

## A: Child protection

### What do I need to know?

- Legal Framework
  - [The Children Act 1989](#)
  - [Children Act 2004](#)
  - [Protection of Children Act 1978](#)
  - [Data Protection Act 1998](#)
  - [Children Act 2004 - Explanatory Notes](#)
  - [Safeguarding Vulnerable Groups Act 2006](#)
  - [Sexual Offences Act 2003](#)
  - [Criminal Justice and Court Services Act 2000 \(legislation.gov.uk\)](#)
  - [Equality Act 2010 \(legislation.gov.uk\)](#)
- [Statutory framework for the early years foundation stage](#): page 21-23, paragraph 3.4 – 3.8.
- **See model Child Protection Policies on SchoolsNet and links below for contact details and training opportunities.**

Child protection (pages 5-8 of audit)	Things to consider and discuss:
<p>Do you <b>ensure</b> you are alert to any issues of concern in a child’s life at home or elsewhere?</p>	<ul style="list-style-type: none"> <li>• How do you know staff are alert to any issues of concern in any part of a child’s life?</li> <li>• How do you know that staff know what could be an issue of concern?</li> <li>• How do you know that all staff are alert to the signs that children may need early help?</li> <li>• How do you ensure children are given opportunities every day to communicate their needs? Is this encouraged and implemented by all staff in the provision? How can you link this in with the promotion of British Values?</li> <li>• Do you have a confidential area in which to discuss the individual needs of children with parents/staff/other professionals?</li> <li>• How do you know that should a child tell a member of staff that they are being abused or neglected, that staff know how to gather accurate information from the child?</li> <li>• How do you know staff are professionally curious? What does this mean day-to-day?</li> </ul>

<p>Do you <b>ensure</b> you have and implement a policy, and procedures to safeguard children?</p>	<ul style="list-style-type: none"> <li>• Do you have policies and procedure to follow to safeguard children?</li> <li>• How do you know if you are aware of all the elements that should be included in your policies and procedures?</li> <li>• How do you ensure that staff have read and understood the policy and procedures?</li> <li>• How do you know your policies are implemented effectively?</li> <li>• Do your policies and procedures identify the roles and responsibilities of all staff?</li> <li>• How do you ensure that all adults working within the setting (including students, volunteers, parents and helpers) know, understand, can explain and implement your policy and procedures?</li> <li>• What procedures are in place to review the policy and procedures at least annually or after an incident or change to requirements? Who is involved in this process?</li> <li>• What procedures do you have in place to record any issues of concern's in a child's life at home or elsewhere?</li> <li>• How do you ensure appropriate records of all staff and children kept secure (including any chronologies), separate from other records and are they only kept for as long as is necessary?</li> <li>• How do staff know what to include in a child's child protection file?</li> <li>• Do staff know what and how to access and use supportive assessment tools? How do you know?</li> <li>• Do you know your responsibilities under the Data Protection Act 2018 and the GDPR requirements? How do you ensure you meet these? (Refer to: 'T- Information &amp; records' support document.</li> <li>• Has the setting registered with the Information Commissioner's Office (ICO) regarding the storage of personal data? How do you know?</li> <li>• What procedures do you have in place to investigate prolonged absences/children missing in education?</li> </ul>
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<p>Are these in line with the guidance and procedures of the relevant Local Safeguarding Partners (LSP)?</p> <p>(NB Within Derbyshire this is known as the Derby and Derbyshire Safeguarding Children Partnership: <a href="https://www.ddscp.org.uk">Derby and Derbyshire Safeguarding Children Partnership (ddscp.org.uk)</a>)</p>	<ul style="list-style-type: none"> <li>• Do your policies and procedures reflect the additional barriers that exist when recognising the signs of abuse and neglect of children who have special educational needs and/or disabilities?</li> <li>• What consideration have you given to adjustments you might need to make regarding child protection for SEND children?</li> <li>• How do you ensure that appropriate training is provided for staff to support complex medical conditions and emergencies is provided?</li> <li>• How do you know all staff are able to recognise peer on peer abuse? Is this risk is covered adequately in your policies and procedures?</li> <li>• Do you ensure there is a paediatric first aid trained member of staff and first aid kit on site, on outings and on school runs?</li> <li>• What procedures are in place to ensure all accidents and incidents are recorded and shared with parents/carers? Are accident and incident records reviewed regularly?</li> <li>• How do you know your policy and procedures are in line with the guidance and procedures of the Derby and Derbyshire Safeguarding Children Partnership (DDSCP)?</li> <li>• Have you used or cross referenced your child protection policy with the model policy available on Derbyshire SchoolsNet?</li> <li>• How do you ensure all members of staff are familiar with the DDSCP procedures at induction <b>and</b> have regular updates?</li> <li>• Do you know what help, support and guidance is available on the DDSCP website?</li> <li>• What procedures do you have in place to contact any cross border Local Safeguarding Partnerships to report concerns about a child living in neighbouring local authorities?</li> </ul>
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<ul style="list-style-type: none"> <li>cover the use of mobile phones and cameras in the setting?</li> </ul>	<ul style="list-style-type: none"> <li>How do you ensure staff know how contact to the Local Area Designated Safeguarding (LADO) officer?</li> <li>Do staff have access to the 'Allegations/Concerns against a member of staff or persons living on the premises where Ofsted registered childcare takes place' flow chart</li> <li>How often do you check and evidence staff knowledge on where to report a concern or allegation about a colleague and/or manager?</li> <li>What procedures are in place for 'whistleblowing'? Do all staff/ committee members/ proprietors/governors know how and where to 'whistle blow'?</li> <li>Can you describe your safer recruitment and vetting procedures? How do you know these meet current requirements of the EYFS and the DDSCP?</li> <li>How do you ensure all staff are suitable to work with children? How do you ensure all staff have the required enhanced criminal records checks and barred list checks are carried out against staff? How do you monitor this? How often to you review this?</li> <li>What are the policies and procedures in place for the safe storage of staff and visitor's mobile phones or any other technology which can take digital images?</li> <li>How do you share your policy and procedures on using and/or wearing mobile phones and cameras (including personal devices) in the setting with staff, parents/carers and visitors?</li> <li>How does this link to your code of conduct for staff and parents?</li> <li>Do you and your staff know what to do if a person is found to be using a mobile phone and/or camera on the premises when children are present or about to be present? How do you prepare staff to respond appropriately?</li> <li>Are you and your staff confident to challenge and/or report a person using a mobile phone and/or camera on the premises?</li> </ul>
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<p>Have you referred to 'Safeguarding children and protecting professionals in early years settings: online safety considerations to help safeguard children and practitioners online? <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442222/safeguarding-children-and-protecting-professionals-in-early-years-settings-online-safety-considerations-to-help-safeguard-children-and-practitioners-online.pdf">Safeguarding children and protecting professionals in early years settings: online safety considerations - GOV.UK (www.gov.uk)</a></p>	<ul style="list-style-type: none"> <li>• What are your online safety policy and procedures? How do you know they are implemented effectively?</li> <li>• Do your policy and procedures include an Acceptable Use Policy (AUP) as part of your provisions code of conduct? Have you made your staff aware that it is recommended that they do not accept friend requests or communications from learners or their family members? How do you know they adhere to this?</li> <li>• How do you ensure you keep children safe and staff protected when online?</li> <li>• How do you promote online safety with young children?</li> <li>• How do you involve parents in keeping children safe online?</li> <li>• Is relevant training available to help staff keep children safe online?</li> <li>• How do you monitor use of the internet and online safety in your provision?</li> <li>• What appropriate measures/filters/monitoring systems are in place to regulate the use of the internet and protect learners from potentially harmful online material?</li> <li>• How do you ensure online safety concerns are reported to the DSL and then recorded and actioned?</li> <li>• Do you use any social media platforms with families or the community? How do you ensure these do not jeopardise children's safety?</li> </ul>
<p>Do you <b>ensure</b> you have a designated person who takes lead responsibility for safeguarding children in your setting?</p> <p>If you are a childminder, do you <b>ensure</b> you take this lead responsibility yourself?</p>	<ul style="list-style-type: none"> <li>• Who is your designated safeguarding lead (DSL)? Do you have a Deputy DSL?</li> <li>• How did you identify this person as being suitable to be the DSL / Deputy DSL?</li> <li>• How do you ensure the DSL and Deputy DSL know their roles and responsibilities?</li> <li>• Has the DSL/Deputy DSL accessed an advanced level of safeguarding training?</li> <li>• How do you know the DSL/Deputy DSL knows their roles and responsibilities in terms of:             <ul style="list-style-type: none"> <li>- Managing Referrals</li> <li>- Working with others</li> <li>- Training</li> <li>- Raising Awareness</li> <li>- Child Protection File</li> <li>- Availability</li> </ul> </li> </ul>

<p>Are you aware that this lead practitioner is responsible for liaising with local statutory children’s services agencies and, with the Local Safeguarding Partners (LSP)?</p> <p>Do you <b>ensure</b> this lead practitioner provides support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issues as required?</p>	<ul style="list-style-type: none"> <li>• Are the role and duties of the DSL/Deputy DSL explicit in their job description?</li> <li>• How do you ensure a Designated Safeguarding Lead (DSL) is available at all times whilst the setting is open?</li> <li>• How do you know that all staff are aware of who has DSL responsibility each day and how to contact them?</li> <li>• Is the DSL/Deputy DSL aware of how to fulfil the requirements of the Data Protection Act 2018, the General Data Protection Regulations GDPR and the latest edition of the information sharing guidance to ensure confidentiality is maintained?</li> <li>• Does a discussion take place with the receiving DSL/Deputy DSL of a new provider regarding all pupils who have welfare/child protection concerns and have a file completed on them? Is the DSL/Deputy DSL informed of any issues?</li> <li>• How do you ensure any records are transferred securely and acknowledged with a receipt from the receiving setting?</li> <li>• Do you have a policy and procedure in place for how to transfer or gain information regarding pupils who are transitioning to and from the setting?</li> <li>• How do you ensure a representative from the setting attends and participates in multi-agency meetings for children to share appropriate information and put in place any agreed actions?</li> <li>• How do you ensure the DSL/Deputy DSL are able to take part in strategy discussions and inter-agency meetings, and/or to support other staff to do so, and to contribute to the assessment of children?</li> <li>• How does the DSL/Deputy DSL provide support, advice and guidance to staff/assistants on a regular, ongoing basis as required?</li> <li>• How often do you discuss safeguarding matters at team meetings and with individual staff members?</li> </ul>
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<p>Do you <b>ensure</b> the training made available by you enables staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way?</p> <p>Does the training enable staff to identify, understand and respond appropriately to signs of possible abuse and neglect, including:</p> <ul style="list-style-type: none"> <li>• significant changes in children's behaviour?</li> <li>• deterioration in children's general well-being?</li> <li>• unexplained bruising, marks or signs of possible abuse or neglect?</li> <li>• children's comments which give cause for concern?</li> <li>• any reasons to suspect neglect or abuse outside the setting, for example in the child's home or that a girl may have been subjected to (or is at risk of) female genital mutilation:</li> <li>• inappropriate behaviour displayed by other members of staff, or any other person working with the children, for example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images?</li> </ul>	<ul style="list-style-type: none"> <li>• Do you have a regular safeguarding agenda item at staff meetings?</li> <li>• How do you ensure staff understand and can act upon all safeguarding updates?</li> <li>• Do you ensure all staff complete child protection training and are able to identify signs of possible abuse and respond appropriately? How do you know?</li> <li>• What records do you keep of safeguarding training/CPD, are they up to date and how do you use records to identify when training needs renewing?</li>   <li>• How do you know that the content of training will support staff to know how to identify, understand and respond appropriately to signs of possible abuse and neglect?</li> <li>• How do you know staff would respond in line with your policies and procedures? How would you respond if they didn't?</li> <li>• How do you keep all staff and committee members up to date with local issues facing children in the community? E.g. county lines</li>   <li>• What significant changes in children's behaviour or well-being might you witness?</li> <li>• What would staff do if they witnessed unexplained bruising, marks or signs of possible abuse or neglect?</li> <li>• What would staff do if children's comments gave cause for concern?</li> <li>• How do you know all staff aware of signs of possible abuse including where a girl may have been subjected to (or is at risk of) female genital mutilation?</li> <li>• How do you ensure that staff are aware of the signs and symptoms of female genital mutilation (FGM) and when a girl may be at risk of FGM?</li> <li>• Are staff aware of their mandatory duty under the Serious Crime Act (2015) to make a report to the police if they hear a disclosure that a girl, under the age of 18 appears to have undergone FGM?</li> <li>• Do your safeguarding updates to staff include sharing the mandatory disclosure duty regarding FGM?</li> <li>• How do you know staff know what inappropriate behaviour is and what to do if they witness this?</li> </ul>
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<p>Are you aware of ‘What to do if you’re worried a child is being abused: Advice for practitioners’? <a href="https://www.gov.uk/government/publications/child-abuse-concerns-guide-for-practitioners">Child abuse concerns: guide for practitioners - GOV.UK (www.gov.uk)</a></p>	<ul style="list-style-type: none"> <li>• How do you ensure staff are aware of “What to do if you’re worried a child is being abused: Advice for practitioners”? Do they know how to access this document?</li> <li>• Are staff read and understood the latest version of “What to do if you’re worried a child is being abused”? How do you know?</li> <li>• Are staff given sufficient time to read relevant guidance and update their knowledge regularly? How do you know?</li> </ul>
<p>Do you <b>ensure</b> you have regard to the government's statutory guidance:</p> <ul style="list-style-type: none"> <li>• <a href="https://www.gov.uk/government/publications/working-together-to-safeguard-children">Working together to safeguard children - GOV.UK (www.gov.uk)</a></li> <li>• <a href="https://www.gov.uk/government/publications/prevent-duty-guidance">Prevent duty guidance - GOV.UK (www.gov.uk)</a></li> </ul> <p><i>Are you aware The 2015 Counter Terrorism and Security Act places a duty on early years providers “to have due regard to the need to prevent people from being drawn into terrorism” (the Prevent duty)?</i></p>	<ul style="list-style-type: none"> <li>• How do you know all staff/committee members/proprietors/governors have regard to the government's statutory guidance ‘Working Together to Safeguard Children’? Do they know how to access this document?</li> <li>• How do you know all staff/committee members/proprietors/governors have regard to the government's statutory guidance ‘Prevent duty guidance’? Do they know how to access this document?</li> <li>• Are all staff given time to read the relevant guidance and update their knowledge regularly? How do you know?</li> <li>• Have all staff completed Prevent duty training? What impact has this training had?</li> <li>• How do you know all staff/committee members/proprietors/governors know how to make a Prevent referral and, know and understand the channel procedure?</li> <li>• How do you know all staff/committee members/proprietors/governors know and understand how the Counter-terrorism strategy (CONTEST) relates to the Prevent duty and Channel process?</li> <li>• Do you have a clear approach to implementing the prevent duty and keeping children and learners safe from the dangers of radicalisation and extremism?</li> <li>• Have you made reference to keeping children safe from radicalisation and extremism in your policy?</li> <li>• Where would you refer a concern about a family who were at risk of radicalisation?</li> </ul>

<p>If you are a school, do you have regard to the government’s statutory guidance: <a href="http://www.gov.uk">Keeping children safe in education - GOV.UK (www.gov.uk)</a> ? Other childcare providers may also find it helpful to refer to this guidance. Do you <b>ensure</b> if you have concerns about children's safety or welfare, you notify agencies with statutory responsibilities (this means children's social care services and, in emergencies, the police) without delay?</p>	<ul style="list-style-type: none"> <li>• How do you know all staff/committee members/proprietors/governors have regard to and where statutory implement the government's statutory guidance ‘Keeping children safe in education’? Do they know how to access this document?</li> <li>• Does your policy adequately enable staff to notify agencies with statutory responsibilities <b>without delay</b> if they have concerns about a child’s safety or welfare, i.e. social care services and, in an emergency, the police?</li> <li>• How do you know staff know and understand how to report or make a referral to/about:             <ul style="list-style-type: none"> <li>- Police</li> <li>- Starting Point</li> <li>- Local Safeguarding Designated Officer (LADO)</li> <li>- Early Help Services &amp; assessment</li> <li>- Children’s Social Care</li> <li>- Prevent</li> <li>- Channel</li> <li>- Female Genital Mutilation</li> <li>- Online safety concerns</li> <li>- National Referral Mechanism</li> </ul> </li> <li>• How do you ensure referral processes and contacts are easily accessible?</li> <li>• How do you know referrals are made without delay?</li> </ul>
<p>Do you <b>ensure</b> you inform Ofsted or your childminder agency 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)?</p> <p>Do you <b>ensure</b> you (the registered provider) notify Ofsted or your childminder agency of the action taken in respect of the allegations?</p>	<ul style="list-style-type: none"> <li>• Do all your staff/committee members/proprietors/governors know what constitutes an allegation of serious harm or abuse of 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)?</li> <li>• Do all your staff/committee members/proprietors/governors know when and how to notify these agencies? How will you ensure this is done as soon as is reasonably practicable, but in any event within 14 days of the allegations being made?</li> <li>• Do you have policies &amp; procedures to follow in the event of any allegations of serious harm or abuse by any persons living, working, or looking after children at the premises</li> </ul>

<p>Do you <b>ensure</b> the notification is made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made?</p> <p><b>Are you aware a registered provider who, without reasonable excuse, fails to comply with this requirement by not informing Ofsted, commits an offence?</b></p>	<p>(whether the allegations relate to harm or abuse committee on the premises or elsewhere? What are these procedures? How do you know they are implemented?</p> <ul style="list-style-type: none"> <li>• Do you have policies &amp; procedures to follow in the event of notifying Ofsted or your childminder agency of the action taken in respect of the allegations? What are these procedures? How do you know they are implemented?</li> <li>• Do you act upon advice given from these agencies? Have you kept a record? How do you monitor the actions and the impact they have had?</li> <li>• When would you need to inform your insurance provider of any serious accident, illness or injury to, or death of any child in your care?</li> </ul>
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## Useful links and further help:

### [Derby and Derbyshire Safeguarding Children Partnership](#)

[Inspecting safeguarding in early years, education and skills settings](#)

[Early years inspection handbook](#)

[Report a serious childcare incident](#)

[Information sharing advice for safeguarding practitioners](#)

[Home \(saferrecruitmentconsortium.org\)](#) -(Guidance for safer working practice for those working with children and young people in education settings)

[Disqualification Under the Childcare Act](#)

[Counter-terrorism strategy \(CONTEST\) 2018](#)

[Channel and Prevent Multi-Agency Panel \(PMAP\) guidance](#)

[National Referral Mechanism Guidance](#)

[Information sharing advice for safeguarding practitioners](#)

[Data protection](#)

[ICO](#) – Information Commissioners Office

[NSPCC](#) – National Society for the Prevention of Cruelty to Children

[Derbyshire County Council - Support for families and early help](#)

[Prevent referrals \(saferderbyshire.gov.uk\)](#)

[Derby & Derbyshire - Emotional Health & Wellbeing](#)

[Stronger Families Safer Children](#)

[Think Family](#)

## CONTACT INFORMATION:

**Child or adult at risk of immediate harm and in need of protection:** Derbyshire Police – 999/ Starting Point – 01629 533190

**Worried about a child:** Derbyshire Police -101/ Starting Point Consultation & Advice Service for Professionals - 01629 535353/ [Starting Point Referral Form/](#)

Local Safeguarding Designated Officer - 01629 533190/ [Derby and Derbyshire LADO Referral Form](#)

**Education Data Hub/Data Protection:** Email - [jon.farmer@derbyshire.gov.uk](mailto:jon.farmer@derbyshire.gov.uk)/ Tel: 01629 532011

**DBS The East Midlands Regional Outreach Officer:** Email [DBSRegionaloutreach@db.gov.uk](mailto:DBSRegionaloutreach@db.gov.uk)/Tel: 01325 953 562 / 07867 153 500

## TRAINING

**DSL training:** [Derbyshire Early Years Service - Eventbrite](#) or Email: [CS.EYS@derbyshire.gov.uk](mailto:CS.EYS@derbyshire.gov.uk)

**Other training:** [Training \(ddscp.org.uk\)](#)

## MODEL POLICIES for the PVI sector

[Safeguarding \(derbyshire.gov.uk\)](#)

[Derbyshire SchoolsNet - Early Years Quality Team](#)