

Safeguarding and Child Protection Model Policy for Early Years Establishments: guidance for use

This model policy has been designed to be adapted by Managers and Pre School Leaders to reflect the ethos of your Early Years setting. It remains the responsibility of your Early Years setting and the Owner/Committee to ensure the policy is compliant with the Early Years Foundation Stage Framework (**EYFS 2017**) the Local Safeguarding Children's Board (LSCB) procedures and current legislation which regulates Early Years Settings. It is essential that all aspects of this policy are reviewed to ensure that there is similarity between the written policy and practice of your Early Years provision and it is personal to your individual setting.

The Early Years Setting must review and update the safeguarding policy annually and in line with new legislation.

You may also find it useful to produce a brief "visitor's statement/welcome sheet" for visitors to your Early Years Setting, including a summary of the safeguarding policy, procedures and the name of the Designated Safeguarding Officer (DSO) Lead in your setting.

Recording systems and procedures

It is essential that the Early Years Setting include with this policy a section on the internal safeguarding recording procedures. It is highly recommended that the Early Years Setting refer to the Safeguarding Children in Luton recording protocol that was distributed in 2010 as this includes the principles of effective safeguarding recording and pro-forma for use.

Maintaining an overview

Early Years Settings must ensure that they maintain an overview, whether there is a list, index or something similar which provides an 'at a view' glance of the children where safeguarding records exist for them and whether this be an individual case record or an entry within the A-Z Chronology folder.



MODEL SAFEGUARDING AND CHILD PROTECTION POLICY FOR EARLY YEARS SETTINGS

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Note: Working Together 2018 replaces Local Safeguarding Children Boards, with Local Safeguarding Partners. However, at the time of this policy review the Local Safeguarding Children Board remains in place and as such should be understood as Safeguarding Partners as defined in Working Together 2018.

SAFEGUARDING POLICY

Approved by the (Owner/Committee) <Insert date>

To be reviewed (annually) <insert date>

INTRODUCTION

1.1 Safeguarding is defined as –

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

1.2 Child Protection is defined as –

- The activity that is undertaken to protect specific children who are suffering or likely to suffer significant harm.

(Working Together, DfE 2018)

This includes, but is not limited to safeguarding children in specific circumstances

Neglect	Physical abuse
Emotional abuse	Sexual abuse
Bullying, including online and prejudice-based bullying	Racist, disability and homophobic or transphobic abuse
Gender based violence / violence against women and girls	Radicalisation and /or extremist behaviour
Child Sexual Exploitation and trafficking	The impact of new technologies on sexual behaviour: e.g. Youth Produced Sexual imagery
Teenage relationship abuse	Substance abuse
Gang / youth violence including initiation / hazing	Domestic abuse / violence
Female Genital Mutilation	Forced Marriage
Fabricated / induced illness	Poor parenting
Online including grooming via social networking, online gaming, video messaging	Peer on peer abuse
Self Harm behaviours	Children with mental health difficulties or illness

Working Together 2018 sets out that Early Years providers have a duty under section 40 of the Childcare Act 2006 to comply with the safeguarding and welfare requirements of the Early Years Foundation Stage **(3.7 EYFS)**

- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729914/Working_Together_to_Safeguard_Children-2018.pdf
- Under the Statutory Framework **(3.4 EYFS)** "Providers must be alert to any issues for concern in the child's life at home or elsewhere". Procedures are in place to safeguard children inline with the policies and procedures of Luton Safeguarding Children Board Procedures.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf

- The Luton LSCB procedures are available via <http://lutonlscb.org.uk/>
- All staff should be aware of the guidance issued by Luton Safeguarding Children Board (LSCB) within the Threshold Framework in order to secure support and intervention for children and young people at the earliest possible opportunity in the least intrusive way. <http://lutonlscb.org.uk/wp-content/uploads/2016/11/threshold-framework-v16-Oct-17-2.pdf>
- As part of the procedures in Luton there are safeguarding case recording materials that are used for recording safeguarding concerns – see Safeguarding form, Chronology form, Body Map, Tracking monitoring form.

<insert the name of Early Years Setting> is committed to safeguarding and promoting the welfare of all its children. We believe that:

- All children have an equal right to be protected from harm;
- All children have the right to speak freely and voice their values and beliefs
- All children must be encouraged to respect each other's values and support each other
- All children have the right to be supported to meet their emotional, and social needs as well as their educational needs
- Our Early Year's Setting can and do contribute to the prevention of abuse, victimisation, bullying, exploitation, extreme behaviours, discriminatory views and risk taking behaviours
- All staff, volunteers and visitors have an important role to play in safeguarding children and protecting them from abuse.

SAFER RECRUITMENT

- Our Early Years Setting implements Safer Recruitment practices (**3.9 to 3.18 EYFS**) and find the Department for Education (DFE 2018) guidance 'Keeping Children Safe in Education' (KCSiE) useful. Safer recruitment practice includes scrutinising applicants, obtaining professional and character references, checking previous employment history, ensuring that a candidate has the health and physical capacity for the job, verifying identity and academic or vocational qualifications via the government qualification checker <https://www.gov.uk/guidance/early-years-qualifications-finder>
- Checks also include undertaking interviews, appropriate enhanced checks through the Disclosure and Barring Service (DBS) <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

THE DESIGNATED SAFEGUARDING OFFICER (DSO) LEAD

- **<Insert full name of the Designated Safeguarding Officer (DSO) Lead in the Early Years Setting>** takes lead responsibility for coordinating all child protection activity within our Early Years Setting. They will provide support to staff members to carry out their safeguarding duties and will liaise closely with other services such as the Multi Agency Safeguarding Hub (MASH) - Luton Children and Families Social Care Service, Early Help Assessment team (EHA), Health, Police etc. This person has lead responsibility and management oversight for safeguarding and child protection (**3.5 EYFS**).

The Designated Safeguarding Officer Lead is supported by the Deputy Designated Safeguarding Officer (DDSO) Lead: **<Insert full name of Deputy Designated Safeguarding Officer (DDSO) Lead in the Early Years Setting>**

- The Deputy Designated Safeguarding Officer (DDSO) Lead is trained to the same level as the Designated Safeguarding Officer (DSO) Lead and will undertake this role in their absence.
- When the Early Years Setting has concerns about a child, the Designated Safeguarding Officer (DSO) lead will decide what steps should be taken in accordance with the Local Safeguarding Children's Board (LSCB) Thresholds Framework and initiate a response accordingly.
- In Luton Early Years Settings work to a model of intervention that reflects 4 levels of need.
- Universal Need – Level 1, with all children having core needs such as parenting, health and education
- Additional Need – Level 2, where children's needs can be met by a single agency through the Early Help Assessment (EHA) team
- Intensive and Specialist Need – Level 3 & 4, where children have suffered or likely to suffer significant harm is referred to the Multi Agency Safeguarding Hub (MASH)
- The Designated Safeguarding Officer (DSO) Lead will support staff who make referrals to the Early Help Assessment (EHA) team and the Multi Agency Safeguarding Hub (MASH) and act as a source of support, advice and expertise for all staff **(3.5 EYFS)**.
- The Designated Safeguarding Officer (DSO) Lead will refer cases to the Police where a crime may have been committed
- The Designated Safeguarding Officer (DSO) Lead will seek advice in regard to safeguarding matters related to radicalisation via the Early Help Assessment (EHA) team and follow their guidance.
- The Designated Safeguarding Officer (DSO) Lead will undertake regular case monitoring reviews of vulnerable and looked after children recorded within the A-Z Chronology and within individual case files. These reviews will be discussed within staff safeguarding supervision sessions. Any actions arising from the review and the reasoning for decision making will be recorded in the child's individual case file and a copy of this will also be filed in the staff member's personal supervision folder.
- Luton Safe at Home is a child accident prevention programme aimed at families from pregnancy through to the child's 5th birthday

<https://www.flyingstartluton.com/parent/additional-services/safe-at-home/>

- If a child moves from our Early Years Setting, the Designated Safeguarding Officer (DSO) Lead will ensure all child protection records are forwarded on to the Designated Safeguarding Officer (DSO) Lead at the new Early Years Setting or School, with due regard to their confidential nature and in line with national government guidance on the transfer of such records. We will record the date, where and to whom the records have been passed and request a signature on receipt of the child's records. The practice guidance produced by Luton Safeguarding Children Board (LSCB) will be adhered to in relation to archiving child protection records.
- If sending by post, children's records will be sent by "Special/Recorded Delivery". For audit purposes a note of all children's records transferred or received should be kept in either paper or electronic format. This will include the child's name, date of birth, where and to whom the records have been sent and the date sent and/or received.

OUR ROLE IN THE PREVENTION OF ABUSE

In accordance with Working Together 2018, our Early Years Setting recognises the need to safeguard children from:

- Neglect
- Emotional Abuse
- Physical Abuse
- Sexual Abuse

Appendix 1 contains more information about definitions and indicators of abuse

Additional Policies linked to Safeguarding Children in our Early Years Setting.

- | | |
|----------------------|-------------------------------|
| • Safe Recruitment | Physical Restraint |
| • Code of Conduct | Visitor / External speakers |
| • Disqualification | Online safety |
| • Whistleblowing | Health and Safety |
| • Bullying | Managing Children's Behaviour |
| • Physical restraint | |

All staff must be able to identify signs of possible abuse and neglect at the earliest opportunity and to respond in a timely and appropriate way. These may include:

- significant changes in children's behaviour;
- deterioration in children's general well-being;
- unexplained bruising, marks or signs of possible abuse or neglect;
- children's comments which give cause for concern;
- any reasons to suspect neglect or abuse outside the setting, for example in the child's home or that a girl may have been subjected to (or is at risk of) female genital mutilation and /or
- inappropriate behaviour displayed by other members of staff, or any other person working with the children. For example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images **(3.6 EYFS)**

THE OWNER/COMMITTEE

The Early Years Setting Owner/Committee will ensure:

- the Nominated Committee member/Owner for child protection at our Early Years Setting is **<Insert full name of nominated committee member /owner>** He/she is responsible for liaising with the Nursery Manager/Pre School Leader over all matters regarding child protection issues.
- they comply with their duties under legislation. They will comply with The Early Years Foundation Stage (**EYFS 2017**) Framework and the Local Safeguarding Children's Board (LSCB) to ensure that the policies, procedures and training in our Early Years Setting are effective and offer supervision including safeguarding supervision to the Manager/Pre School Leader.

<https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015/inspecting-safeguarding-in-early-years-education-and-skills-settings>

- <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- a member of the Committee/Owner, is nominated to liaise with the Local Authority Designated Officer (LADO) and partner agencies in the event of allegations of abuse made against the Nursery Manager/Pre School Leader of the Early Years Setting
- all permanent Staff, temporary Staff and Volunteers are made aware, understand and implement our Early Years Setting's policies and procedures for safeguarding children and child protection **(3.6 EYFS)**
- staff and volunteers receive appropriate training on safeguarding at induction, that is updated regularly **(3.20 EYFS)**

- staff have training on local Serious Case reviews (SCR) accessed from Luton Local Safeguarding Board (LSCB) website.
- our Early Years Setting provides an appropriate safeguarding response in accordance with the Luton Local Safeguarding Children's Board (LSCB) Thresholds Framework in order to safeguard children.
- our Early Years Setting will follow local procedures for sharing intelligence in relation to Child Sexual Exploitation with Bedfordshire Police and the Single Point of Contact for CSE within Luton Borough Council. <http://lutonlscb.org.uk/current-multi-agency-intelligence-submission-form-june-2017/>
- our Early Years Setting initiates appropriate safeguarding responses to children who go missing while in the care of the setting – refer to our Lost Child Policy **(3.62 EYFS)**
- our Early Years Setting has a staff behaviour policy (sometimes called the Code of Conduct) which should include - staff/child relationships and communications plus the use of social media and other online platforms **(3.19, 3.20 EYFS)**
- our Early Years Setting has procedures for managing allegations and concerns about adults that work or volunteer with children and that these include the procedures for making referrals to the Disclosure and Barring Service **(3.4 EYFS)**
- that people looking after children are suitable and there must be an enhanced criminal record from the Disclosure and Barring Service in place for every person aged 16 or over who works directly with children, works on the premises on which childcare is provided (unless they do not work there during the times when children are present) **(3.10 EYFS)**
- our Early Years Setting operates, "Safer Recruitment" procedures and ensures that appropriate checks and vetting is carried out on all new staff and relevant volunteers.
- records must be easily accessible and available
- confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them.
- our setting must be aware of their responsibilities under the Data Protection Act (DPA) 2018 and where relevant the Freedom of Information Act 2000
- our setting must ensure that all staff understand the need to protect the privacy of the children in their care and promote confidentiality at all times **(3.69, 3.70 EYFS)**
- records relating to individual children must be retained for a reasonable period of time after they have left the provision
- our setting must record the following information for each child in their care: full name; date of birth; name and address of every parent and/or carer who is known to the provider (and information about any other person who has parental responsibility for the child); which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers **(3.68–3.72 EYFS)**
- the Designated Safeguarding Officer (DSO) Lead and any Deputies undertake Local Safeguarding Children's Board (LSCB) multi agency higher level training to ensure they have the appropriate training, skills and knowledge to carry out this role. In addition, the Designated Safeguarding Officer lead and any Deputies will update their knowledge by receiving safeguarding updates. This may include support from the Local Authority Designated Safeguarding Officer (DSO) network events, attendance at training and learning events offered by the Local Authority Safeguarding Children's Board (LSCB), online updates via NSPCC or attendance at professional development events.
- all staff have up-to-date knowledge of safeguarding issues **(3.6 EYFS)**.
- all staff know what to do in the event of a safeguarding concern and know who to speak to.
- our Early Years Setting pays due regard to the need to safeguard children in specific circumstances and training will incorporate Child Sexual Exploitation (CSE), vulnerability to radicalisation, Female Genital Mutilation (FGM), peer on peer abuse which can include gang initiation or hazing type related violence, cyberbullying, sexually harmful behaviours or youth produced sexual imagery - See appendix 5, 6, 7 and 8.

- in the event of having a concern that a child is at risk of experiencing sexual abuse through exploitation (CSE) <http://lutonlscb.org.uk/parents/child-sexual-exploitation/> or a child has experienced or at risk of Female Genital Mutilation (FGM)
- https://www.luton.gov.uk/Health_and_social_care/safeguarding/safeguarding_adults/Pages/Female-genital-mutilation.aspx a referral must be made to the Multi Agency Safeguarding Hub (MASH).
- peer on peer – Staff need to be alert to the fact that children can be capable of abusing their peers. Safeguarding responses should be considered and offered to both the child victim and the alleged child that is responsible for the abusive behaviours.
- 'By identifying sexual behaviours as **GREEN**, **AMBER** or **RED**, professionals across different agencies can work to the same criteria when making decisions and protect children and young people with a unified approach' - Brook Sexual Behaviours Traffic Light Tool <https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>
- in the event of having a concern that a child is displaying AMBER/RED sexual behaviours a referral must be made to the Multi Agency Safeguarding Hub (MASH).
- clear risk assessments are in place and respond consistently to protect children which enable them to take age appropriate and reasonable risks – see daily/annual risk assessment
- staff respond with clear boundaries about what is safe and acceptable and they seek to understand the triggers for children's behaviour.
- in the event where physical restraint is used that the parents are informed on the same day (**3.52 EYFS**) – See managing children's behaviour policy
- our Early Years setting is aware that a website providing support and advice to combat radicalisation has been launched in our region.

The Let's Talk About It website provides information enabling people to learn more about the Government's Prevent strategy, with an aim to safeguard those who may be vulnerable to radicalisation.

https://www.luton.gov.uk/Community_and_living/crime-and-community-safety/letstalkaboutit/Pages/default.aspx

Factors may include: peer pressure, influence from other people or the internet, bullying, crime and anti-social behaviour, family tensions, race/hate crime, lack of self esteem or identity and personal or political grievances.

If a child is thought to be at risk of radicalisation, advice will be sought from the Early Help Assessment (EHA) Team, and if advised, information will be shared with the appropriate agencies.

The Early Help co-ordinators will support referrals and dependant on risk to the appropriate panels. Referrals will not be made prior to discussions with the Early Help Assessment team.

See Appendix 9

The Counter Terrorism and Security Act 2015 places a duty on early years providers "to have due regard to the need to prevent people from being drawn into terrorism" – The Prevent Duty

- In accordance with the Prevent Duty, **<Insert SPOC – Name of staff member>** is the Prevent Single Point of Contact (SPOC) who will be the lead within the organisation for safeguarding in relation to protecting individuals from radicalisation and involvement in terrorism.
- The statutory guidance on the Prevent duty summarises the requirements on schools and childcare providers in terms of four general themes: risk assessment, working in partnership, staff training and IT policies
- A Prevent Risk Assessment is in place. When any member of staff has concerns that a child may be at risk of radicalisation or involvement in terrorism, they should speak with the

SPOC and to the Designated Safeguarding Officer (DSO) Lead if this is not the same person

- Further Definitions of radicalisation and extremism and indicators of vulnerability to radicalisation are in Appendix 4.

See Appendix 4

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

- our Early Years Setting will provide opportunities for children to develop skills, concepts, attitudes and knowledge that promote their safety and well-being together with preparing them for life in modern Britain and embedding the four Fundamental British Values of Democracy, Rule of Law, Equality of Opportunity, Freedom of Speech and the rights of all Women and Men to live free from persecution of any kind which are already implicitly embedded in the Early Years Foundation Stage (**EYFS 2017**), Learning and Development requirements (Early Years Outcomes 2013) and these values are reinforced in our every day routine.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380595/SMSC_Guidance_Maintained_Schools.pdf

<http://www.foundationyears.org.uk/2015/03/fundamental-british-values-in-the-early-years/>

In the rare event of a firearms or weapons attack staff are trained in the RUN –HIDE – TELL guidance <https://www.gov.uk/government/publications/stay-safe-film>

The National Counter Terrorism Security Office (NaCTSO) are advising that providers have a lock down procedure as part of an emergency plan. They have issued some guidance on Developing Dynamic Lockdown Procedures

<https://www.gov.uk/government/publications/developing-dynamic-lockdown-procedures>

Stay Safe: - steps to take to keep safe in the rare event of a firearms or weapons attack:

Run, Hide and Tell

Run

- If there is a safe route, run, if not hide.
- Insist others go with you.
- Don't let them slow you down.
- Leave your belongings behind.

Hide

- If you can't run, hide.
- Find cover from gunfire.
- Be aware of your exits.
- Try not to get trapped.
- Lock yourself in a room if you can.
- Move away from the door.
- Be very quiet, turn off your phone.
- Barricade yourself in.

Tell

Call 999, what do the police need to know?

- Dial 999 when you are safe.

- Give your location.
- Give the direction the attacker is moving in.
- Describe the attacker, especially things that cannot be changed such as tattoos, facial hair, ethnicity etc.
- Give any further information.
- Can you safely stop others from entering the area?

Lock Down

Procedures will be implemented in the event of an unauthorised person/persons entering the setting.

- Staff will be alerted by a recognised signal
- Children will be taken from outside into the setting as quickly as
- All external doors and windows will be locked as necessary
- Parents/Carers will be notified

Domestic Abuse

- if domestic abuse is disclosed, the Risk Indicator checklist or DASH (Domestic Abuse, Stalking and Honour Based Violence) is the assessment tool used to determine whether cases meet the threshold for a MARAC (Multi-Agency Risk Assessment Conference) intervention. It should be completed with the client and if it meets the referral criteria it should be referred to the Early Years MARAC Representative. Referrals into the MARAC are only made by professional agencies; there is no self-referral.

https://www.luton.gov.uk/Community_and_living/crime-and-community-safety/Domestic_violence/Information%20for%20practitioners/Pages/MARAC.aspx

- The DASH Risk Indicator Checklist can also be used to identify individuals who may benefit from the services of an Independent Domestic Violence Advisor (IDVA).
- Clients who disclose abuse but who do not meet the criteria for IDVA support should be referred to other appropriate support such as Luton Women's Aid and the Signpost Hub who will accept referrals for any client over the age of 16, regardless of gender or background and will provide support whether or not the incidents have been reported to the Police. <http://www.signpostforbedfordshire.com/>

Online Safety

- there are appropriate online filtering and monitoring systems within our Early Years Setting which safeguards children from accessing inappropriate or harmful online material.
- the Early Years Foundation Stage Framework is delivered in such a way to include educating children about how to stay safe, online safety and broader safeguarding messages are taught through play within the Early Years Outcomes 2013.

<https://www.gov.uk/government/publications/child-safety-online-a-practical-guide-for-parents-and-carers/child-safety-online-a-practical-guide-for-parents-and-carers-whose-children-are-using-social-media>

Children Missing in Education

- the Early Years setting apply appropriate safeguarding responses for children who go missing from education which includes holding more than one emergency contact number for the child/family.

- there are processes in place which enables children and parents to express their wishes, feelings and provide feedback – Child, Parent and Staff questionnaire.
- our Early Years Settings policies and procedures are reviewed annually

SAFEGUARDING CHILDREN IN SPECIFIC CIRCUMSTANCES LIST

Further guidance in relation to safeguarding children in specific circumstances can be located in the Luton Safeguarding Children Board / Luton Borough Council procedures as listed below

- Abuse Linked to Spiritual Belief
- Child Sexual Exploitation
- Safeguarding Children vulnerable to Gang Activity
- Supporting individuals vulnerable to violent extremism
- Private Fostering
- Children missing from home or care
- Children missing education
- Children of Parents who Misuse Substances
- Children of Parents with Learning Difficulties
- Working with parents/carers with mental health problems
- Working with parents/carers with disabilities
- Disabled Children
- Domestic Violence
- Protocol for dealing with domestic violence when children are involved
- Online – Children Exposed to Abuse through the Digital Media
- Fabricated or Induced Illness
- Female Genital Mutilation
- Forced Marriage / Honour Based Violence
- Practice Guidance & Procedures to distinguish between healthy and abusive sexual behaviours in children and young people
- Safeguarding children who may have been trafficked
- Protocol & Guidance; Working with Sexually Active Young People
- Working with hostile, non-compliant clients and those who use disguised compliance

CHILDREN WITH ADDITIONAL NEEDS

- Our Early Years Setting recognises that while all children have a right to be safe, some children may be more vulnerable to being abused, for example those with a disability or special educational need, those living with domestic violence or drug / alcohol abusing parents, etc.

WHAT WE DO WHEN WE ARE CONCERNED ABOUT A CHILD

- All concerns will be viewed alongside the Local Safeguarding Children's Board Thresholds Framework in order to ensure the appropriate support or intervention is provided at the earliest opportunity in the least intrusive way. Our Early Years Setting also places due regard to the guidance contained in 'What to do if you are worried a child is being abused', 2015

<https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

- If, in consultation with the LSCB Thresholds Framework the level of concern sits at Level 2 or 3 an Early Help Assessment should be completed with the consent of the parent / carer. Early help may also be provided on a single agency basis by the Early Years Setting, or

additional advice may be sought from the Early Help Assessment Team without consent, by making a 'What if' call to their team.

- In the event that provision of Early Help has not led to improvements for the child / family, or concerns for the child/family escalate, Our Early Years Setting will follow the step-up procedures published by the Local Safeguarding Children's Board (LSCB) and a referral will be made to the Multi Agency Safeguarding Hub (MASH).
- In the event of a professional disagreement in relation to a specific concern, Our Early Years Setting will follow the Local Safeguarding Children's Board procedures for resolution of professional disagreements, also known as escalation procedures.

See link to Escalation procedures

http://bedfordscb.proceduresonline.com/chapters/p_resolution_disagree.html

INVOLVING PARENTS / CARERS

Unless a child is deemed to be at risk of significant harm there may be occasions when our Early Years Setting will contact another agency to seek advice on safeguarding and child protection concerns **before** informing parents/carers because it considers that contacting them may increase the risk of significant harm to the child.

In general, we will discuss any safeguarding and child protection concerns with parents / carers before approaching other agencies, and will seek their consent to making a referral to another agency.

Parents / carers will be informed about our safeguarding policy through:

(Examples: Early Years Setting prospectus, website, newsletter, Safeguarding notice board. etc.

MULTI-AGENCY WORK

Our Early Years Setting works in partnership with other agencies in the best interests of the children. Referrals and contacts should be made by the Designated Safeguarding Officer Lead to either the Early Help Assessment (EHA) team, or the Multi Agency Safeguarding Hub (MASH) depending on the level of need. Where the child already has a social worker, the request for service will go immediately to the social worker involved, or in their absence to their team manager or Duty Worker.

- Our Early Years Setting will ensure representation at appropriate inter-agency meetings such as team around the family meetings, initial and review child protection conferences, together with core group meetings. If our representative is unable to attend a written report will be sent.
- If a child is subject to a referral to a multi-agency safeguarding panel such as MARAC, MAGPAN OR CHANNEL our Early Years Setting will contribute to such arrangements

RESPONDING TO AN ALLEGATION OR CONCERN ABOUT A MEMBER OF STAFF OR VOLUNTEER

- Our Early Years Setting will comply with the Local Safeguarding Children's Board (LSCB) procedures for managing allegations and concerns about adults that work or volunteer with children in all circumstances.
- This procedure should be used when it is alleged that an Owner, Committee member, Nursery Manager, Pre School Leader, member of staff, visiting professional or volunteer has:

- Behaved in a way that has harmed a child or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved in a way that indicates s/he may pose a risk of harm to children

Although it is an uncomfortable thought, it needs to be acknowledged that there is the potential for an adult in an Early Years Setting to abuse or mistreat children.

- All staff working within our Early Years Setting must report any potential safeguarding concerns about an individual's behaviour towards children immediately. Allegations or concerns about colleagues and visitors must be reported direct to the Nursery Manager/Pre School Leader unless the concern relates to the Nursery Manager/Pre School Leader then it must be reported immediately to the Committee/Owner. Alternatively, concerns can be reported directly to the Local Authority Designated Officer (LADO) in children's social care.
- If staff feel they cannot raise a concern that the Early Years Setting is placing children at risk or not responding to concerns about a professional, contact to the

NSPCC Whistleblowing hotline 0800 028 0285 can be made.

- Contact into the LADO should happen at the earliest possible opportunity and within 1 working day.
- Ofsted must be notified of the action taken as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. A registered Early Years provider who, without reasonable excuse, fails to comply with this requirement, commits an offence **(3.8 EYFS)**

LOCAL AUTHORITY DESIGNATED OFFICER (LADO)

Luton LADO can be contacted on 01582 548069 – OFSTED must also be contacted on 03001231231

- The LADO may request a written referral, if this is requested the written referral will be completed and submitted within 1 working day
- Our Early Years Setting will engage with the LADO at all stages of the management of the allegation / concern and comply with the local procedures published by the LSCB. In this regard, our Early Years Setting will consider whether it is necessary to suspend the member of staff/Volunteer while the allegation or concern is investigated, however all reasonable alternatives to manage the risk will be considered. Due consideration will be given to the view of the LADO in relation to suspension or how safeguards are in place to ensure the member of staff is supervised at all times while a matter is investigated.
- Should our Early Years Setting dismiss a member of staff/volunteer as a result of a substantiated allegation, or should a member of staff/volunteer resign before an investigation has been completed, in accordance with Statutory Duty, a referral to the Disclosure and Barring Service will be made

See Appendix 3

MOBILE PHONE AND PHOTOGRAPHS

Visitors and staff/volunteers personal mobile phones and photographic devices will not be allowed in the Early Years Setting, they will be secured in the office **(3.4 EYFS)**

This information will be communicated through our policies, newsletters, signage, notices, etc

All staff/volunteers will be asked to sign to state they are aware and abide by this rule. It will be considered a breach of our rules if Staff do not comply and will be subject to disciplinary actions.

In the event of an emergency the Staff may use our Early Years Setting phone or in such circumstances where they may need to make or take a call using their own personal mobile they may wish to use the staff room/office. Other staff must be notified to ensure suitable supervision levels are applied whilst the call is made.

Written permission will be requested from the parents for our Early Years Setting to be able to take and use photographs of their children.

All parents will be requested to provide written permission to allow their child to be photographed during an event/play by other parents.

All photographs of the children will be taken on the setting camera for the purpose of children's learning and development and will be stored securely on the computer.

The Early Years Setting is registered with the Information Commissioner's Office (ICO) every year. Failure to notify the ICO is a criminal offence. Notification is necessary if Early Years Settings are processing personal information. This includes taking photographs of the children using a digital camera. Further information on data protection as well as details on how to notify can be found at: <https://ico.org.uk/> **(3.70 EYFS)**

Please note that although notification is mandatory in most cases the data protection guidance within this document is 'recommended guidance' and settings must take individual responsibility for their own data protection issues in accordance with the Data Protection Act 2018 **(3.69 EYFS)**

APPENDICES

<Insert name of Early Years Setting> will fulfil their local and national responsibilities as laid out in the following documents:-

- Early Years Foundation Stage Framework (DfE 2017)
- Working Together to Safeguard Children (DfE 2018)
- Keeping Children Safe in Education (DfE July 2018)
- Luton Safeguarding Children's Board procedures
- The Children Act 1989
- What to do if you are worried a child is being abused (DfE, 2015)
- Prevent Duty, Counter Terrorism and Security Act 2015
- Serious Crime Act 2015
- Inspecting Safeguarding in the early years, education and skills settings (Ofsted 2016)
- Data Protection Act 2018

DEFINITIONS AND INDICATORS OF ABUSE

1. NEGLECT

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

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers); or
- Ensure access to appropriate medical care or treatment.

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

The following may be indicators of neglect (this is not designed to be used as a checklist):

- Constant hunger;
- Stealing, scavenging and/or hoarding food;
- Frequent tiredness or listlessness;
- Frequently dirty or unkempt;
- Often poorly or inappropriately clad for the weather;
- Poor school attendance or often late for school;
- Poor concentration;
- Affection or attention seeking behaviour;
- Illnesses or injuries that are left untreated;
- Failure to achieve developmental milestones, for example growth, weight;
- Failure to develop intellectually or socially;
- Responsibility for activity that is not age appropriate such as cooking, ironing, caring for siblings;
- The child is regularly not collected or received from school; or
- The child is left at home alone or with inappropriate carers

2. PHYSICAL ABUSE

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

The following may be indicators of physical abuse (this is not designed to be used as a checklist):

- Multiple bruises in clusters, or of uniform shape;
- Bruises that carry an imprint, such as a hand or a belt;
- Bite marks;
- Round burn marks;

- Multiple burn marks and burns on unusual areas of the body such as the back, shoulders or buttocks;
- An injury that is not consistent with the account given;
- Changing or different accounts of how an injury occurred;
- Bald patches;
- Symptoms of drug or alcohol intoxication or poisoning;
- Unaccountable covering of limbs, even in hot weather;
- Fear of going home or parents being contacted;
- Fear of medical help;
- Fear of changing for PE;
- Inexplicable fear of adults or over-compliance;
- Violence or aggression towards others including bullying; or
- Isolation from peers.

3. SEXUAL ABUSE

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (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 (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

The following may be indicators of sexual abuse (this is not designed to be used as a checklist):

- Sexually explicit play or behaviour or age-inappropriate knowledge;
- Anal or vaginal discharge, soreness or scratching;
- Reluctance to go home;
- Inability to concentrate, tiredness;
- Refusal to communicate;
- Thrush, persistent complaints of stomach disorders or pains;
- Eating disorders, for example anorexia nervosa and bulimia;
- Attention seeking behaviour, self-mutilation, substance abuse;
- Aggressive behaviour including sexual harassment or molestation;
- Unusual compliance;
- Regressive behaviour, enuresis, soiling;
- Frequent or open masturbation, touching others inappropriately;
- Depression, withdrawal, isolation from peer group;
- Reluctance to undress for PE or swimming; or
- Bruises or scratches in the genital area.

4. SEXUAL EXPLOITATION

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

The presence of any significant indicator for sexual exploitation should trigger a referral to children's social care. The significant indicators are:

- Having a relationship of concern with a controlling adult or young person (this may involve physical and/or emotional abuse and/or gang activity);
- Entering and/or leaving vehicles driven by unknown adults;
- Possessing unexplained amounts of money, expensive clothes or other items;
- Frequenting areas known for risky activities;
- Being groomed or abused via the Internet and mobile technology; and
- Having unexplained contact with hotels, taxi companies or fast food outlets.

The intelligence reporting form on the LSCB website will be used to share information with Police and children's social care that raises a concern around CSE.

In addition to making referrals to children's social care, referrals of children thought to be at risk of, or experiencing CSE will be referred to the Child Sexual Exploitation panel.

5. EMOTIONAL ABUSE

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on 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 the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may also involve seeing or hearing the ill-treatment of another person. It may involve serious bullying (including cyber bullying), 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

The following may be indicators of emotional abuse (this is not designed to be used as a checklist):

- The child consistently describes him/herself in very negative ways – as stupid, naughty, hopeless, ugly;
- Over-reaction to mistakes;
- Delayed physical, mental or emotional development;
- Sudden speech or sensory disorders;
- Inappropriate emotional responses, fantasies;
- Behaviours such as rocking, banging head, regression, tics and twitches;
- Self harming, drug or solvent abuse;
- Fear of parents being contacted;
- Running away;
- Compulsive stealing;
- Appetite disorders - anorexia nervosa, bulimia; or
- Soiling, smearing faeces, enuresis.

N.B.: Some situations where children stop communication suddenly (known as “traumatic mutism”) can indicate maltreatment.

6. RESPONSES FROM PARENTS

Research and experience indicates that the following responses from parents may suggest a cause for concern across all four categories:

- Delay in seeking treatment that is obviously needed;
- Unawareness or denial of any injury, pain or loss of function (for example, a fractured limb);
- Incompatible explanations offered, several different explanations or the child is said to have acted in a way that is inappropriate to her/his age and development;
- Reluctance to give information or failure to mention other known relevant injuries;
- Frequent presentation of minor injuries;
- A persistently negative attitude towards the child;
- Unrealistic expectations or constant complaints about the child;
- Alcohol misuse or other drug/substance misuse;
- Parents request removal of the child from home; or
- Violence between adults in the household.

7. DISABLED CHILDREN

When working with children with disabilities, practitioners need to be aware that additional vulnerabilities to abuse and neglect such as:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration
- Children with SEN and disabilities can be disproportionately impacted by things like bullying without outwardly showing any signs
- Communication barriers and difficulties in overcoming these barriers

Possible indicators of abuse and/or neglect may also include:

- A bruise in a site that might not be of concern on an ambulant child such as the shin, might be of concern on a non-mobile child;
- Not getting enough help with feeding leading to malnourishment;
- Poor toileting arrangements;
- Lack of stimulation;
- Unjustified and/or excessive use of restraint;
- Rough handling, extreme behaviour modification such as deprivation of medication, food or clothing, disabling wheelchair batteries;
- Unwillingness to try to learn a child's means of communication;
- Ill-fitting equipment. for example callipers, sleep boards, inappropriate splinting;
- Misappropriation of a child's finances; or
- Inappropriate invasive procedures.

DEALING WITH A DISCLOSURE OF ABUSE

When a child tells me about abuse s/he has suffered, what must I remember?

- Stay calm.
- Do not communicate shock, anger or embarrassment.
- Reassure the child. Tell her/him you are pleased that s/he is speaking to you.
- Never enter into a pact of secrecy with the child. Assure her/him that you will try to help but let the child know that you will have to tell other people in order to do this. State who this will be and why.
- Tell her/him that you believe them. Children very rarely lie about abuse; but s/he may have tried to tell others and not been heard or believed.
- Tell the child that it is not her/his fault.
- Encourage the child to talk but do not ask "leading questions" or press for information.
- Listen and remember.
- Check that you have understood correctly what the child is trying to tell you.
- Praise the child for telling you. Communicate that s/he has a right to be safe and protected.
- Do not tell the child that what s/he experienced is dirty, naughty or bad.
- It is inappropriate to make any comments about the alleged offender.
- Be aware that the child may retract what s/he has told you. It is essential to record all you have heard.
- At the end of the conversation, tell the child again who you are going to tell and why that person or those people need to know.
- As soon as you can afterwards, make a detailed record of the conversation using the child's own language. Include any questions you may have asked. Do not add any opinions or interpretations.

NB It is not our staff's role to seek disclosures. Their role is to observe that something may be wrong, ask about it, listen, be available and try to make time to talk.

Immediately afterwards

You must not deal with this yourself. Clear indications or disclosure of abuse must be reported to Multi Agency Safeguarding Hub (MASH) without delay, by the Nursery Manager/Pre School Lead or the Designated Safeguarding Officer (DSO) Lead.

Children making a disclosure may do so with difficulty, having chosen carefully to whom they will speak. Listening to and supporting a child/young person who has been abused can be traumatic for the adults involved. Support for you will be available from the Nursery Manager/Pre School Leader/Committee/Owner.

ALLEGATIONS ABOUT A MEMBER OF STAFF, VOLUNTEER, COMMITTEE MEMBER/OWNER

Inappropriate behaviour by staff/volunteers could take the following forms:

- **Physical**

For example the intentional use of force as a punishment, slapping, use of objects to hit with, throwing objects or inappropriate physical handling

- **Emotional**

For example intimidation, belittling, scapegoating, sarcasm, lack of respect for children's rights, and attitudes that discriminate on the grounds of race, gender, disability or sexuality. Excessive or aggressive shouting

- **Sexual**

For example sexualised behaviour towards peers, sexual harassment, sexual communication including via social networking, email, text, grooming behavior, sexual assault and rape

- **Neglect**

For example failing to act to protect a child or children, failing to seek medical attention or failure to meet a child's basic needs

- **May Pose a Risk**

Behaviours that may take place outside of the workplace that present a transferable risk in their professional role with children. For example, alleged perpetrator of domestic abuse, offences demonstrating a sexual interest in children, abuse or neglect of their own children or behaviours that are incompatible with a professional role working with children.

If a child makes an allegation or raises a concern about a member of staff, Committee member, Owner, visitor or volunteer, the Nursery Manager/Pre School Leader should be informed immediately. If the allegation or concern may fall within the following criteria the LADO will be contacted at the earliest possible opportunity and within 1 working day.

- Behaved in a way that has harmed a child or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved in a way that indicates s/he may pose a risk of harm to children

The Nursery Manager/Pre School Leader will not carry out the investigation him/herself or interview pupils.

If a child makes an allegation of physical abuse against an adult that works with children and there are visible bruises, marks or injuries, or if a child makes an allegation of sexual abuse against an adult that works with children Child Protection procedures will be followed and a referral made to Multi Agency Safeguarding Hub (MASH). The LADO will also be informed.

INDICATORS OF VULNERABILITY TO RADICALISATION

1. Radicalisation refers to the process by which a person comes to support terrorism and forms of extremism leading to terrorism.
2. Extremism is defined by the Government in the Prevent Strategy as:

the vocal or active opposition to the fundamental British values, including democracy, the rule of law, individual liberty, mutual respect, tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.
3. Extremism is defined by the Crown Prosecution Service as:

The demonstration of unacceptable behaviour by using any means or medium to express views which:

 - Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;
 - Seek to provoke others to terrorist acts;
 - Encourage other serious criminal activity or seek to provoke others to serious criminal acts; or
 - Foster hatred which might lead to inter-community violence in the UK.
4. There is no such thing as a “typical extremist”: those who become involved in extremist actions come from a range of backgrounds and experiences, and most individuals, even those who hold radical views, do not become involved in violent extremist activity.
5. Children may become susceptible to radicalisation through a range of social, personal and environmental factors - it is known that violent extremists exploit vulnerabilities in individuals to drive a wedge between them and their families and communities. It is vital that Early Years staff are able to recognise those vulnerabilities.
6. Indicators of vulnerability include:
 - Identity Crisis – the child is distanced from their cultural / religious heritage and experiences discomfort about their place in society;
 - Personal Crisis – the child may be experiencing family tensions; a sense of isolation; and low self-esteem; they may have dissociated from their existing friendship group and become involved with a new and different group of friends; they may be searching for answers to questions about identity, faith and belonging;
 - Personal Circumstances – migration; local community tensions; and events affecting the child’s country or region of origin may contribute to a sense of grievance that is triggered by personal experience of racism or discrimination or aspects of Government policy;
 - Unmet Aspirations – the child may have perceptions of injustice; a feeling of failure; rejection of civic life;
 - Experiences of Criminality – which may include involvement with criminal groups, imprisonment, and poor resettlement / reintegration;
 - Special Educational Need – children may experience difficulties with social interaction, empathy with others, understanding the consequences of their actions and awareness of the motivations of others.

7. However, this list is not exhaustive, nor does it mean that all young people experiencing the above are at risk of radicalisation for the purposes of violent extremism.
8. More critical risk factors could include:
 - Being in contact with extremist recruiters;
 - Accessing violent extremist websites, especially those with a social networking element;
 - Possessing or accessing violent extremist literature;
 - Using extremist narratives and a global ideology to explain personal disadvantage;
 - Justifying the use of violence to solve societal issues;
 - Joining or seeking to join extremist organisations
 - Significant changes to appearance and / or behaviour;
 - Experiencing a high level of social isolation resulting in issues of identity crisis and / or personal crisis.

Female Genital Mutilation

Female genital mutilation (FGM) is a procedure where the female genitals are deliberately cut, injured or changed, but where there's no medical reason for this to be done.

It's also known as "female circumcision" or "cutting", and by other terms such as sunna, gudniin, halalays, tahur, megrez and khitan, among others.

FGM is usually carried out on young girls between infancy and the age of 15, most commonly before puberty starts. It is illegal in the UK and is child abuse.

It's very painful and can seriously harm the health of women and girls. It can also cause long-term problems with sex, childbirth and mental health.

Effects of FGM

There are no health benefits to FGM and it can cause serious harm, including:

- constant pain
- pain and/or difficulty having sex
- repeated infections, which can lead to infertility
- bleeding, cysts and abscesses
- problems passing urine or incontinence
- depression, flashbacks and self-harm
- problems during labour and childbirth, which can be life-threatening for mother and baby

Some girls die from blood loss or infection as a direct result of the procedure

Why FGM is carried out

FGM is carried out for various cultural, religious and social reasons within families and communities in the mistaken belief that it will benefit the girl in some way (for example, as a preparation for marriage or to preserve her virginity).

However, there are no acceptable reasons that justify FGM. It's a harmful practice that isn't required by any religion and there are no religious texts that say it should be done. There are no health benefits of FGM.

FGM usually happens to girls whose mothers, grandmothers or extended female family members have had FGM themselves or if their father comes from a community where it's carried out.

Where FGM is carried out

Girls are sometimes taken abroad for FGM, but they may not be aware that this is the reason for their travel. Girls are more at risk of FGM being carried out during the summer holidays, as this allows more time for them to "heal" before they return to school

Communities that perform FGM are found in many parts of Africa, the Middle East and Asia. Girls who were born in the UK or are resident here but whose families originate from an FGM practising community are at greater risk of FGM happening to them.

Communities at particular risk of FGM in the UK originate from:

Egypt	Yemen	Eritrea	Sudan
Ethiopia	Somalia	Gambia	Sierra Leone
Guinea	Nigeria	Indonesia	Mali
Ivory Coast	Malaysia	Kenya	Liberia

The law and FGM

FGM is illegal in the UK.

It is an offence to:

- perform FGM (including taking a child abroad for FGM)
- help a girl perform FGM on herself in or outside the UK
- help anyone perform FGM in the UK
- help anyone perform FGM outside the UK on a UK national or resident
- fail to protect a girl for whom you are responsible from FGM

Anyone who performs FGM can face up to 14 years in prison. Anyone found guilty of failing to protect a girl from FGM can face up to seven years in prison.

Female Genital Mutilation Act 2003 (section 74 of the Serious Crime Act 2015) places a statutory duty upon teachers (along with social workers and healthcare professionals) to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18.

Possible signs and indicators of FGM

A girl or woman who's had FGM may:

- have difficulty walking, sitting or standing
- spend longer than normal in the bathroom or toilet
- have unusual behaviour after an absence from school or college
- be particularly reluctant to undergo normal medical examinations
- ask for help, but may not be explicit about the problem due to embarrassment or fear.

Below are some warning signs that MAY indicate a girl is at risk of FGM

- Parents requesting additional periods of leave around school holiday times
- If the girl comes from a country with a high prevalence of FGM
- Mother and siblings have undergone FGM
- Child may indicate that they are going for a special event

Further information can be obtained from:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/512906/Multi_Agency_Statutory_Guidance_on_FGM_-_FINAL.pdf

Youth produced sexual imagery

Under 18's Sending or posting sexually suggestive images, including nude or semi-nude photographs via mobile devices or the internet

Incidents covered by this policy:

- Person under 18 creates a sexual image of themselves and shares it with another person under 18.
- A person under 18s shares an image of another under 18 with another person under 18 or an adult.
- A person under 18 is in possession of sexual imagery created by another person under 18.

Incidents not covered by this guidance:

- Under 18s sharing adult pornography.
- Under 18s sharing sexual texts without sexual imagery.
- Adults sharing sexual imagery of under 18s. (This is child sexual abuse and must always be reported to police.)

The Law

Making, possessing, and distributing any imagery of someone under 18 which is indecent is illegal. This includes imagery of yourself if you're under 18.

Indecent is not definitively defined in law, but images are likely to be considered indecent if they depict:

- a naked young person
- a topless girl
- an image which displays genitals, and
- sex acts including masturbation.
- indecent images may also include overtly sexual images of young people in their underwear

these laws were not created to criminalise young people but to protect them. Although sharing sexual images of themselves is illegal and risky, it is often the result of curiosity and exploration. We believe Young people need education, support, and safeguarding not criminalisation.

National Police Chiefs Council has made clear that incidents of youth produces sexual imagery should be treated primarily as a safeguarding issue. However, the Police may need to be involved in cases to ensure thorough investigation including collection of evidence..

If a young person has shared imagery consensually, such as when in a romantic relationship, or as a joke, and there is no intended malice, it is usually appropriate for the school to manage the incident directly. In contrast any incidents with aggravating factors, for example, a young person sharing someone else's imagery without consent and with malicious intent, should generally be referred to police and/or children's social care.

If you have any doubts about whether to involve other agencies, you should make a referral to the police

Assessing the risks

The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSO Lead should conduct a further review (including an interview with the young people involved) to establish the facts and assess the risks.

- When assessing the risks the following should be considered:
- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?
- Are there any adults involved in the sharing of the imagery?
- What is the impact on the young people involved?
- Do the young people involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before

Informing parents (or carers)

Parents (or carers) should be informed and involved in the process at an early stage unless informing the parent will put the young person at risk of harm. Any decision not to inform the parents would generally be made in conjunction with other services such as children's social care and/or the police, who would take the lead in deciding when the parents should be informed.

DSO Lead may work with the young people involved to decide on the best approach for informing parents. In some cases DSO Lead may work to support the young people to inform their parents themselves.

Searching devices, viewing and deleting imagery

Viewing the imagery

Adults should not view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible, responses to incidents should be based on what the DSO Lead have been told about the content of the imagery.

If a decision is made to view imagery, the DSO Lead would need to be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved)
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report
- is unavoidable because a young person has presented an image directly to a staff member or the imagery has been found on a Early Years Setting device or network

If it is necessary to view the imagery then the Designated Safeguarding Officer (DSO) Lead should:

- Never copy, print or share the imagery; this is illegal
- Discuss the decision with the Nursery Manager/Pre School Leader.
- Ensure viewing is undertaken by the DSO Lead or another member of the safeguarding team with delegated authority from the Nursery Manager/Pre School Leader.
- Ensure viewing takes place with another member of staff present in the room, ideally Nursery Manager/Pre School Leader or a member of the senior leadership team. This staff member does not need to view the images.

- Ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery.
- Record the viewing of the imagery in the Setting safeguarding records including who was present, why the image was viewed and any subsequent actions and ensure the safeguarding recording procedures for the setting are followed

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized the Nursery Manager/Pre School Leader can examine data or files, and delete these, where there is good reason to do so. This power applies to all Early Years Setting and there is no need to have parental consent to search through a young person's mobile phone.

If during a search material that is concerning has been or could be used to cause harm or commit an offence, the material may be retained as evidence of a criminal offence or a breach of setting discipline and using professional judgement, the police may need to be involved.

Peer on Peer abuse - Allegations of abuse made against other children

Early years practitioners should recognise that children are capable of abusing their peers. Owners/Committees should ensure their child protection policy includes procedures to minimise the risk of peer on peer abuse and sets out how allegations of peer on peer abuse will be investigated and dealt with. The policy should reflect the different forms peer on peer abuse can take, make clear that abuse is abuse and should never be tolerated or passed off as “banter” or “part of growing up”. It should be clear as to how victims of peer on peer abuse will be supported.

<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

Peer on peer abuse can manifest itself in many ways. Owners/Committee/Managers/Pre school leaders should ensure sexting and their approach to it is reflected in their child protection policy. The department provides searching screening and confiscation advice for schools. The UK Council for Child Internet Safety (UKCCIS) Education Group has recently published sexting advice for schools and colleges.

<https://www.gov.uk/government/groups/uk-council-for-child-internet-safety-ukccis>

Owners/Committee/Managers/Pre School Leaders should ensure the child protection policy reflects the different gender issues that can be prevalent when dealing with peer on peer abuse. This could, for example, include girls being sexually touched/assaulted or boys being subject to initiation/hazing type violence.

Gang involvement

There are particular risk factors and triggers that young people experience in their lives that can lead to them becoming involved in gangs. Many of these risk factors are similar to involvement in other harmful activities such as youth offending or violent extremism.

Risk indicators may include:

- Becoming withdrawn from family;
- Sudden loss of interest - decline in attendance or academic achievement;
- Starting to use new or unknown slang words;
- Holding unexplained money or possessions;
- Staying out unusually late without reason;
- Sudden change in appearance - dressing in a particular style or 'uniform';
- Dropping out of positive activities;
- New nickname;
- Unexplained physical injuries;
- Graffiti style tags on possessions, school books, walls;
- Constantly talking about another young person who seems to have a lot of influence over them;
- Broken off with old friends and hanging around with a new group;
- Increased use of social networking sites;
- Starting to adopt codes of group behaviour e.g. ways of talking and hand signs;
- Expressing aggressive or intimidating views towards other groups of young people some of whom may have been friends in the past;
- Being scared when entering certain areas;
- Being concerned by the presence of unknown youths in their neighbourhood.

This is not an exhaustive list and should be used as a guide, amended as appropriate in light of local knowledge of the risk factors in a particular area.

Child Sexual Exploitation

The definition of child sexual exploitation is as follows:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Child sexual exploitation - Definition and a guide for practitioners, local leaders and decision makers working to protect children from child sexual exploitation - February 2017

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/591903/CSE_Guidance_Core_Document_13.02.2017.pdf

The key indicators of child sexual exploitation include:

Health

- Physical symptoms (bruising suggestive of either physical or sexual assault);
- Chronic fatigue;
- Recurring or multiple sexually transmitted infections;
- Pregnancy and/or seeking an abortion;
- Evidence of drug, alcohol or other substance misuse;
- Sexually risky behaviour.

Education

- Truancy/disengagement with education or considerable change in performance at school.

Emotional and Behavioural Issues

- Volatile behaviour exhibiting extreme array of mood swings or use of abusive language;
- Involvement in petty crime such as shoplifting, stealing;
- Secretive behaviour;
- Entering or leaving vehicles driven by unknown adults;
- Reports of being seen in places known to be used for sexual exploitation, including public toilets known for cottaging or adult venues (pubs and clubs).

Identity

- Low self-image, low self-esteem, self-harming behaviour, e.g. cutting, overdosing, eating disorder, promiscuity.

Relationships

- Hostility in relationships with staff, family members as appropriate and significant others;
- Physical aggression;
- Placement breakdown;
- Reports from reliable sources (e.g. family, friends or other professionals) suggesting the likelihood of involvement in sexual exploitation;
- Detachment from age-appropriate activities;

- Associating with other young people who are known to be sexually exploited;
- Known to be sexually active;
- Sexual relationship with a significantly older person, or younger person who is suspected of being abusive;
- Unexplained relationships with older adults;
- Possible inappropriate use of the Internet and forming relationships, particularly with adults, via the Internet;
- Phone calls, text messages or letters from unknown adults;
- Adults or older youths loitering outside the home;
- Persistently missing, staying out overnight or returning late with no plausible explanation;
- Returning after having been missing, looking well cared for in spite of having no known home base;
- Missing for long periods, with no known home base;
- Going missing and being found in areas where they have no known links.

Please note: Whilst the focus is often on older men as perpetrators, younger men and women may also be involved and staff should be aware of this possibility.

Social Presentation

- Change in appearance;
- Going out dressed in clothing unusual for them (inappropriate for age, borrowing clothing from older young people).

Family and Environmental Factors

- History of physical, sexual, and/or emotional abuse; neglect; domestic violence; parental difficulties.

Housing

- Pattern of previous street homelessness;
- Having keys to premises other than those known about.

Income

- Possession of large amounts of money with no plausible explanation;
- Acquisition of expensive clothes, mobile phones or other possessions without plausible explanation;
- Accounts of social activities with no plausible explanation of the source of necessary funding.

This list is not exhaustive.

Early years practitioners should be aware that many children and young people who are sexually exploited do not see themselves as victims.

Information Sharing advice for practitioners providing safeguarding services to children, young people, parents and carers July 2018

<https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice>

This HM Government advice is non-statutory, and has been produced to support practitioners in the decisions they take to share information, which reduces risk of harm to children and young people and promotes their well-being.

This guidance does not deal with arrangements for bulk or pre-agreed sharing of personal information between IT systems or organisations other than to explain their role in effective information governance.

This guidance has been updated to reflect the General Data Protection Regulation (GDPR) and Data Protection Act 2018, and it supersedes the HM Government *Information sharing guidance for practitioners and managers* published in March 2015.