

**Designated Leads Safeguarding: Lindsey Hart, Helen Stroudley, Karen Cork**

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**1. Introduction**

This policy has been developed in accordance with the principles established by the Children Act 1989; and in line with the following:

- “Working Together to Safeguard Children 2018”
- “Framework for the Assessment of Children in Need and their Families” 2000
- “What to do if you are worried a Child is being Abused” 2015 <sup>1</sup>
- “Keeping Children Safe in Education” 2016
- Oxfordshire Safeguarding Children Board guidelines

And in line with the following principles:

- The welfare of the child is paramount (Children Act 1989).

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<sup>1</sup> What To Do If You Are Worried A Child is being Abused: <https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>

- Children have a right to protection from being hurt, violence, abuse and neglect (United Nations Convention on the Rights of the Child, Article 19).
- All staff have a responsibility to take action in cases of alleged or suspected child abuse, neglect or bullying.
- Any adult or child may inflict abuse. This could include a member of staff or volunteer.
- Immediate action is required where there is an allegation or serious suspicion of abuse or serious bullying and a referral must be made to the County Council Assessment Team. A telephone referral must be followed by a written referral using the Assessment and Referral form. Where staff are the subject of the allegation, the Chief Executive Officer of Peeples must be informed.
- Records must be confidentially kept and securely stored.
- All such suspicions and investigations will be kept confidential, shared only with those who need to know.
- We work with parents to build their understanding of, and commitment to, the principles of safeguarding all our children.
- We work to implement EYFS key themes and commitments:
  - **A Unique Child** – 1.2 Inclusive practice
  - **Positive Relationships** – 2.1 Respecting each other
  - **Enabling Environments** – 3.2 Supporting every child
  - **Learning & Development** – 4.4 Personal, social and emotional development

Peeples' safeguarding policy is consistent with the procedures approved by the Oxfordshire Safeguarding Children Board (OSCB) and Oxfordshire County Council Safeguarding Pupils Policy.

## 2. Overall principles

Peeples is committed to promoting and safeguarding the well-being of children within our community. Peeples aims to establish a safe and nurturing environment where children feel safe and happy when participating in Peeples activities. Peeples is committed to upholding British values (appendix 9).

During their day to day contact with families Peeples delivery staff need to be able to recognise and know how to act upon indicators that a child's safety or well-being may be at risk.

We acknowledge that abuse of children can take different forms - physical, emotional, and sexual, as well as neglect.

Children can be vulnerable to abuse by their peers. Such abuse should be taken as seriously as abuse by adults and should be subject to the same child protection procedures.

When children are suffering from physical, sexual or emotional abuse, or experiencing neglect, this may be demonstrated through:

- significant changes in their behaviour;
- deterioration in their general well-being;
- their comments which may give cause for concern, or the things they say (direct or indirect disclosure);
- changes in their appearance, their behaviour, or their play;
- unexplained bruising, marks or signs of possible abuse or neglect; and
- any reason to suspect neglect or abuse outside the setting.

We consider factors affecting parental capacity and risk, such as social exclusion, domestic violence, parent's drug or alcohol abuse, mental or physical illness or parent's learning disability.

Bullying is a safeguarding matter that if left unresolved can become a child protection matter. To allow or condone bullying may lead to consideration under child protection procedures. We will take seriously any bullying concerns and both investigate and take action to protect children where appropriate.

We are aware of other factors that affect children's vulnerability such as, abuse of disabled children; fabricated or induced illness; child abuse linked to beliefs in spirit possession; sexual exploitation of children, such as through internet abuse; and Female Genital Mutilation and radicalisation; that may affect, or may have affected, children and young people using our provision. See appendix 10.

We also make ourselves aware that some children and young people are affected by gang activity, by complex, multiple or organised abuse, through forced marriage or honour based violence or may be victims of child trafficking. While this may be less likely to affect young children in our care, we may become aware of any of these factors affecting older children and young people who we may come into contact with. Practitioners understand the mandatory duty to report to police any case where an act of female genital mutilation appears to have been carried out on a girl under the age of 18. See appendix 10.

We also take account of the need to protect young people aged 16-19 as defined by the Children Act 1989. This may include students or school children on work placement, young employees or young parents. Where abuse is suspected we follow the procedure for reporting any other child protection concerns. The views of the young person will always be taken into account, but the setting may override the young person's refusal to consent to share information if it feels that it is necessary to prevent a crime from being committed or intervene where one may have been, or to prevent harm to a child or adult. Sharing confidential information without consent is done only where not sharing it could be worse than the outcome of having shared it.

Should any concerns arise on the part of Peeples staff relating to the well-being of a child these will be reported using the channels of communication described below. Peeples has a named Designated Lead and two deputies (see Appendix 1) who deal with safeguarding matters on a day to day basis.

Outside agencies will be consulted as appropriate. We recognise that support for children cannot be achieved by a single agency acting alone. Protecting children from harm depends on relevant agencies working well together.

Peeples staff will be properly supported to deal with these difficult issues. Staff should not act alone and should not take issues home. All staff and volunteers are subject to regular DBS checks.

### **3. Staff recruitment and training**

#### **Training:**

- The safeguarding knowledge and skills of the Designated Leads are refreshed at least annually.
- There is an appropriately trained Designated Lead member of staff available at all times for staff to discuss concerns.
- The Safeguarding Policy and Procedure is covered in the induction process for all staff and all staff involved in child care and programme delivery attend training which is updated at least

every 3 years (programme managers every 2 years) in order to develop their understanding of the signs and indicators of abuse, how to respond to a child who discloses abuse and the procedure to be followed in appropriately sharing a concern of possible abuse or a disclosure of abuse.

- All staff receive information on safeguarding and child protection at least annually.
- All staff involved in child care and programme delivery undertake training in the Prevent Duty aimed at ensuring due regard is given to the need to prevent people from being drawn into terrorism.

#### **Recruitment:**

- Full details of Peeples recruitment procedures can be found in the Peeples Recruitment and Selection Policy.
- Managers involved in recruitment of delivery staff will undertake safer recruitment training at least once every 5 years and each interview panel will have at least one member who has been trained in safer recruitment procedures.
- All staff and volunteers will have an enhanced check by the Disclosure and Barring Service. This will be before starting work if possible. If this is not possible a full risk assessment must be done as soon as possible and the person must be supervised at all times.
- All applicants for work, whether voluntary or paid, will be interviewed before an appointment is made and will be asked to provide the names of two referees, at least one of which should be external to Peeples. All such references will be followed up.
- All appointments, both paid and voluntary, will be subject to a probationary period (unless the person is moving from another job within Peeples).
- We ensure all staff receive appropriate training on safeguarding at induction and that our induction training relating to Safeguarding is updated regularly.
- Peeples follows safe recruitment practices as recommended by the OSCB and incorporates awareness of child safety and protection issues into all relevant staff training to ensure a safe environment for all children.

#### **Staff responsibilities**

- Staff have a responsibility to report internally concerns they have about any actions on the part of a staff member which threaten children's safety and well-being and communicate with the local authority designated officer (LADO)

Staff may perceive a conflict between the need to share information and the normal duty of confidentiality. However, disclosure of information without consent of the family will only take place discretely and appropriately for the purpose of protecting a child from harm

#### **4. Communication with parents**

Practitioners will inform parents/carers involved in any People activity of their obligation to share internally any concerns they might have about a child's well-being. Notices will be displayed in all venues used by People including the Peep Pre-school and the Little People Nursery to advise users about the safeguarding policy (unless covered by the venue or setting People staff are working in).

Staff should strive to be open with parents/carers about their concerns. Every effort will be made to include the family in constructive discussions about concerns and any consultation or action taken, unless this is not in the best interests of the child.

The first concern will be the child. Children whose condition or behaviour has given cause for concern will be listened to, reassured and helped to understand that they themselves are valued and respected and have not been at fault.

Parents will normally be the first point of reference, but if they are not able to allay any legitimate anxieties, we will contact the MASH on 0345 0507666 (direct line). Referrals to the MASH can also be made using the MASH Enquiry Online Referral Form. The form should only be used by professionals to make new MASH enquiries.

## **5. People internal procedures for protecting children from harm**

*No member of staff should act alone. For serious cases requiring immediate referral, see also section 7 below.*

As soon as any situation of concern about the safety or well-being of a child occurs, in the first instance:

1. Delivery staff should inform one of the Designated Leads.
2. Communication with the above should take place as soon as possible, ideally within the same working day and always within 24 hours.
3. The Practitioner together with the Designated Lead will make brief notes of their concerns. Records should be concise and should differentiate between opinion, personal values, hypothesis and factual record. They should include:
  - time
  - date
  - place
  - what was seen or heard or reported by someone else
  - people present
  - what action was taken and by whom
4. The Designated Lead will consult with any other relevant line manager including other Designated Leads at the earliest opportunity.
5. Where an immediate referral is not considered appropriate, ongoing concerns regarding a child's welfare will be discussed with parents. A record must be kept of any People or other services that People has offered to that family or helped them to access. It is important to record services used by other children in the family, particularly schools/pre-schools attended. If, after recording and monitoring, a decision is made to refer to the MASH the procedure for referral is set out below.

6. Staff voicing concerns will be kept informed of any action arising from their communication.

## **6. Making a referral**

The Designated Lead will decide whether a referral is appropriate, and if in any doubt will seek advice from the MASH via a “no name consultation” phone call. Other staff may also make “no name” phone calls but should ensure the Designated Lead knows they are doing this and gives their approval to the action taken including giving any name to the MASH.

### **Telephone numbers are in Appendix 2.**

Referrals will be made by any one of the Designated Leads.

When making a referral always ask for the name of the Social Worker you are speaking to. The Social Worker will ask for the following information. If all the information is not available do not delay in making the referral but give as much information as you can:

- Child's full name
- Date of birth
- Home address
- Ethnic origin
- Parents' names and contact numbers
- Any other children at home
- Name of school/pre-school that child attends and schools that any siblings attend
- Names of other professionals involved with the child e.g. GP
- Description of injuries and child's explanation for them
- Anything you have observed or been told by child or others. Try to be specific and include dates and times
- Any action you have taken so far
- What, if anything, you have said to the child's parents
- Ask Social Worker what you should/should not say to parents
- Record the referral, including date and time and any action to be taken

An Assessment and Referral Form must also be completed within 24 hours and forwarded to MASH Team. An acknowledgement of the receipt of this form should be received. If not, the Designated Lead making the referral should follow this up.

If referral was the result of hearsay from a parent and proves unfounded, People needs to report back to the parent to allay concerns.

For details of procedures following referral, refer to Oxfordshire Safeguarding Children Board manual.

## **7. Urgent referrals**

Actual physical injury, disclosure of abuse and severe neglect justifies an urgent referral. If the child needs urgent medical treatment, seek this first. For recognition of significant harm and definitions,

signs of child abuse, please see Appendix 3 to this policy or section 1.1.3 of the manual on the website: [www.oscb.org.uk](http://www.oscb.org.uk).

- If a staff member believes an urgent referral may be needed, they must contact one of the Designated Leads immediately. **DO NOT WAIT.**

The Designated Lead will discuss the concern with the parent or carer unless doing so will compromise the safety of the child. All discussions will be recorded on the Incident Report form.

The Designated Lead will then make the referral as a matter of urgency to the MASH or the Police Child Abuse Investigation Unit.

## **7. Suspicions/ Disclosure Regarding Abuse by a Member of Staff or volunteer**

- All staff should take care not to place themselves in a vulnerable position with a child. It is always advisable for interviews or work with individual children or parents to be conducted in view of other adults.
- We understand that a child or young person may make an allegation against a member of staff. If such an allegation is made, the member of staff receiving the allegation will immediately inform the setting manager or the most senior member of staff available.
- The manager on all such occasions will discuss the content of the allegation with the Designated Officer for the Local Authority (LADO), **before taking any action.** In our county contact should be made with Alison Beasley, Local Authority Designated Officer (01865 815956) or Donna Crozier, Safeguarding Coordinator (01865 816382).

The procedures outlined in the sections above will be followed. In addition, any concerns/disclosure concerning a member of staff or a volunteer (including trustees) will be immediately reported to a Designated Lead who will inform the People nominated Trustee, or Chair of Trustees, as soon as possible. If the concern is regarding Designated Lead, another Designated Lead or manager should immediately inform the People nominated Trustee, or Chair of Trustees. All conversations must be recorded. A decision will be made to suspend if the member of staff or volunteer poses a significant risk to children and the relevant staff or volunteer Disciplinary Procedure will be followed.

In dealing with any allegations, the procedures on the OSCB website for dealing with “Allegations against Staff, Carers and Volunteers” will also be followed. Consideration will be given to the following 3 strands:

- The police investigation of a possible criminal offence
- Enquiries and assessment by the LADO (or equivalent department) as to whether the child is in need of protection or in need of services
- Consideration by People of disciplinary action against the individual

This section should also be read in conjunction with People’s Complaints Policy which instructs staff how to deal with complaints by parents, carers or other users of People services and with People’s Whistleblowing Policy (see Appendix 5).

## **9. Record Keeping**

Records should be clear and legible, signed and dated with specific reference to the circumstances in which the disclosure/observations took place. Records should be concise and record where possible

what was happening prior to the behaviour/disclosure. Where possible record the child's or adult's own words.

Record:-

- Date
- Time
- Place
- What was seen or heard by whom
- Person(s) present
- What action was taken and by whom

Records should be Relevant, Factual, Concise, Complete, Accurate, Objective, Dated, Signed, and Stored Securely.

People aims to offer a supportive environment for children, parents, staff and volunteers. Staff and volunteers need to be aware that recognising abuse, being informed about a safeguarding issue or receiving a disclosure is emotionally very challenging and stressful. Confidential systems need to be in place so that staff can discuss what support may be required.

All People staff and volunteers are expected to abide by the People Confidentiality Policy which is issued to all new staff and volunteers and signed by them.

## **10. Ensuring support for children**

- We recognise that a child who is abused, who witnesses violence or who lives in a violent environment may feel helpless and humiliated, may blame him/herself, and find it difficult to develop and maintain a sense of self-worth.
- We accept that research shows that the behaviour of a child in these circumstances may range from that which is perceived to be normal to aggressive or withdrawn.

Our setting will support all children and young people by:

- Encouraging the development of self-esteem and resilience in every aspect of life.
- Promoting a caring, safe and positive environment.
- Helping them to understand, respond to and calculate risk effectively, for example in relation to the specific types of abuse as stated on page 10.
- Being aware of the additional barriers that exist when recognising the signs of abuse and neglect of children who have special educational needs and/or disabilities.
- meeting the needs of children who have special educational needs and/or disabilities.
- Liaising and working together with all other support services and those agencies involved in the safeguarding of children.
- Notifying Social Care as soon as there is a significant concern.
- Notifying Social Care when a child/young person attending the centre is privately fostered.
- Providing continuing support to a pupil (about whom there have been concerns) who leaves the setting by ensuring that such concerns and medical records are forwarded under confidential cover to the Designated Person at the child's new setting immediately.



## **11. People staff in venues/settings**

People staff working in other settings should familiarise themselves with the setting's own safeguarding policy and action protocol and ensure that they know who is the named Designated Lead for safeguarding.

## **12. Liaison with other agencies**

The Designated Leads will take the lead in communications and consultation with outside agencies. Decisions about notifications and consultation with safeguarding personnel will be made by the Designated Leads in collaboration with the People nominated Trustee in more serious cases.

People staff are issued with and expected to follow the "Seven Golden Rules for information sharing" leaflet produced by the OSCB and attached in Appendix 6.

## **13. Images of Children on the People website and other media**

While the People website contains images of children, careful steps have been put in place to protect children from abuse as a result of these images appearing. However, if there are any grounds for concern, the usual procedures and protocols, as described above, would apply.

People will not use any images in publications, printed materials or on the website without signed parental consent.

## **14. Use of the internet**

Our Acceptable Use of the Internet policy, set out in a separate document, reflects the consideration we give to keeping children safe when they are using the internet.

Appropriate filters and monitoring systems are in place to protect children from harmful online material.

## **15. Training and qualification activities**

During People Training and Qualification activities, Tutors (Peep practitioners)/Assessors should refer to their employer's policies and procedures. Freelance trainers working for People should contact the People Safeguarding Lead or Training Manager should any concerns arise.

## **16. Legal framework**

### *Primary legislation*

- Children Act (1989 s47)
- Protection of Children Act (1999)
- Data Protection Act (1998) and General Data Protection Regulations (2018)
- The Children Act (Every Child Matters) (2004)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act 2006
- Working Together to Safeguard Children 2018

### *Secondary legislation*

- Sexual Offences Act (2003)
- Criminal Justice and Court Services Act (2000)
- Equalities Act (2010)
- Data Protection Act (1998) Non Statutory Guidance
- Childcare (Disqualification) Regulations 2009
- Children and Families Act 2014
- Serious Crime Act 2015
- Counter-Terrorism and Security Act 2015 (s 26)

**This policy will be regularly reviewed and updated.**

*Last updated May 2019*

*Next review date: May 2020*

Signed:

Sally Smith, CEO

## **Appendix 1 Peeples staff roles and responsibilities**

**Designated Leads Safeguarding** : Lindsey Hart, Helen Stroudley, Karen Cork

The role of the Designated Leads is to take overall responsibility for Safeguarding procedures and the handling of individual cases in Peeples. This includes:

### **Individual cases and referrals**

- To be available to discuss any safeguarding issue. To be consulted by staff prior to any action involving safeguarding with a person or agency external to Peeples
- To ensure that internal guidelines for consultation are followed
- Clearly record decisions and action taken, the basis for them and who was involved in the decision making process
- To make referrals where appropriate
- To liaise with other agencies where appropriate
- To ensure the nominated Trustee (Helena Mitchell) or Chair of Trustees (Mark Harris) is kept informed of any significant developments including allegations against staff

### **Preventative work and family support**

- Ensure that information is organised centrally about additional needs/special circumstances of families known to Peeples
- Ensure systems are in place for update of information about additional needs of families
- Oversee systems whereby this information is given to relevant staff at point of need

### **Safeguarding policy and procedures**

- To keep up to date with good practice in safeguarding
- To have available named contact details to refer to in cases of concern (see Appendix 2)
- To ensure that all delivery staff are aware of factors which constitute child abuse including physical, mental and sexual. This may be from training previous to entry into Peeples, through Peeples induction training, or through Peeples in-service training.
- To ensure training records relating to safeguarding are kept up to date.
- To ensure staff are aware of Peeples procedures in cases where there is concern and to provide relevant systems and documentation forms
- To maintain relationships with key providers to enable Peeples to ascertain whether families about whom we have some concerns are receiving support

### **Managers**

Line manager/ supervisor responsibilities are as follows:

- To be available to listen to any concerns a staff member has about the safety of well being of a child and provide advice and support
- To ensure that any ongoing concerns are recorded, a note made of all actions taken, and records stored in a secure place
- To refer the matter to a Designated Lead if they feel that further action may be needed



### **Appendix 3 Definitions of Abuse and Neglect**

Concerns about a child's welfare can vary greatly in terms of the nature and seriousness but *all* concerns about a child's well-being should be raised with the appropriate person within People.

A person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

Abuse may include:

- physical abuse
- emotional abuse
- sexual abuse
- neglect (failure to meet a child's basic physical and/or psychological needs)

The following might be indicators of abuse and neglect. A Designated Lead will be informed when any of the following are observed:

- failure to thrive
- dirty unkempt condition
- significant development delay
- absence of responsiveness of child to parent
- severe post-natal depression
- extremely aggressive behaviour by the child or parent/carer
- overt sexual behaviour
- worrying and unsatisfactorily explained bruises, injuries or marks
- any bruises, injuries or marks on a baby not yet mobile
- domestic abuse

### **Appendix 4 – Handling a disclosure**

**The following key points give a guide on what to do and what not to do if anybody gives you information about actual or suspected abuse.**

Adults who work closely with children or young people should know what to do if they suspect that a child has been abused, or if a child tells them that this is happening. No one likes to think of children being abused, but child abuse is, unfortunately, a reality.

1. **Always stop and listen** straight away to someone who wants to tell you about incidents or suspicions of abuse. Listen quietly and actively, giving your undivided attention. Allow silences when needed.
2. **Reassure the child** –It is often extremely hard to 'tell' and it is important to reassure the child that it is right to tell you and that it is not their fault.
3. If possible, **make brief factual notes**, about what they are actually telling you. Keep these notes, however rough they are, as they can prove to be extremely important later. If you are unable to take notes at the time, write down what was said as soon as possible. Ensure as far as possible that you record what was actually said and not the impression. Encourage the child to use their own words and language and use it yourself when replying and confirming what has been said.
4. **Keep calm, don't panic and don't appear shocked or angry. Avoid making judgements** (the alleged perpetrator may be a family member or close friend and it is not helpful to show any judgemental behaviour)

5. **Never make a promise** that you can keep what is said confidential or secret. If you are told about abuse then you have a responsibility to report it so that action can be taken. Give reassurance that only those who need to know will be told. Do reassure the young person that they were right to speak to you.

6. **Do not ask leading questions** that might result in a distortion of the facts (e.g. did he do X to you?) Questions should be open, for example, "What is it that you want to tell me? Is there anything else you want to say?"

7. **Immediately report the incident to a Designated Lead** (unless they are themselves accused or suspected of abusing), do not tell any of the other adults or young people what you have been told. If someone has made an accusation to you about a senior member of staff, or a Designated Lead, then YOU should contact the LADO and ask what to do next.

8. **Discuss with a Designated Lead** whether there are any steps that need to be taken to protect the young person who has made the disclosure. This discussion might need to include the young person who spoke to you.

9. **Never attempt to carry out an investigation** of suspected abuse by interviewing the young person or any others involved yourself. The interviewing of possible victims of abuse is highly skilled and any attempts by yourself could damage possible criminal proceedings.

10. **As soon as possible, a Designated Lead** should refer the matter to the local Children and Families Assessment Team. It is good practice to take contact details of the person you speak with, as it is appropriate to keep checking on the progress of the investigation.

11. **Make sure that the young person** is kept informed about what is happening.

12. Being informed about abuse and receiving a disclosure is emotionally very challenging and stressful. **Discuss with one of the People Designated Leads** and/or others what **support you** might require.

All members of staff should know the procedures for reporting and recording as the welfare of children is paramount (Children Act 1989)

## Appendix 5 – Other relevant Peeples policies and where to find them

[www.peeples.org.uk/policies](http://www.peeples.org.uk/policies) or contact [info@peeples.org.uk](mailto:info@peeples.org.uk):

- Confidentiality Policy
- Equal Opportunities and Diversity Policy
- Complaints Procedure and record form
- Complaints Policy statement (for service users)
- Whistleblowing policy
- Code of Conduct
- Recruitment policy
- DBS checks policy
- Appraisal policy

### **Childcare policies:**

[www.peeples.org.uk/childcare-policies](http://www.peeples.org.uk/childcare-policies)

Includes:

- Acceptable use of mobile phones & cameras
- Promoting positive behaviour, including section on use of physical intervention
- Health and safety general standards for Peeples childcare settings

## **Appendix 6 Seven golden rules for information sharing**

1. Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
2. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
4. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgement on the facts of the case.
5. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
6. Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

Extract from HM Government *Information Sharing: Guidance for practitioners and managers*. Copies can be obtained from [www.ecm.gov.uk/informationsharing](http://www.ecm.gov.uk/informationsharing)



## **Appendix 7: People Whistleblowing Policy**

This policy covers:

- What is Whistleblowing?
- Our Commitment
- Who does the policy apply to?
- The aims of the policy?
- What types of concerns are covered?
- Safeguards and victimisation
- Confidentiality
- How to raise a concern

### **What Is Whistleblowing?**

Whistleblowing encourages and enables employees to raise serious concerns **within** the organisation rather than overlooking a problem or 'blowing the whistle' outside. Employees are often the first to realise that there is something seriously wrong within the organisation. However, they may not express their concerns as they feel that speaking up would be disloyal to their colleagues or to the organisation.

### **Our Organisation's Commitments**

The organisation is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the organisation's work to come forward and voice those concerns

### **Who Does The Policy Apply To?**

The policy applies to all employees, (including those designated as casual hours, temporary, agency, authorised volunteers or work experience), and those contractors working for the organisation on the premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the organisation.

### **Policy Aims**

- provide avenues for you to raise concerns in confidence and receive feedback on any action taken.
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made a disclosure in good faith.

### **What Type Of Concerns Are Covered?**

- conduct which is an offence or a breach of law.
- disclosure related to miscarriages of justice.
- health and safety risks, including risks to the public as well as other employees.
- damage to the environment.
- the unauthorised use of public funds.

- possible fraud and corruption.
- sexual or physical abuse of clients.
- other unethical conduct.

NB. Other procedures are available to employee e.g. the grievance procedure which relates to complaints about your own employment. This policy also does not replace the Complaints Procedure which is for public use.

### **Safeguards**

The organisation recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you provide a service.

The organisation will not tolerate any harassment or victimisation and will take appropriate action to protect you when you raise a concern in good faith.

### **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

This policy encourages you however to put your name to your concern whenever possible. Please note that you:

- must disclose the information in good faith.
- must believe it to be substantially true.
- must **not** act maliciously or make false allegations.
- must **not** seek any personal gain.

### **How to raise your concern**

As a first step, you should normally raise concerns either verbally or in writing with your immediate supervisor/manager. This may depend, however, on the seriousness and sensitivity of the issue involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach a more senior level of management, including chair of Trustees. Financial allegations require that the Finance Committee of Trustees shall be notified of all financial or accounting irregularities or suspected irregularities.

For all allegations we will contact: Alison Beasley - LADO - Tel: 01865 815956 or Email: Alison.beasley@oxfordshire.gov.uk

For independent advice please call:

#### **Public Concern At Work**

**Website:** [www.pcaw.co.uk](http://www.pcaw.co.uk)

**Helpline:** 020 7404 6609

**Email:** [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)

## **Appendix 8: People delivery staff code of conduct**

### **Introduction**

The document provides a guide for adults working in People about acceptable and desirable conduct to protect both adults and children. It refers to and complements other policies and guidance:

- Safeguarding Policy
- Whistle blowing Policy

This policy is based upon the DfE document 'Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings' in which can be found useful examples of acceptable and unacceptable conduct, together with discussion of the issues raised.

All adults working in People should know the name of the Designated Child Protection Co-ordinator for People be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children and young people.

### **Basic Principles**

- The Child's welfare is paramount (Children Act 1989)
- All staff have a 'duty of care' to children.
- Adults working in People are responsible for their own actions and behaviour and should avoid any conduct which would lead a reasonable person to question their motivation or intentions
- Adults working in People must work and be seen to work in an open and transparent way.
- Adults should discuss and/or take advice promptly from a senior member of staff about any incident which could give rise for concern. This would include reporting suspected abuse by a member of staff.
- A record should be kept of any such incident and of decisions made/further actions agreed, in accordance with People record keeping policy.
- Staff should apply the same professional standards regardless of gender or sexuality
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them
- Staff should be fully committed to safeguarding the welfare of all children by taking all reasonable steps to protect them from physical, sexual or emotional abuse
- All adults should conduct themselves in a way that reflects the values of the People and meets the expected high professional standards
- Our safer recruitment and selection procedures will be followed for all appointments

All staff, volunteers and visitors to People must:

- Be familiar with and work in accordance with the policies of People including in particular  
Safeguarding  
Confidentiality  
Whistleblowing
- Provide a good example and a positive role model to parents/carers and children
- Behave in a mature, respectful, safe, fair and considered manner.

For example:

- Not making sarcastic remarks or 'jokes' that are personal, sexual, racist, discriminatory, intimidating or otherwise offensive.
- Not embarrassing or humiliating children or young people

Not discriminate favourably or unfavourably towards any child or young person.

For example :

- Treating all children equally – never building ‘special’ relationships or conferring favour on a particular child or young person
- Not giving or receiving (other than token) gifts unless arranged through the organisation.

Ensure that relationships with children or young people remain on a professional footing.

For example :

- Not behaving in a way that could lead a reasonable observer to question conduct, intentions or suitability to care for other people’s children.

*Particular attention is drawn to the provisions of the Sexual Offences Act 2003 which creates a new criminal offence of abuse of a position of trust (when a person aged 18 or over is in a ‘position of trust’ with a person under 18 and engages in sexual activity with or in the presence of that child or causes or incites that child to engage in or watch sexual activity)*

## **Appendix 9 British Values and the Prevent Duty**

We actively promote inclusion, equality of opportunity, the valuing of diversity and British values.

Under the Equality Act 2010, which underpins standards of behaviour and incorporates both British and universal values, we have a legal obligation not to directly or indirectly discriminate against, harass or victimise those with protected characteristics. We make reasonable adjustments to procedures, criteria and practices to ensure that those with protected characteristics are not at a substantial disadvantage. As we are in receipt of public funding we also have a public sector equality duty to eliminate unlawful discrimination, advance equality of opportunity, foster good relations and publish information to show compliance with the duty.

Social and emotional development is shaped by early experiences and relationships and incorporates elements of equality and British and universal values. The Early Years Foundation Stage (EYFS) supports children's earliest skills so that they can become social citizens in an age-appropriate way, that is, so that they are able to listen and attend to instructions; know the difference between right and wrong; recognise similarities and differences between themselves and others; make and maintain friendships; develop empathy and consideration of other people; take turns in play and conversation; avoid risk and take notice of rules and boundaries; learn not to hurt/upset other people with words and actions; understand the consequences of hurtful/discriminatory behaviour.

### **Procedures**

#### *British Values*

The fundamental British values of *democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs* are already implicitly embedded in the 2014 EYFS and are further clarified below, based on the *Fundamental British Values in the Early Years* guidance (Foundation Years 2015):

- *Democracy*, or making decisions together (through the prime area of Personal, Social and Emotional Development)
  - As part of the focus on self-confidence and self-awareness, practitioners encourage children to see their role in the bigger picture, encouraging them to know that their views count, to value each other's views and values, and talk about their feelings, for example, recognising when they do or do not need help.
  - Practitioners support the decisions that children make and provide activities that involve turn-taking, sharing and collaboration. Children are given opportunities to develop enquiring minds in an atmosphere where questions are valued.
- *Rule of law*, or understanding that rules matter (through the prime area of Personal, Social and Emotional Development)
  - Practitioners ensure that children understand their own and others' behaviour and its consequence.
  - Practitioners collaborate with children to create rules and the codes of behaviour, for example, the rules about tidying up, and ensure that all children understand rules apply to everyone.
- *Individual liberty*, or freedom for all (through the prime areas of Personal, Social and Emotional Development, and Understanding the World)
  - Children should develop a positive sense of themselves. Staff provide opportunities for children to develop their self-knowledge, self-esteem and increase their confidence in their own abilities, for example through allowing children to take risks on an obstacle course, mixing colours, talking about their experiences and learning.

- Practitioners encourage a range of experiences that allow children to explore the language of feelings and responsibility, reflect on their differences and understand we are free to have different opinions, for example discussing in a small group what they feel about transferring into Reception Class.
- *Mutual respect and tolerance*, or treating others as you want to be treated (through the prime areas of Personal, Social and Emotional Development, and Understanding the World)
  - Practitioners create an ethos of inclusivity and tolerance where views, faiths, cultures and races are valued and children are engaged with the wider community.
  - Children should acquire tolerance, appreciation and respect for their own and other cultures; know about similarities and differences between themselves and others, and among families, faiths, communities, cultures and traditions.
  - Practitioners encourage and explain the importance of tolerant behaviours, such as sharing and respecting other's opinions.
  - Practitioners promote diverse attitudes and challenge stereotypes, for example, sharing stories that reflect and value the diversity of children's experiences and providing resources and activities that challenge gender, cultural or racial stereotyping.
- *In our work and settings it is not acceptable to:*
  - actively promote intolerance of other faiths, cultures and races
  - fail to challenge gender stereotypes and routinely segregate girls and boys
  - isolate children from their wider community
  - fail to challenge behaviours (whether of staff, children or parents) that are not in line with the fundamental British values of democracy, rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs

## **The Prevent Duty**

The Counter-Terrorism and Security Act 2015 places a Prevent duty on settings to have “due regard to the need to prevent people from being drawn into terrorism”. Settings subject to the Prevent Duty will be expected to demonstrate activity in the following areas:

- Assessing the risk of children being drawn into terrorism
- Demonstrate that they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies.
- Ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board.
- Make sure that staff have training that gives them the knowledge and confidence to identify children at risk of being drawn into terrorism, and to challenge extremist ideas which can be used to legitimise terrorism
- Expected to ensure children are safe from terrorist and extremist material when accessing the internet in the setting

## **Further guidance**

Equality Act 2010: Public Sector Equality Duty - What Do I Need to Know? A Quick Start Guide for Public Sector Organisations (Government Equalities Office 2011)

Fundamental British Values in the Early Years (Foundation Years 2015)

Prevent Duty Guidance: for England and Wales (HMG 2015)

The Prevent Duty: Departmental Advice for Schools and Childcare Providers (DfE 2015)

## **Appendix 10 Further guidance: forced marriages, female genital mutilation, child sexual exploitation**

### **10.1 Forced marriage**

Forced marriage is now a specific offence under s121 of the Anti-Social Behaviour, Crime and Policing Act 2014 that came into force on 16 June 2014. A forced marriage is a marriage conducted without the valid consent of one or both parties, and where duress is a factor. Forced marriage is when someone faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. if someone is made to feel like they're bringing shame on their family). This is very different to an arranged marriage where both parties give consent.

Forced marriage is illegal in England and Wales. This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)

Link to the guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf)

### **10.2 Female Genital Mutilation (FGM)**

FGM is child abuse and a form of violence against women and girls, and therefore should be dealt with as part of existing child safeguarding/protection structures, policies and procedures. FGM is illegal in the UK. In England, Wales and Northern Ireland, the practice is illegal under the Female Genital Mutilation Act 2003. Other than in the excepted circumstances, it is an offence for any person (regardless of their nationality or residence status) to:

- perform FGM in England, Wales or Northern Ireland (section 1 of the Act);
- assist a girl to carry out FGM on herself in England, Wales or Northern Ireland (section 2 of the Act); and
- Assist (from England, Wales or Northern Ireland) a non-UK person to carry out FGM outside the UK on a UK national or permanent UK resident (section 3 of the Act).

Link to the guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/380125/MultiAgencyPracticeGuidelinesNov14.pdf) Prevent The Counter Terrorism & Security Act 2015

Practitioners understand the mandatory duty to report to police any case where an act of female genital mutilation appears to have been carried out on a girl under the age of 18.

### **10.3 Child sexual exploitation (CSE)**

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

by the child's or young person's limited availability of choice, resulting from their social/economic and/or emotional vulnerability. (DCSF 2009)

Key facts about CSE:

- Sexual exploitation often starts around the age of 10 years old. Girls are usually targeted from age 10 and boys from age 8.
- It affects both girls and boys and can happen in all communities
- Any person can be targeted but there are some particularly vulnerable groups: Looked After Children, Children Leaving Care and Children with Disabilities.
- Victims of CSE may also be trafficked (locally, nationally and internationally).
- Over 70% of adults involved in prostitution were sexually exploited as children or teenagers.
- Sexual violence or abuse against children represents a major public health and social welfare problem within UK society, affecting 16% of children under 16. That is approximately 2 million children.

Link to the guidance:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/278849/Safeguarding\\_Children\\_and\\_Young\\_People\\_from\\_Sexual\\_Exploitation.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278849/Safeguarding_Children_and_Young_People_from_Sexual_Exploitation.pdf)

#### **10.4 Other forms of abuse**

This list is not exhaustive. Other forms of abuse to look out for include: human trafficking, modern slavery, fabricated or induced illness, breast ironing or flattening.

Fabricated or induced illness link to guidance:

<https://www.gov.uk/government/publications/safeguarding-children-in-whom-illness-is-fabricated-or-induced>

#### **Appendix 11 Use of physical intervention**

- The term physical intervention is used to describe any forceful physical contact by an adult to a child such as grabbing, pulling, dragging, or any form of restraint of a child such as holding down. Where a child is upset or angry, staff will speak to them calmly, encouraging them to vent their frustration in other ways by diverting the child's attention.
- Staff should not use physical intervention – or the threat of physical intervention, to manage a child's behaviour unless it is necessary to use "reasonable force in order to prevent children from injuring themselves or others or damage property" (EYFS).
- If "reasonable force" has been used for any of the reasons shown above, parents are to be informed on the same day that it occurs. The intervention will be recorded as soon as possible within the child's file, which states clearly when and how parents were informed.
- Corporal (physical) punishment of any kind should never be used or threatened which could adversely affect a child's well-being.

\* \* \* \* \*

**Appendices last updated May 2019**

**Review date May 2020**