotional understanding. Unnecessary or potentially inappropriate physical contact will be avoided at all times.
- Any allegations made by a child against a member of staff will be fully recorded, including any actions taken, in the Incident Record Folder. In the event of there being a witness to an incident, they should sign the records to confirm this.

Dealing with Allegations

Over the Rainbow is committed to ensuring that it meets its responsibilities in respect of Safe Guarding by treating any allegation seriously and sensitively. The Setting will not carry out any investigation itself into a suspected child abuse incident. On discovering an allegation of abuse, the DSO will immediately refer the case to the local statutory Safeguarding agencies.

Further to this, the following principles will govern any suspected or reported case of abuse:

- When actual or suspected abuse comes to the attention of staff, they will report this to the Manager and the DSO at the earliest possible opportunity.
- Staff are encouraged and supported to trust their professional judgment and if they suspect abuse has, or is taking place, to report this.
- Full written records of all reported incidents will be produced and maintained. Information recorded will include full details of the alleged incident; details of all the parties involved; any evidence or explanations offered by interested parties; relevant dates, times and locations and any supporting information or evidence from members of staff. The Setting will demonstrate great care in distinguishing between fact and opinion when recording suspected incidents of child abuse.
- The Manager and the DSO will be responsible for ensuring that written records are dated, signed and kept confidentially.
- If an allegation of abuse is made against the Manager or the DSO, the Registered Person will be informed as soon as possible. They will then assume responsibility for the situation.
- Staff will ensure that all concerns and allegations are treated with sensitivity and confidentiality.
- Any children involved in alleged incidents will be comforted and reassured.

In circumstances where a child makes an allegation or a disclosure, the member of staff concerned will:

1. Listen fully to what the child has to say.
2. Make no observable judgement.
3. Ask open questions that encourage the child to feel free to speak in their own words.



4. Ensure the child is safe, comfortable and not left alone.
5. Make no promises that cannot be kept; such as promising not to tell anybody what they are being told.

Staff will be made aware of the Department of Health's booklet 'What to do if You're Worried A Child Is Being Abused?' (2003), and its recent guidance on 'Protecting Children from Harm'.

Referring Allegations to Safeguarding Agencies

If the Manager or the DSO has reasonable grounds for believing that a child has been – or is in grave danger of being – subject to abuse, the following procedure will be activated:

- Contact will be made, at the earliest possible opportunity, with the local social services department.
- The Manager or the DSO will communicate as much information about the allegation and related incidents as is consistent with advice given by social services and the police.
- At all times, the safety, protection and interests of children concerned will take precedence. The Manager and staff will work with and support parents/carers as far as they are legally able.
- The Setting will assist the social services and the police, as far as it is able, during any investigation of abuse or neglect. This will include disclosing written and verbal information and evidence.
- OFSTED will be informed of any allegations of abuse against a member of staff, student or volunteer, or any abuse that is alleged to have taken place on the premises or during a visit or outing.

Prevent Duty

Over the Rainbow is committed to keeping safe the families in the local community as well as the surrounding areas. Where possible they will monitor all the families and ensure their welfare is promoted. Should there be a concern regarding a family being at risk of being drawn into terrorism, Over the Rainbow will take the following action:

- Assess the risk of the child and family being drawn into terrorism.
- Contact the relevant authorities should there be any concern.

Over the Rainbow is committed to preventing extremism and will promote British values in the best way possible. Over the Rainbow plan to promote British values by:

- Promoting Democracy, allowing children to input into the rules and laws of the setting, allowing the children to talk about their feelings and behaviour, and encouraging children to share their views.
- Implementing a Rule of Law: allowing children to understand their behaviours and behaviours of others and what the consequences are, distinguishing right from wrong.
- Promote individual liberty: Allow the children to develop a positive sense of themselves, provide ways for children to develop their self-knowledge, self-esteem and increase confidence in their own abilities.
- Ensure that there is a mutual respect and tolerance: Ensure that the setting is inclusive and tolerant of all faiths, cultures and races are valued and promote children engaging in the wider community.



Referring a family.

Under the prevent duty there are obligations to report a family, who are at risk of being drawn into terrorism or terror related activities.

Over the Rainbow will follow this duty by:

- Reporting the family to the North Yorkshire Police, Channel Police Practitioner by phoning 101.
- Supporting that family if the practitioners notice the early signs.

Weapons and Dangerous Objects

Over the Rainbow operates a zero tolerance on carrying weapons. This is for all users of the setting. Over the Rainbow will follow the following procedure if any person is found to be carrying a dangerous object.

- Ensure the weapon is removed from the person. If this is not achievable by negotiation, contact the police. Suspend/Ban the person who has been found to carry the dangerous object.
- Notify all witnesses families concerned.
- Notify the school and any other key agencies
- File an incident report with the setting.
- Conduct an investigative review.

Upon the conclusion of the review this will determine the next course of action.

- No guns or other lethal weapons will be allowed in Over the Rainbow. Parents required to carry firearms as a function of their job will lock firearms in their vehicle before entering Over the Rainbow.

Legal framework

Primary legislation

- Children Act (1989 S47)
- Protection of Children Act (1999)
- Data Protection Act (1998)
- The Children Act (Every Child Matters) (2004)
- Safeguarding Vulnerable Groups Act (2006)
- The Prevent Duty (2015) – From the Counter Terrorism and Security Act (2015)

Secondary Legislation

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Human Rights Act (1999)
- Race Relations (Amendment) Act (2000)
- Race Relations (Amendment) Act (1976) Regulations
- Equalities Act (2006)
- Data Protection Act (1998) Non-Statutory Guidance



Further Guidance

- Working Together to Safeguard Children (revised HMG 2018)
- What to do if you're Worried a Child is Being Abused (HMG 2006)
- Framework for the Assessment of Children in Need and their Families (DoH 2000)
- The Common Assessment Framework (2006)
- Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 (HMG 2007)
- Information Sharing: Practitioners' Guide (HMG 2006)
- Inspecting Safeguarding in Early Years, Education and Skills Settings (Ofsted 2019)

This policy was adopted at a meeting of	Over the Rainbow
Held in:	September 2020
To be reviewed in:	November 2021
Signed on behalf of the setting:	
Name of Signatory:	
Role of Signatory:	Manager Deputy Manager