

General Welfare Requirement: Safeguarding and Promoting Children's Welfare

The provider must take necessary steps to safeguard and promote the welfare of children.



1.9b Safer Working Practices

1. Safer working practices for staff

1.1 All staff should be aware that their day-to-day working practices should adhere to the following principles:

- The welfare of the child is paramount
- Responsibility of all staff to safeguard and promote the welfare of children & students
- Staff are responsible for their own actions
- Staff should work and BE SEEN TO WORK in an open and transparent way

1.2 All staff should be aware that they are most at risk of an allegation being made against them when they are either working alone with children or become engaged in physical contact with a child. Annual training should remind staff of the key principles to remember when working alone with children and the importance of avoiding unnecessary physical contact.

1.3 All staff need to be aware of their vulnerability to allegations and must address their practice accordingly. All staff must adhere to the preschool guidance in respect to safe conduct.

1.4 Annual training will provide clear guidance on precautions staff should take when working alone with children:

- When possible work with children in open and visible settings
- Tell people where you are, what you are doing and the children you are working with
- Share jobs that may put you in a vulnerable position and ask other members of staff to support you where possible
- Record and report any incidents or concerns immediately to another member of staff, preferable the Senior Lead or deputy Lead.

1.5 Staff conduct towards children should be under-pinned by the following principles:

- Always avoid unnecessary physical contact
- Child initiated contact is different but acknowledge it, don't prolong it
- Contact during class activities should be restricted to what is appropriate and should be as visible as possible to others; If a child is distressed physical contact can be given but discretion should be used over the level and justification. Avoid this in a one to one isolated area
- Keep physical contact to a minimum and consider the level and type of contact.

1.6 It is not illegal to touch a child. There are occasions when physical contact is necessary, other than reasonable force, in the following circumstances:

- Comforting a distressed child
- Administering first aid

2 The use of reasonable force

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2.1 The updated 'Use of Reasonable Force' guidance (July 2013) states that reasonable force means 'reasonable in the circumstance' and using no more force than is necessary. The guidance is underpinned by the following key points:

- Pre- School staff have the legal power to use force.
- Lawful use of the power will provide a defence to criminal prosecution or other legal action; Suspension should not be an automatic response when a member of staff has been accused of using excessive force;
- Senior Pre-school leaders should support staff when they use this power.

Examples of situations in which reasonable force may be used include:

- Preventing a child from attacking a member of staff or another child.
- Restraining a child from harming themselves through physical outburst.
- Preventing a child from damaging school property or the belongings of another child or member of staff.

2.2 The updated guidance states that restraint should only be used when there is no alternative. All other attempts to resolve the situation should have been used and staff must inform the child that they are going to use force to resolve the situation.

Any technique used should take into account:

- Age
- Gender
- Level of physical, emotional and intellectual development
- Special needs
- Social Context

2.3 Types of restraint which may be appropriate

- Any holding tactic in which a child is restrained without injury until the child calms down.
- Physical contact with a child designed to control the child's movements that pose a danger (e.g. holding the arms by the side of the body).
- The holding of a child's arms or legs to prevent/ restrict striking / kicking.
- Children should not be placed or held on the floor.

2.4 Staff must keep detailed records of any incident in which they used force to resolve a situation. Where physical control or restraint has been used a record of the incident must be kept. Staff will be required to complete an incident form and submit this to the Senior Lead.

3 Abuse of trust

3.1 All staff must know that inappropriate behaviour with or towards children is unacceptable. The 2003 Sexual Offences Act states it is an offence for a person over 18 to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, and engages

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in sexual activity with or in the presence of that child, or causes or incites that child to engage in or watch sexual activity.

4 Staff Allegations

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

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

Emotional: For example intimidation, belittling, scapegoating, sarcasm, lack of respect for the children's rights, and attitudes to discriminate on the grounds of race, gender, disability or sexuality.

Sexual: For example sexualised behaviour towards pupils, sexual harassment, sexual conversations, assault or rape.

Neglect: For example failing to act to protect a child, failing to seek medical attentions or failure to carry out appropriate risk assessments.

4.2 All allegations or concerns about colleagues and visitors must be reported directly to the Senior Lead. This should be done without informing the person who is the subject of the concern.

4.3 The member of staff identifying a child protection concern should note carefully the facts and events leading up to the concern but should not investigate the matter. If a child makes a direct allegation, or appears to be trying to do so, the staff member should not ask questions except those that are necessary to clarify whether or not the child is alleging abuse. The staff member should make a clear note of any questions asked and the actual words used by the child.

4.4 If an allegation is made about a member of staff, committee, visitor or volunteer the Senior Lead will carry out an urgent initial consideration in order to establish whether there is any substance to the allegation. The Senior Lead may decide to speak to the child directly. If it becomes apparent at any stage of these preliminary enquiries that there are credible child protection concerns and if the child has suffered or is likely to suffer significant harm, the enquiries must be discontinued, and a referral made to the Designated Officer For Allegations (DOFA). The DOFA will advise about the actions to be taken and may initiate referrals within Children's Social Care.

4.5 In some cases it may be necessary for the staff member to be suspended whilst an investigation is carried out. It must be recognised that any decision to suspend a member of staff is without prejudice and on full pay, and is not an indication of any proof or of any guilt. Suspension should not be 'the default position' and should only be considered where there is cause to believe that a child at the pre-school is at risk of significant harm or the allegation warrants investigation by the police. The Senior Lead or Chair of the committee will consider carefully if it is the appropriate course of action and whether the result that would be achieved through suspension could be obtained by alternative arrangements. The decision will be based on a risk assessment, taking into account the context of the allegation, background information regarding the member of staff, information regarding the child and their family and whether the presence of the member of staff is likely to hamper any investigation. In all cases where it is intended to suspend a member of staff, the Senior

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Lead should consult the Education Services Employee Relations Team. The school will identify a person who will act as a point of contact and information for the suspended member of staff.

4.6 In certain serious situations the police and children's services may require the member of staff is not informed of the issue.

4.7 If, after initial investigation, the actions of the member of staff do not raise credible child protection concerns but do raise other issues in relation to the conduct of the member of staff, the school will follow its own internal staff conduct procedures. Such circumstances may include staff accidentally harming a child or malicious allegations made against the member of staff.

4.8 If the allegation is without foundation and no further formal action is necessary, all those involved will be informed of this conclusion. This information will be removed from the personnel records and will not be referred to in employer references. The reasons for the decision to not proceed further with the allegation will be recorded on the school's child protection file.

4.9 As part of the process the police may wish to interview the child at the centre of the allegation and other children who witnessed aspects of the allegation. An interview on pre-school premises requires the consent of the Senior Lead. When considering whether to give consent the Senior Lead should take into account –

- The consent of the child's parent / carer is normally required unless this would further increase potential risk to the child
- The potential effect on the child's welfare
- The importance of maintaining the pre-school as a place of safety for the children.

5 Behaviour Management


All children have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. See our Managing behaviour policy for further guidance.

6 Confidentiality

As part of their responsibilities, staff may be given highly sensitive or private information. The storing and processing of personal information about children is governed by the Data Protection Act 1998. Such information should be kept confidential and shared on a need-to-know basis only. (See our confidentiality policy for further guidance)

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This policy was adopted at a meeting of	Nomansland Pre-School
Held on	September 2016
Date reviewed	September 2018
Date to be reviewed	September 2019
Signed on behalf of the provider	
Name of signatory	Nikola Bishop
Role of signatory (e.g. chair, director or owner)	Chair