



Guidance to writing Safeguarding Children Policy and Procedures for Early Years Providers

- **This information is for guidance only. Pieces of paper do not keep children safe. Robust procedures and practices do keep children safe.**
- **It is the provider's responsibility to ensure that all statutory legal guidance is adhered to. Consideration must be given to any changes in legislation subsequent to this guidance being produced. The content of this document should be used as a prompt to assist your thinking process and not as a step-by-step guide. Additional measures to safeguard children during the Covid-19 pandemic should be in place in line with latest government guidelines:-**
- [Guidance for early years and childcare providers](#)
- [Guidance for holiday or after-school clubs and other out-of-school settings](#)

Children have the right to be protected from harm. As defined in the Children Acts 1989 and 2004, a child is anyone who has not yet reached their 18th birthday.

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families/carers has a role to play. In order to fulfil this responsibility effectively, all providers should make sure their approach is child centred. This means that they should consider, at all times, what is in the best interests of the child.

When writing a safeguarding policy, refer to following guidance

<https://www.safeguardingchildren.co.uk/wp-content/uploads/2019/09/Writing-a-Safeguarding-Policy-v1.3-2019-11-11.pdf>

A safeguarding policy makes it clear what your provision will do to keep children safe and it is generally good practice to publish your safeguarding policy. It should set out:-

- your commitment to protecting children
- the policies and procedures you will put in place to keep children safe and respond to child protection concerns.

Further information is available on the NYSCP website at:-

<https://www.safeguardingchildren.co.uk/professionals/nyscp-procedures/>

Things to consider:-

- What are the potential risks to children? Who may be a potential risk? What situations may arise that increase risk?
- How do you ensure that staff or volunteers working with children are suitable to do so? Link to Managing Allegations Against Those Who Work or Volunteer

with Children [https://www.safeguardingchildren.co.uk/wp-](https://www.safeguardingchildren.co.uk/wp-content/uploads/2020/09/Allegations-Procedures-2020-September-2020-Update.pdf)

[content/uploads/2020/09/Allegations-Procedures-2020-September-2020-Update.pdf](https://www.safeguardingchildren.co.uk/wp-content/uploads/2020/09/Allegations-Procedures-2020-September-2020-Update.pdf)

- What are the different ways someone might raise a concern about a child's wellbeing?
- How do you respond to concerns or allegations of harm that happens in your provision?
- Does the safeguarding policy link with more detailed child protection procedures and Vulnerability Checklist?
- How do you ensure everyone is aware of how to spot and respond to child protection concerns?
- How do you ensure parents and carers are fully informed about your safeguarding arrangements including what information is communicated to parents?

Key safeguarding documents:-

- Statutory framework for the early years foundation stage – setting the standards for learning, development and care for children from birth to five (March 2017). Section 3 – The safeguarding and welfare requirements
- Working Together to Safeguard Children 2018;
- What To Do If You Are Worried A Child Is Being Abused – Advice for Practitioners 2015
- Inspecting safeguarding in early years, education and skills settings September 2019
- The Education Inspection Framework (EIF) 2019
- Early Years Inspection Handbook for Ofsted Registered Provision May 2019
- Guidance for safer working practice for those working with children and young people in education settings May 2019
- Keeping Children Safe in Education 2020
- Prevent Duty guidance for England and Wales 2015
- North Yorkshire Safeguarding Children Partnership (NYSCP) Child Protection and Practice Guidance
- Vulnerability Checklist

North Yorkshire Safeguarding Children Partnership (NYSCP)

The North Yorkshire Safeguarding Children Partnership (NYSCP) consists of three statutory safeguarding partners - North Yorkshire County Council (NYCC), Health and Police.

NYSCP Practice Guidance – Providers need to have a working knowledge of documents and to refer to relevant sections as needed.

<https://www.safeguardingchildren.co.uk/professionals/practice-guidance/>

All staff must be aware of NYCC's Early Help strategy and how to complete an Early Help Assessment Form. <https://www.safeguardingchildren.co.uk/professionals/early-help/>

Roles and Responsibilities

It is the overall responsibility of the registered provider to ensure that all necessary measures are in place to safeguard children. Refer to Section 3 – The safeguarding and welfare requirements of the EYFS. The policy should:-

Set out how the safeguarding arrangements will be monitored including completion of the NYCC Safeguarding Audit Tools.

State how NYSCP procedures are followed and how staff are equipped to fulfil their safeguarding duties including child protection and Prevent Duty training.

State the training all staff need to undertake in order to fulfil their duties and how and when this is updated. For safeguarding training access

<https://www.safeguardingchildren.co.uk/training-north-yorkshire/training-courses/>

State how the registered provider ensures safer recruitment measures are in place including completion of Safer Recruitment training and ensuring that people are suitable to look after children (EYFS 3.9 – 3.11, 3.19, 3.20 – 3.26).

State what arrangements are in place if there is an allegation made against a person working or volunteering with children and procedures to follow.

State how a comprehensive induction ensures all staff are confident in their duties including safeguarding children.

State how measures are in place regarding safe use of equipment and internet services provided by the setting, the safe use of internet-enabled personal devices and refer to acceptable use policy and online safety guidance.

State how appropriate General Data Protection Regulations (GDPR) is in place.

Ensure that staff supervisions and appraisals include opportunities to discuss welfare concerns and any professional development needs required to fulfil safeguarding responsibilities.

Ensure that the registered provider notifies Ofsted, or childminder agency (CMA), of any allegations of serious harm or abuse in accordance with EYFS 3.8.

Ensure that the registered provider notifies Ofsted or CMA of any incidents in accordance with EYFS 3.51 (and during the Coronavirus pandemic of any positive cases in the setting).

Ensure that the registered provider notifies Ofsted or CMA of any changes in accordance with EYFS 3.77.

Ensure that the registered provider makes information available to parents and/or carers in accordance with EYFS 3.73. Includes details of the provider's policies and procedures relating to procedures to be followed in the event of a parent and/or carer failing to collect a child at the appointed time, or in the event of a child going missing at, or away from, the setting.

Designated Safeguarding Lead (DSL)

The registered provider must ensure there is a named Designated Safeguarding Lead (DSL) who takes lead responsibility for safeguarding children and child protection (EYFS, 3.5) and preferably that there is a named Deputy Designated Safeguarding Lead (DDSL) in their absence.

The DSL must have the appropriate training, resources and support to be able to fulfil their duties (EYFS, 3.6).

Providers, including the DSL, must provide support, advice and guidance training to all staff to understand the safeguarding policy and procedures and ensure all staff have up to date knowledge of safeguarding issues (EYFS, 3.5 and 3.6).

The DSL must take responsibility for liaison with local statutory children's services agencies, the LSCB and take part in inter agency meetings (EYFS, 3.5).

The DSL should have the knowledge and understanding to keep children who are Looked After and/or previously Looked After children safe.

Policy Statement

The policy statement should set out your provision's beliefs about the importance of child protection.

It should include:-

- How staff and volunteers should respond to concerns about a child's wellbeing
- How your provision's policy and procedures are in line with NYSCP's guidance and procedures
- How your provision will respond to allegations of abuse made against a child by an adult
- How your provision will respond to allegations of abuse made against a child by another child
- How your provision will respond to allegations of abuse made about an adult who works or volunteers in the provision (EYFS 3.8)
- How you follow safer recruitment procedures
- How you ensure there are enough adults to supervise children appropriately
- How staff recognise the additional needs of children from minority ethnic groups, children with special educational needs and/or disabilities (SEND) and the barriers they may face especially around communication
- How your provision ensures photographs and images of children are taken, stored and shared appropriately including social media sites
- How mobile phones, cameras and other IT equipment is used in the setting. Refer to Social Media One Minute Guide available at:-
<https://www.safeguardingchildren.co.uk/wp-content/uploads/2020/06/Social-Media-OMG-2020-06-16-1.pdf>
- A code of conduct for all staff and volunteers
- A statement about equality and a commitment to anti-discriminatory practice

- A statement about Prevent Duty and how staff undertake Prevent Awareness training. Include how staff protect children from the risk of radicalisation.
- A statement about how staff refresh their knowledge and skills and how staff keep up to date with developments relevant to their role.
- A statement about relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the General Data Protection Regulations (GDPR)
- A statement about keeping detailed, accurate, secure written records of concerns and referrals
- A statement about how records will be shared with parents and relevant professionals
- A statement about the safe storage of child protection records
- A statement regarding online safety and how staff provide advice to children about keeping safe online as well as an expectation of how staff and volunteers behave online
- A statement about how staff will be supported if a child makes a disclosure
- A statement about how your provision's safeguarding policy is made available to parents and staff
- A whistleblowing statement and procedure

Procedure

- All staff should receive appropriate child protection and safeguarding training which is regularly updated
- All staff should know what to do if a child tells them they are being abused or neglected and know how to manage the situation. Staff should never promise a child that they will not tell anyone about a report of abuse.
- All staff should be aware of the process for making referrals to child's social care and for statutory assessments under the Children Act 1989 section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) along with the role they might be expected to play after making a referral
- All staff should be aware of the signs of abuse, neglect and radicalisation so that they are able to identify cases of children who may be in need of help or protection including possible cases of female genital mutilation
- All staff should maintain an attitude of professional curiosity i.e. "it could happen here", "it could happen to this child" where safeguarding is concerned. Staff should always act in the best interests of the child.
- All staff should know who their DSL and DDSL is and how to report concerns
- All staff should know how to report concerns if they feel the DSL or DDSL is not taking the concern seriously or not taking appropriate action
- All staff should know the procedure when there are concerns about another member of staff
- All staff should know the procedure when there are concerns about the Manager, DSL, DDSL or owner

- All staff should know the procedure about raising concerns about poor or unsafe practices
- All staff must know when and how to contact the duty Local Authority Designated Officer (LADO).
- All staff must know that concerns must be referred to the LADO within one working day.
- All staff should know when and how to contact Ofsted
<https://www.gov.uk/guidance/childcare-reporting-childrens-accidents-and-injuries>
- All staff should know whistleblowing procedures.

Indicators of Abuse and Neglect

All staff should be aware of indicators of abuse and neglect and be able to identify cases of children who may need help or protection from (KCSIE 2020 19:26):-

- Physical Abuse
- Emotional Abuse
- Sexual Abuse
- Neglect

Safeguarding issues

Safeguarding issues that can put children at risk of harm (KCSIE 2020 27:38):-

- Child Sexual Exploitation (CSE)
- Child Criminal Exploitation (CCE)
- Peer on peer abuse
- Serious violence
- Female Genital Mutilation (FGM)
- Mental health

It is not the responsibility of the staff to investigate or determine the truth of any disclosure or allegation of abuse or neglect. All staff have a duty to recognise concerns and maintain an open mind. All concerns indicating possible abuse or neglect should be recorded and discussed with the DSL prior to any discussion with parents.

Staff must immediately report:-

- Any suspicion that a child is injured, marked or bruised in a way which is not readily attributable to the normal knocks or scrapes received in play
- Any explanation given which appears inconsistent or suspicious
- Any behaviours which give rise to suspicions that a child may have suffered harm (e.g. significant changes in behaviour, worrying drawings or play)
- Any concerns that a child may be suffering from inadequate care, ill treatment or emotional maltreatment
- Any concerns that a child is presenting signs or symptoms of abuse or neglect

- Any significant changes in a child's presentation, including non-attendance due to periods of illness including possible incidences of fabricated illness
- Any hint or disclosure of abuse or neglect received from the child, or from any other person, including disclosures of abuse or neglect perpetrated by adults out of the family or by other children or young people.
- Any concerns regarding person(s) who may pose a risk to children including inappropriate behaviour e.g. inappropriate sexual comments, excessive one to one attention or inappropriate sharing of images.
- Any concerns relating to peer abuse.
- Any concerns relating to youth produced sexual imagery (sexting)
- Any concerns relating to a child's (or family's) engagement with extremist groups or ideologies.
- Children at risk of being victims of modern slavery, child exploitation and child trafficking.

Procedures for dealing with suspected abuse and disclosures

Staff will not investigate but will, where possible, elicit enough information to pass on to the DSL. Staff will:-

- Listen and take seriously any disclosure or information that a child may be at risk of harm
- Try to ensure that the child does not have to speak to another member of staff
- Clarify the information
- Try to keep questions to a minimum and of an open nature e.g. "Can you tell me what happened?"
- Not ask leading questions
- Try not to show signs of shock, horror or surprise
- Not express feelings or judgements regarding any person alleged to have harmed the child
- Explain sensitively that they have a responsibility to refer the information to the DSL
- Reassure and support the child
- Explain that only those who "need to know" will be told
- Explain what will happen next and that they will be involved and informed of what action will be taken
- Not promise to keep secrets

The DSL will:-

- Inform the Police on 999 if they believe there is immediate risk of significant harm to a child
- Complete a Partnership Information Sharing Form
<https://www.safeguardingchildren.co.uk/professionals/forms-for-professionals/>
- Contact North Yorkshire's Multi Agency Screening Team (MAST) on 01609 780780 if there is an urgent safeguarding concern
- Consider any urgent medical needs of the child

- Contact MAST on 01609 78080 to establish if the child is or has been the subject of a Child Protection Plan
- Consult with Early Help within Children and Families Service and where necessary contact MAST on 01609 780780 (24 hours)
- Contact Ofsted where necessary on 0300 123 1231
- Consider the child's wishes, fears or concerns
- Ensure that the child is safeguarded and protected.

<https://www.safeguardingchildren.co.uk/about-us/worried-about-a-child/>

The DSL will then decide:-

- Wherever possible, to talk to parents, unless by doing so it places a child at risk of significant harm
- Whether to make a referral to Children and Families Service because a child is suffering or is likely to suffer significant harm
- Not to make a referral at this stage and undertake further monitoring
- Complete a Universal Referral Form.

The following forms are available on the NYSCP website :-

<https://www.safeguardingchildren.co.uk/professionals/forms-for-professionals/>

1. Managing Allegations Against Those Who Work or Volunteer With Children Form (LADO Referral Form)
2. Universal Referral Form
3. National Referral Mechanism (NRM) Form
4. Notify NYSCP of Child Death
5. Partnership Information Sharing Form
6. Reports for initial and review Child Protection Conference
7. Early Help Assessment

Consent

Providers need to ensure that parents are fully informed about their record keeping procedures i.e. what information the provider will collect and who it will be shared with.

It is good practice that agencies work in partnership with parents/carers and they are informed of your concerns with consent obtained for referrals. Consent is required for referrals to the Early Help service.

Consent is not required should you believe informing the parents/carers would place a child at significant risk of harm.

In cases of suspected Child Sexual Abuse in the family and Fabricated or Induced Illness it is best practice NOT to inform the family of the referral.

All information and actions taken, including the reasons for any decisions made, should be fully documented.

Managing Allegations Against Those who Work or Volunteer with Children

The policy must include an explanation of the action to be taken in the event of an allegation being made against a member of staff or against anyone who works or volunteers with children (EYFS, 3.4).

If a person is removed from regulated activity with children a disclosure needs to be made to the Disclosure and Barring Services. Unless it is an instant dismissal the DBS disclosure should be when it is agreed to remove the person from regulated activity or would have done so had the person not resigned prior to the completion of any disciplinary processes.

The policy must state that the Designated Local Authority Designated Officer (LADO) should be contacted directly and a written referral made within one working day. Refer to the Managing Allegations Against Staff Practice Guidance and One Minute Guide on the NYSCP website www.safeguardingchildren.co.uk. The referral form available at: <https://www.safeguardingchildren.co.uk/professionals/forms-for-professionals/>

The policy must state that providers must inform Ofsted or CMA of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere).

The policy must state that the registered provider must also notify Ofsted or CMA of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made.

Whistleblowing

Each provider should have their own Whistleblowing Policy. Refer to Whistleblowing guidance on the NYSCP website for guidance <https://www.safeguardingchildren.co.uk/professionals/practice-guidance/>

The policy should detail how staff can raise a concern about poor or unsafe practices in the provision's safeguarding regime i.e. whistleblow. This can be through Ofsted or NSPCC:-

Ofsted Whistleblowing Hotline: 0300 123 3155

Email: whistleblowing@ofsted.gov.uk

Write: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

NSPCC Whistleblowing Helpline: 0800 028 0285

Email: help@nspcc.org.uk

Welfare Files

It is recommended that providers maintain and monitor records in relation to individual children who are known to Children and Families Service (Early Help and Children Social Care), who are Looked After, or have been previously Looked After, about any for whom there are any welfare concerns and for children with SEND.

This information should be kept in a welfare file separate to the child's learning journey file and separate to the provider's main file.

It is the responsibility of the DSL or Manager to maintain each welfare file. They should maintain a register of all children for whom a welfare file is being kept, the reason for maintaining the file and whether parental consent has been gained for maintaining the file.

Welfare files should only contain collated up to date and relevant information including:-

- Whether there is a separate child protection file
- Relevant assessments from Children and Families Service
- Relevant documents relating to children with SEND
- Minutes and notes from meetings/contact with parents including 'phone calls, texts or emails
- Minutes and notes from meetings with professionals
- Documents relating to any welfare concerns that have been raised.

Welfare files should be shared with relevant professionals after appropriate permission is in place. Providers should share with parents any concerns unless doing so places a child at risk of significant harm.

All sensitive and child protection records must be held securely, kept confidential and only accessible to those who need to know.

When sharing confidential information about a member of staff or child, providers must have regard to the data protection principles which allows them to share personal information as provided for in the Data Protection Act 2018, the GDPR and the Freedom of Information Act 2000.

Keeping Children Safe in Education (2020 82 – 88) refers to Information Sharing and states (2020:84 &85) **The Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children. This includes allowing practitioners to share information without consent where there is good reason to do so."**

When a child leaves the provision, their welfare/child protection file(s) should be transferred to the ongoing provider. These should be transferred separately from the child's learning journey file. Written acknowledgement of safe receipt of these files must be provided by the ongoing provider and retained by the outgoing provider.

When the provider retains a child's welfare/child protection file(s), these should be stored securely in line with the provider's data storage arrangements for the appropriate length of time.

If a provider closes or resigns, the welfare files should be stored in line with the provider's data storage arrangements for the appropriate length of time.

Current Contact Details (as at October 2020)

It is important that your policy only has up to date contact details in. These should be checked regularly. All current and up to date contact details can be found on the NYSCP website <https://www.safeguardingchildren.co.uk/professionals/early-help/>

NYCC Early Help Hubs

Early Help East

Scarborough, Whitby, Ryedale 01609 534852
EarlyHelpEast@northyorks.gov.uk

Early Help West

Harrogate, Craven, Knaresborough, Ripon 01609 534842
EarlyHelpWest@northyorks.gov.uk

Early Help Central

Hambleton, Richmondshire, Selby 01609 534829
EarlyHelpCentral@northyorks.gov.uk

NYCC Customer Service Centre (MAST) 01609 780780

North Yorkshire Police 101
(Ask for your area Serious Crime Team)

Local Authority Designated Officers for Managing Allegations (LADO)

Duty LADO (consultations, new referrals and urgent matters) 01609 533080

OFSTED 0300 123 1231

To inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children at the premises (where the allegations relate to harm or abuse committed on the premises or elsewhere)

<https://www.gov.uk/guidance/report-a-serious-childcare-incident>

Notification to Ofsted of Early Years Provision Incident Form available at:

https://ofstedonline.ofsted.gov.uk/ofsted/Ofsted_Early_Years_Notification.ofm1

Whistleblowing

Ofsted Whistleblowing Hotline 0300 123 3155
Email: whistleblowing@ofsted.gov.uk

Write: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD

NSPCC Whistleblowing Helpline 0800 028 0285
Email: help@nspcc.org.uk

The policy should be reviewed:

- Following any occasion when any part of the procedure has been implemented

- Whenever changes to legislation are produced
- At least annually
- The policy and procedure needs to be signed by the registered person, include reviewed date and next review due date
- If any changes are made to the policy when reviewed, the staff and parents must be informed.

Links to other organisational policies & procedures:

- Whistle blowing
- Staff training and development
- Staff supervision and appraisal
- Grievance
- Disciplinary
- Recording of Information
- Illness, injury and accident
- Inclusion
- Health and safety
- Emergency evacuation and lockdown procedures
- The reproduction of images of children
- Safe use of internet and social media
- Behaviour (including any potential use of physical intervention)
- Parents as partners
- Security and supervision of children and adults
- Recruitment
- Data Protection including GDPR
- Privacy Notice
- Safe handling and storage of records
- Medical procedures and medical interventions
- Safeguarding children during the Coronavirus pandemic
- Vulnerability Checklist