# Sunflower Montessori Kindergarten



Safeguarding and Child Protection Policy	
This policy was approved and adopted by the management of Sunflower Montessori Kindergarten.	
Date of adoption:	April 2024
Review date:	September 2024
Name of signatory:	Clare Scott
Role of signatory:	Owner
Sign:	Rott

Owners	Clare Scott Darelle Russell
Nursery Manager	Keshere Russell

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#### 1.0 Overview

All staff are responsible for safeguarding and promoting the welfare of children.

- 1.0 Safeguarding and promoting the welfare of children, for the sake of this policy is defined as:
  - Protecting children from maltreatment
  - Preventing the impairment of children's health or development
  - Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care.
  - Taking action to enable all children to have the best outcomes
- 1.1 The purpose of this document is to assist all staff:
  - to safeguard and protect children who are at risk of abuse or neglect
  - to promote the well-being of all children.
- 1.2 Sunflower Montessori Kindergarten is committed to safeguarding children, and we expect everyone who works in our nursery to share this commitment. Adults in our nursery take all welfare concerns seriously. Ultimately, all systems, processes and policies in our school operate with the best interests of the child at their heart. Sunflower Montessori Kindergarten must be a safe place for all children attending.
- 1.3 This policy should be read in conjunction with:
  - Working Together to Safeguard Children 2023
  - Keeping children safe in education 2024
- 1.4 We support the children within our care, protect them from maltreatment and have robust procedures in place to prevent the impairment of children's health and development. Safeguarding is a much wider subject than the elements covered within this single child protection policy, therefore this document should be used in conjunction with the other nursery policies and procedures.
- 1.5 Our nursery will work with children, parents, external agencies and the community to ensure the welfare and safety of children and to give them the very best start in life. Children have the right to be treated with respect and to be safe from any abuse in whatever form.
  - 1.5.1 To this end we will:
    - create an environment to encourage children to develop a positive self-image;
    - encourage children to develop a sense of independence and autonomy in a way that is appropriate to their age and stage of development;
    - provide a safe and secure environment for all children;
    - always listen to children;
    - introduce key elements of keeping children safe into our programme to promote the personal, social and emotional development of all children, so that they may grow to be strong, resilient and listened to and that they develop an understanding of why and how to keep safe;
    - create within the setting a culture of value and respect for individuals, having positive regard for children's heritage arising from their colour, ethnicity, languages spoken at home, cultural and social background.

1.6 Sunflower Montessori Kindergarten has a clear commitment to protecting children and promoting welfare. Should anyone believe that this policy is not being upheld, it is their duty to report the matter to the attention of the designated safeguarding officer (Keshere Russell (Manager) or Clare Scott (Owner).



### 2.0 Legal Framework

This policy is supported by the key principles of the Children's Act, 1989 that the child's welfare is paramount. Another key document is Working Together, 2018, highlighting that every assessment of a child, 'must be informed by the views of the child'. (Working Together, 2018:21) This is echoed by Keeping Children Safe in Education, 2023 through ensuring procedures are in place in schools and settings to hear the voice of the child.

- 2.1 The Children Act 1989 defines a child as being up to the age of 18 years; it also defines significant harm and the roles and responsibilities of Children's Social Care and the Police.
- 2.2 Legislation related to safeguarding in schools:
  - Keeping Children Safe in Education (2024)

### 2.3 Education

- 2.3.1 Primary Legislation
  - Children Act (1989 s47)
    https://www.legislation.gov.uk/ukpga/1989/41/section/47
  - Protection of Children Act 1999 <a href="https://www.legislation.gov.uk/ukpga/1999/14">https://www.legislation.gov.uk/ukpga/1999/14</a>
  - The Data Protection Act 2018 https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted
  - The Children Act 2004 <a href="https://www.legislation.gov.uk/ukpga/2004/31/contents">https://www.legislation.gov.uk/ukpga/2004/31/contents</a>
  - Safeguarding Vulnerable Groups Act (2006)
    <a href="https://www.legislation.gov.uk/ukpga/2006/47/contents">https://www.legislation.gov.uk/ukpga/2006/47/contents</a>

# 2.3.2 Secondary Legislation

- Sexual Offences Act 2003
  https://www.legislation.gov.uk/uksi/2012/1883/contents/made
- Criminal Justice and Court Services Act 2000 https://www.legislation.gov.uk/ukpga/2000/43/contents
- Equality Act 2010 <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a>
- The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 <a href="https://www.legislation.gov.uk/uksi/2018/794/contents">https://www.legislation.gov.uk/uksi/2018/794/contents</a>
- Children and Families Act 2014
  https://www.legislation.gov.uk/ukpga/2014/6/contents
- Care Act 2014 https://www.legislation.gov.uk/ukpga/2014/23/contents
- Serious Crime Act 2015 <a href="https://www.legislation.gov.uk/ukpga/2015/9/contents">https://www.legislation.gov.uk/ukpga/2015/9/contents</a>
- Counter-Terrorism and Security Act 2015
  https://www.legislation.gov.uk/ukpga/2015/6/contents



# 2.3.3 Other statutory and guidance documents

- Working Together to Safeguard Children 2023
- https://assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/
  Working together to safeguard children 2023 statutory guidance.pdf
- What to do if you are Worried a Child is Being Abused 2015
   <a href="https://assets.publishing.service.gov.uk/media/5a80597640f0b62302692fa1/">https://assets.publishing.service.gov.uk/media/5a80597640f0b62302692fa1/</a>
  What to do if you re worried a child is being abused.pdf
- Hidden Harm Responding to the Needs of Children of Problem Drug Users (ACMD, 2003)
   <a href="https://assets.publishing.service.gov.uk/media/5a756e6be5274a3edd9a4dcb/hidden-harm-full.pdf">https://assets.publishing.service.gov.uk/media/5a756e6be5274a3edd9a4dcb/hidden-harm-full.pdf</a>
- Information Sharing Advice for practitioners providing safeguarding services for children, young people, parents and carers (2024)
  <a href="https://assets.publishing.service.gov.uk/media/66320b06c084007696fca731/l">https://assets.publishing.service.gov.uk/media/66320b06c084007696fca731/l</a>
  nfo sharing advice content May 2024.pdf
- Disclosure and Barring Service: https://www.gov.uk/government/organisations/disclosure-and-barring-service
- Prevent duty guidance: Guidance for specified authorities in England and Wales (2023)
  <a href="https://assets.publishing.service.gov.uk/media/65e5a5bd3f69457ff1035fe2/14">https://assets.publishing.service.gov.uk/media/65e5a5bd3f69457ff1035fe2/14</a>
  .258 HO Prevent+Duty+Guidance v5d Final Web 1 .pdf
- Education inspection framework 2023
  https://www.gov.uk/government/publications/education-inspection-framework/education-inspection-framework-for-september-2023
- Working Together to Safeguard Children 2023
   <a href="https://assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/">https://assets.publishing.service.gov.uk/media/65cb4349a7ded0000c79e4e1/</a>
  Working together to safeguard children 2023 statutory guidance.pdf
- Keeping children safe in education 2023
  <a href="https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/K">https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/K</a>
  <a href="mailto:eeeping">eeping children safe in education 2023.pdf</a>
- Early years foundation stage statutory framework (2023)
  https://assets.publishing.service.gov.uk/media/65aa5e42ed27ca001327b2c7/
  EYFS statutory framework for group and school based providers.pdf

#### 2.0 Types of Abuse and Definitions

All staff should be aware of indicators of abuse and neglect, understanding that children can be at risk of harm inside and outside of the school, inside and outside of home.

Exercising professional curiosity and knowing what to look for is vital for the early identification of abuse and neglect so that staff are able to identify cases of children who may be in need of help or protection.

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

These definitions are from 'Working Together to Safeguard Children' (2023) and 'Keeping Children Safe in Education' (2023):

**Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by harming them, or by failing to act to prevent harm. Children may be abused within a family, institution, or community setting by those known to them or a stranger. This could be an adult or adults, another child or children.

- 2.1 **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 2.2 Fabricated illness: This is also a type of physical abuse. This is where a child is presented with an illness that is fabricated by the parent/carer. The parent/carer may seek out unnecessary medical treatment or investigation. The signs may include a parent/carer exaggerating a real illness or symptoms, complete fabrication of symptoms or inducing physical illness e.g. through poisoning, starvation, inappropriate diet. This may also be presented through false allegations of abuse or encouraging the child to appear disabled or ill to obtain unnecessary treatment or specialist support.
- 2.3 **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.
- 2.4 Emotional abuse: the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including online 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 of a child, although it may occur alone.
- 2.5 Neglect: 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 mental or physical health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing 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 caregivers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.
- 2.6 **Domestic abuse:** can encompass a wide range of behaviours and may be a single incident or a pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional. Children can be victims of domestic abuse. They may see, hear, or experience the effects of abuse at home. All of which can have a detrimental and long-term impact on their health, well-being, development, and ability to learn (KCSIE).

### 3.0 Safeguarding concerns:

3.1 **Physical abuse:** Action must be taken if a member of staff has reason to believe that there has been a physical injury to a child, including deliberate poisoning; where there is definite

knowledge, or reasonable suspicion that the injury was inflicted or knowingly not prevented. These symptoms may include bruising or injuries in an area that is not usual for a child, e.g. fleshy parts of the arms and legs, back, wrists, ankles and face. Many children will have cuts and grazes from normal childhood injuries – these should also be logged and discussed with the nursery manager. Children and babies may be abused physically through shaking or throwing. Other injuries may include burns or scalds. These are not usual childhood injuries and should always be logged and discussed with the nursery manager.

- 3.2 Sexual Abuse: Action must be taken if the staff member has witnessed occasion(s) where a child indicated sexual activity through words, play, drawing, had an excessive pre-occupation with sexual matters, or had an inappropriate knowledge of adult sexual behaviour or language. This may include acting out sexual activity on dolls/toys or in the role play area with their peers, drawing pictures that are inappropriate for a child, talking about sexual activities or using sexual language or words. The child may become worried when their clothes are removed, e.g. for nappy changes. The physical symptoms may include genital trauma, discharge, and bruises between the legs or signs of a sexually transmitted disease (STD). Emotional symptoms could include a distinct change in a child's behaviour. They may be withdrawn or overly extroverted and outgoing. They may withdraw away from a particular adult and become distressed if they reach out for them, but they may also be particularly clingy to a potential abuser so all symptoms and signs should be looked at together and assessed as a whole by the designated safeguarding lead.
- 3.3 Emotional abuse: Action must be taken if the staff member has reason to believe that there is a severe, adverse effect on the behaviour and emotional development of a child, caused by persistent or severe ill treatment or rejection. This may include extremes of discipline where a child is shouted at or put down on a consistent basis, lack of emotional attachment by a parent, or it may include parents or carers placing inappropriate age or developmental expectations upon them. Emotional abuse may also be imposed through the child witnessing domestic abuse and alcohol and drug misuse by adults caring for them. The child is likely to show extremes of emotion with this type of abuse. This may include shying away from an adult who is abusing them, becoming withdrawn, aggressive or clingy in order to receive their love and attention. This type of abuse is harder to identify as the child is not likely to show any physical signs.
- 3.4 Neglect: Action must be taken if the staff member has reason to believe that there has been persistent or severe neglect of a child (for example, by exposure to any kind of danger, including cold and starvation and failure to seek medical treatment when required on behalf of the child), which results in serious impairment of the child's health or development, including failure to thrive. Signs may include a child persistently arriving at nursery unwashed or unkempt, wearing clothes that are too small (especially shoes that may restrict the child's growth or hurt them), arriving at nursery in the same nappy they went home in or a child having an illness that is not being addressed by the parent. A child may also be persistently hungry if a parent is withholding food or not providing enough for a child's needs. Neglect may also be shown through emotional signs, e.g. a child may not be receiving the attention they need at home and may crave love and support at nursery. They may be clingy and emotional. In addition, neglect may occur through pregnancy as a result of maternal substance abuse.

#### 4.0 Reporting procedure – what to do

4.1 In the first instance of any concerns, staff should address the matter with the nursery manager (Keshere Russell) or owner (Clare Scott) as a matter of urgency.

4.2 In the event that either of the above named people cannot be contacted staff must follow the procedures outlined below:



- 4.2.1 Call MASH team first. Referrals will be triaged. If Child Protection concern, this will be passed immediately to the Assessment Team and a social worker will be allocated.
  - 4.2.1.1 Where a child is at immediate risk of significant harm, please call the Children & Families Hub on 0345 603 7627 and ask for the 'Priority Line', or call the Police on 999.
  - 4.2.1.2 During out of hours (Monday to Thursday 5pm to 9am, Friday and Bank Holidays 4:30pm to 9am), please call: 0345 606 1212 or email: Emergency.DutyTeamOutOfHours@essex.gov.uk
  - 4.2.1.3 LADO: Duty, Tel: 03330 139 797, Email: childrens.safeguarding@essex.gov.uk
- 4.2.2 With regard to any form of abuse, if we consider a child is at immediate risk of harm, we will contact the police on 999.
- 4.3 Please see Appendix A at the bottom of this document for further information regarding key contacts.
- 4.4 Recording suspicions of abuse and disclosures
  - 4.4.1 Staff will make an objective record (supported by the nursery manager) of any observation or disclosure and include:
    - Child's name
    - Child's address
    - Age of the child and date of birth
    - Date and time of the observation or the disclosure
    - Exact words spoken by the child
    - Exact position and type of injuries or marks seen
    - Exact observation of an incident including any other witnesses
    - Name of the person to whom the concern was reported, with date and time; and the names of any other person present at the time.
  - 4.4.2 These records should be signed by the person reporting this and the nursery manager/owner, dated and kept in a separate confidential file.
  - 4.4.3 If a child starts to talk to an adult about potential abuse it is important not to promise the child complete confidentiality. This promise cannot be kept. It is vital that the child is allowed to talk openly and disclosure is not forced or words put into the child's mouth. As soon as possible after the disclosure it is vital details are logged down accurately.
  - 4.4.4 It may be necessary that through discussion with all concerned, the matter needs to be raised with the Local Authority/OFSTED. Staff involved may be asked to supply details of any information/concerns they have with regard to a child. The nursery expects all members of staff to co-operate with the relevant authorities in any way necessary to ensure the safety of the children.
  - 4.4.5 Staff must not make any comments either publicly or in private about a parent's or staff's supposed or actual behaviour.

## 5.0 Staffing and volunteers



- 5.1 It is the policy of the nursery to provide a secure and safe environment for all children. The nursery will therefore not allow an adult to be left alone with a child who has not received their enhanced DBS disclosure clearance.
- 5.2 The layout of the rooms allows for constant supervision. No child is left alone with staff or volunteers in a one-to-one situation without being visible to others.
- 5.3 All staff will attend child protection training within their first six months of employment, and receive initial basic training during their induction period. This will include the procedures for spotting signs and behaviours of abuse and abusers, recording and reporting concerns and creating a safe and secure environment for the children in the nursery. We ensure that all staff are aware of the procedures for reporting and recording any concerns they may have about the provision.
- 5.4 We have named person(s) within the nursery that co-ordinate child protection and welfare issues. These persons undertake specific training and access regular updates to developments within this field.
- 5.5 If named person receives an allegation they will:
  - Treat it seriously and keep an open mind;
  - Do not make assumptions or offer alternative explanations;
  - Do not promise confidentiality;
  - Record the details using the child/adult's own words;
  - Note time/date/place of incident(s), persons present and what was said;
  - Sign and date the written record;
  - Do not tell the member of staff/volunteer if this might place the child at risk of significant harm or jeopardise any future investigation;
  - Refer to relevant policies.
- 5.6 Confidentiality: All suspicions and investigations are kept confidential and shared only with those who need to know.
- 5.7 We also report any such alleged incident to OFSTED and what measures we have taken. We are aware that it is an offence not to do so.
- 5.8 We co-operate entirely with any investigation carried out by children's social care in conjunction with the police.
- 5.9 Where the management and children's social care agree it is appropriate in the circumstances, the owner will suspend the member of staff on full pay, or the volunteer, for the duration of the investigation. This is not an indication of admission that the alleged incident has taken place but is to protect the staff as well as children and families throughout the process. For more information please see section 7.
- 5.10 Disciplinary action
  - 5.10.1 Where a member of staff or volunteer has been dismissed due to engaging in activities that caused concern for the safeguarding of children, we will notify the Disclosure and Barring Service (DBS) of relevant information so that individuals who pose a threat to children (and vulnerable groups), can be identified and barred from working with these groups.



# 6.0 Support to families (including following an investigation)

We believe in building trusting and supportive relationships with families, staff and volunteers in the group.

- 6.1 We make clear to parents our role and responsibilities in relation to child protection, such as for the reporting of concerns, information sharing, monitoring of the child, and liaising at all times with the local children's social care team.
- 6.2 We will continue to welcome the child and the family whilst investigations are being made in relation to any alleged abuse.
- 6.3 We follow the Child Protection Plan as set by the child's social care worker in relation to the setting's designated role and tasks in supporting that child and their family, subsequent to any investigation.
- 6.4 Confidential records kept on a child are shared with the child's parents or those who have parental responsibility for the child.

### 7.0 Allegations against staff or volunteers

Whistleblowing - All staff must be aware of their duty to raise concerns, where they exist, about the attitude or actions of colleagues.

- 7.1 At Sunflower Montessori Kindergarten we recognise the possibility that adults working in the school may harm children. Any concerns about the conduct of adults in the school should be taken to the owner (Clare Scott) without delay or where that is not possible, to the Local Authority Designated Officer (LADO); any concerns about the owner should go to the Chair of Governors and the LADO
- 7.2 We understand that a child or 3rd party may make an allegation against a member of staff.
- 7.3 We understand that an allegation is wider than just those where it is considered that there is reasonable cause to believe that a child has suffered or is at risk of suffering significant harm. Some allegations may indicate that a staff member is unsuitable to work with children.
- 7.4 We will be guided by Working Together to Safeguard Children 2023 which defines an allegation as when an adult has:
  - behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child;
  - behaved towards a child or children in a way that indicates that they are unsuitable to work with children.
- 7.5 If such an allegation is made, the member of staff receiving the allegation, or having the concern, will immediately inform the owner; this must be done on the same working day.
- 7.6 The owner on all such occasions will discuss immediately, on the same working day, the content of the allegation with LADO, before taking any further action.

7.7 If the allegation made to a member of staff concerns the owner, the member of staff will immediately inform the LADO; this must be done on the same working day.



### 8.0 Confidentiality and information sharing

- 8.1 We recognise that all matters relating to child protection are confidential.
- 8.2 The owner will disclose personal information about a student to other members of staff on a need to know basis only.
- 8.3 However, all staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children.
- 8.4 When considering sharing information the staff will:
  - 8.4.1 Remember that GDPR is not a barrier to sharing information, it provides the framework.
  - 8.4.2 Be open & honest with the person from the outset about how information may be shared.
  - 8.4.3 Seek advice, do not fail to share information because you are unsure what to do.
  - 8.4.4 Share with consent where appropriate & respect the wishes of those who refuse consent unless you believe that there is a risk of harm to child if the information is not shared.
  - 8.4.5 Consider safety and well-being of the child and base information sharing decisions on this.
  - 8.4.6 Ensure all information shared is Necessary, Proportionate, Relevant, Accurate, Timely & Secure. Ensure any third party or hearsay information is identified and that you have consent to share it.
  - 8.4.7 Keep a record of your decision and reasons for it. Record what you have shared, with whom and the purpose.

# 9.0 Appendix



