



Child Protection and Safeguarding Policy

This document is based on guidance from Statutory Framework for the Early Years Foundation Stage 2021, Keeping Children Safe in Education 2021 and Working Together to Safeguard Children 2018.

Operations Manager: Emma Fowles

Manager: Hayley Smith

Proprietor (Registered Person): Lucy Whitehead

Designated Safeguarding Lead (DSL): Hayley Smith, Emma Fowles, Lucy Whitehead, Louise Partner

Status & Review Cycle: 1year

Next Review Date: July 2025

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Safeguarding Statement

“Safeguarding is Everyone’s Business”

We recognise our moral and statutory responsibility to safeguard and promote the welfare of all children.

We make every effort to provide an environment in which children and adults feel safe, secure, valued, and respected. We want children and adults to feel confident to talk if they are worried, believing they will be effectively listened to.

The purpose of this policy is to provide staff and Managers with the framework they need to keep children safe and secure in our setting. The policy also informs parents and carers how we will safeguard their children whilst they are in our care.

Key personnel

Designated Safeguarding Lead (DSL) is: Hayley Smith & Emma Fowles

Contact details: 01276 788 950

Deputy DSL(s) is/are: Louise Partner & Lucy Whitehead

Contact details: 01276 788 950

Operations Manager is: Emma Fowles

Contact details: 07800904604

Terminology

Safeguarding and promoting the welfare of children is defined as:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.
- Preventing impairment of children's mental or physical health or development.

Child Protection is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

Early Help means providing support as soon as any needs emerge or are identified at any point in a child's life.

Staff refers to all those working for or on behalf of the setting, full or part time, temporary or permanent, in either a paid or voluntary capacity.

Child(ren) includes everyone under the age of 18. On the whole, this will apply to pupils of our setting; however the policy will extend to visiting children and students from other establishments.

Parents refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents.

Social Care refers to Children's Services in the area in which the child is resident, unless a child is a Child Looked After then this will be the Children's Services in their home authority.

MAP refers to the Surrey Multi-Agency Partnership.

C-SPA refers to the Children's Single Point of Access.

Introduction

This policy has been developed in accordance with the principles established by the Children Acts 1989 and 2004; The Childcare Act 2006 and in line with statutory guidance:

- Statutory Framework for the Early Years Foundation Stage 2021
- Keeping Children Safe in Education 2021
- Working Together to Safeguard Children 2018, Revised Safeguarding Statutory Guidance
- 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
- Ofsted Inspecting Safeguarding in early years, education and skills 2019
- Early years inspection handbook for Ofsted-registered provision for September 2021

The policy also reflects, [Surrey Safeguarding Children Partnership](#) (SSCP) Procedures.

This policy applies to all members of staff and Managers of the setting.

The Operations Manager of the setting will review this policy at least annually. This policy will additionally be updated in line with changes in Local and National Guidance and Legislation.

Parents/carers can obtain a copy of the Child Protection Policy and other related policies on our nursery website and on request.

Principles, values and aims

The Early Years Foundation Stage (2021) states 'Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them.'

Rainbow Corner Windlesham will demonstrate a commitment regarding Safeguarding and Child Protection to children, parents, and other partners. We will maintain an attitude of 'it could happen here', where the welfare of the child is paramount.

All children have a right to be protected from harm and abuse. All staff have a role in the prevention of harm and abuse and an equal responsibility to act immediately on any suspicion or disclosure that may indicate a child is at risk of harm, either in Rainbow Corner Windlesham or in the community, taking into account contextual safeguarding, in accordance with statutory guidance.

We acknowledge that working in partnership with other agencies protects children and reduces risk and we will engage in partnership working to protect and safeguard children.

Whilst Rainbow Corner Windlesham will work openly with parents as far as possible, we reserve the right to contact Social Care or the Police, without notifying parents if this is believed to be in the child's best interests.

Related Safeguarding Policies

This policy should be read in conjunction with:

Behaviour Management Policy

Prevent Duty Policy

Safe Recruitment Policy

Whistleblowing Policy

Supporting children

We recognise that Rainbow Corner Windlesham may provide a safe place and the only stability in the lives of children who have been abused or who are at risk of harm.

We recognise that a child who is abused or witnesses abuse and/or violence may feel helpless and humiliated, may blame themselves, 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.

We recognise that Rainbow Corner Windlesham plays a significant part in the prevention of harm to our children by providing children with good lines of communication with trusted adults, supportive friends, and an ethos of protection.

Rainbow Corner Windlesham will support all children:

- By treating each child as an individual so that they can learn, be resilient, capable, confident and self-assured
- By teaching children to be strong and independent through positive relationships
- By establishing and maintaining an ethos where children feel safe and secure, and are encouraged to share their thoughts and feelings through conversation, story-telling and role play

- Ensure that all children know there is an adult in Rainbow Corner Windlesham whom they can approach if they are worried
- Reassure children who report concerns that they are being taken seriously and that they will be supported and kept safe.
- We will encourage self-esteem and self-awareness, through the Early Years Foundation Stage and through positive relationships within the community
- We will respond sympathetically to any requests for quiet time
- We will liaise and work in partnership with other support services and agencies involved in Early Help and the safeguarding of children
- We will notify Social Care immediately if there is a significant concern

Safer recruitment

We will ensure that:

Rainbow Corner Windlesham operates a safer recruitment procedure that includes statutory checks on staff suitability to work with children including verification of their identity, qualifications, disqualification by association regulations and a satisfactory DBS check (according to EYFS requirements). We comply with the [Disqualification under the Childcare Act 2006](#) guidance issued in August 2018.

Rainbow Corner Windlesham will obtain an enhanced criminal records check (DBS) in respect of every person aged 16 and over including for unsupervised volunteers, and supervised volunteers who provide personal care who:

- work directly with children
- live on the premises on which the childcare is provided (unless there is no access to the part of the premises when and where children are cared for) and/or
- work on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present)

An additional criminal records check (or checks if more than one country) will be made for anyone who has lived or worked abroad.

Rainbow Corner Windlesham ensures that there is at least one person who has completed safer recruitment training.

Rainbow Corner Windlesham will record information about staff qualifications and the identity checks and vetting processes that have been completed. This is all stored within staff's individual files in the locked cupboard.

Rainbow Corner Windlesham will make a referral to the Disclosure and Barring Service and Ofsted where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm ([Safeguarding Vulnerable Groups Act 2006](#)).

Training and Induction

All staff receive information about the safeguarding arrangements upon induction, the safeguarding statement, staff behaviour policy (code of conduct), Child Protection policy, the role and names of the DSL and their deputy(ies).

The name of the DSL and DDSL for Safeguarding and Child Protection, are clearly advertised within this policy, on staff noticeboards and on the safeguarding notice board, with a statement explaining our role in referring and monitoring cases of suspected harm and abuse.

All staff will have access to Part 1 and Annex B of [Keeping Children Safe in Education 2021](#) and will sign to say they have read and understood it.

All staff receive Safeguarding and Child Protection training at induction in line with advice from [Surrey Safeguarding Children Partnership](#) which is regularly updated.

All staff are trained in and receive regular updates in online safety and reporting concerns (for example, in induction, via email, e-bulletins and staff meetings), as required, but at least annually.

Rainbow Corner Windlesham will advise all staff that they must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If a staff member is taking medication which may affect their ability to care for children, the staff member should seek medical advice. We will ensure that staff members only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after children properly. All medication on the premises are securely stored, and out of reach of children, at all times.

Rainbow Corner Windlesham will advise staff to disclose any reason that may affect their suitability to work with children including convictions, cautions, court orders, and warnings.

All staff and managers have regular Child Protection awareness training, updated by the DSL as appropriate, to maintain their understanding of the signs and indicators of abuse and neglect.

All staff will be provided with a copy of our setting's behaviour management policy.

All staff will be made aware of the expectations relating to use of mobile technology within the setting, including mobile phones and cameras. All staff will be made aware of the professional risks associated with the use of social media and electronic communication. Staff will adhere to relevant setting policies including staff behaviour policy, Acceptable Use Policies, Image Use and Mobile phone policies.

Staff support and Supervision:

Rainbow Corner Windlesham will follow their legal responsibilities under the [Equality Act 2010](#) including the fair and equal treatment of practitioners regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Rainbow Corner Windlesham has in place supervision for all staff members who have contact with children and families, in line with Early Years Foundation Stage 2021.

The Early Years Foundation Stage states that 'effective supervision provides support, coaching and training for the practitioner and promotes the interests of children'. Supervision should foster a culture of mutual support, teamwork, and continuous improvement, which encourages the confidential discussion of sensitive issues.

Supervision will provide opportunities for staff to:

- discuss any issues – particularly concerning children's development or well-being, including Child Protection concerns
- identify solutions to address issues as they arise
- receive coaching to improve their personal effectiveness

Roles and Responsibilities

All staff:

Have a key role to play in identifying concerns early and in providing help for children. To achieve this they will:

- Attend training in order to be aware of and alert to the signs of abuse and neglect, so they are able to identify cases of children who may need help or protection
- Provide a safe environment in which children can learn
- Establish and maintain an environment where children feel secure, are encouraged to talk and are listened to
- Have a duty of care to take appropriate action and work with other services as needed
- Be prepared to identify children who may benefit from Early Help
- Be aware of the local Early Help process and their role in it
- Ensure children know that there are adults in the setting who they can approach if they are worried or have concerns.

- Be aware that mental health issues can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation
- Respond appropriately to mental health issues
- Understand the setting's Safeguarding and Child Protection policy and procedures
- Take appropriate action to respond and report a Safeguarding concern to the DSL/DDSL
- Be prepared to refer directly to the Children's Single Point of Access (C-SPA), and the Police if appropriate, if there is a risk of significant harm and the DSL or their Deputy is not available
- Follow the allegations procedures if the disclosure is an allegation against a member of staff

The Managers

In addition to the role and responsibilities of all staff the Managers will ensure that:

- There is a whole setting approach to Safeguarding and the setting fully contributes to inter-agency working in line with Working Together to Safeguard Children 2018 guidance.
- The setting has effective Safeguarding policies and procedures including a Child Protection Policy, a Code of Conduct Policy and a Behaviour Policy.
- The setting operates a safer recruitment procedure that includes statutory checks on staff suitability to work with children and disqualification by association regulations and by ensuring that there is at least one person on every recruitment panel who has completed safer recruitment training, if there is not a panel conducting interviews then the individual will have completed the safer recruitment training.
- At least one member of the management team has completed safer recruitment training.
- Staff have been trained appropriately and this is updated in line with guidance and that mechanisms are in place to assist staff in understanding and discharging their roles and responsibilities as set out in the guidance.
- All staff are provided with the setting's Child Protection policy and if applicable the staff behaviour policy.
- The setting has procedures for dealing with allegations of abuse against staff (including the Managers) and against other children and that a referral is made to the DBS and Ofsted if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned.
- Policies and processes are in place to deal with concerns (including allegations) which do not meet the allegation/harm threshold or "low level concerns" as defined in KCSIE 2021.
- The DSL who will take lead responsibility for Safeguarding and Child Protection and that the role is explicit in the role holder's job description.

- That on appointment, the DSL and deputy(ies) undertake interagency training (SSCP Foundation Modules 1&2) and also initially undertake DSL 'New to Role' with 'Refresher' training every two years as well as attending DSL network events, to refresh knowledge and skills.
- Children are taught about safeguarding (including online safety).
- The setting will ensure application filters and monitoring systems are in place to safeguard children online.
- Clear systems and processes are in place for identifying possible mental health concerns, including routes to escalate and clear referral and accountability systems.
- Enhanced DBS checks are in place for all proprietors.
- Any weaknesses in safeguarding are remedied immediately.

The Designated Safeguarding Lead:

In addition to the role and responsibilities of all staff the DSL will:

Hold the lead responsibility for Safeguarding and Child Protection (including online safety) and be available for staff to discuss any safeguarding concerns. We have an open-door policy, so staff can confidentially speak to the DSL in privacy within the referee suit.

Manage referrals:

The DSL is expected to refer cases:

- Of suspected abuse and neglect to the C-Spa and support staff to make these referrals.
- To the Channel programme (where there is a radicalisation concern) and support staff to make these referrals.
- Report concerns that a child may be at risk of radicalisation or involvement in terrorism, and use the [Prevent referral form](#). If the matter is urgent then Police must be contacted by dialling 999. In cases where further advice from the Police is sought dial 101 or 01483 632982 and ask to speak to the Prevent Supervisor for Surrey.
- To the Disclosure and Barring service (where a person is dismissed/left due to risk/harm to a child)
- To the Police (where a crime may have been committed)

Work with others:

- Act as a source of support, advice, and expertise for all staff
- Act as a point of contact for the safeguarding partners; Local Authority, Police and Health
- Liaise with the "case manager" and the Local Authority Designated Officer
- Liaise with staff and external agencies on matters of safety and safeguarding (including online and digital safety) so that children's needs are considered holistically
- Liaise with the senior mental health lead/ the mental health support team

- Promote supportive engagement with parents and/or carers in safeguarding and promoting the welfare of children, including where families may be facing challenging circumstances
- Know who its cohort of children who have or have had a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort
- Support staff to provide additional academic support or reasonable adjustments to help children who have or have had a social worker reach their potential, recognising that even when statutory social care intervention has ended, there is still a lasting impact on children's educational outcomes

Raise awareness:

- Ensure each member of staff has access to and understands the Child Protection and Safeguarding policy and procedures
- Ensure the policy is reviewed annually (as a minimum)
- Ensure the policy is available upon request and parents are aware of the setting's obligations to refer cases where necessary
- Link with safeguarding partners to make sure staff are aware of training opportunities and SSCP arrangements
- Help promote the educational and developmental outcomes by sharing information about the welfare, safeguarding and Child Protection issues that a child is experiences or has experienced with appropriate staff members

Training, knowledge, and skills

- Undergo training to provide them with knowledge and skills required to carry out the role (at least every two years)
- Understand Surrey's Effective Family Resilience assessment process and request for support pathway for providing Early Help and statutory intervention
- Have a working knowledge of how local authorities conduct a Child Protection case conference/ review conference and attend/contribute effectively
- Understand the importance of the role in providing information and support to children social care
- Understand the lasting impact that adversity and trauma can have, including on children's behaviour, mental health and wellbeing, and what is needed in responding to this in promoting educational outcomes
- Are alert to the specific needs of children in need, those with additional needs and disabilities, those with relevant health conditions and young carers
- Understand the importance of information sharing, both within the setting, and with the safeguarding partners, other agencies, organisations, and practitioners
- Understand and support the setting with regards to the requirements of the Prevent duty and can provide advice and support to staff on protecting children from the risk of radicalisation
- Are able to understand the unique risks associated with online safety and be confident that they have the relevant knowledge and up to date capability required to keep children safe whilst they are online at the setting

- Can recognise the additional risks that children with additional needs and disabilities face online
- Obtain access to resources and attend any relevant or refresher training courses

In addition to the formal training set out above, their knowledge and skills should be refreshed (this might be via e-bulletins, meeting other DSL's, attending Early Years network meetings or simply taking time to read and digest safeguarding developments) at regular intervals, as required, and at least annually, to allow them to understand and keep up with any developments relevant to their role.

Providing support to staff

Support and advise staff and help them feel confident on welfare, safeguarding and Child Protection matters. This includes specifically to:

- ensure that staff are supported during the referrals processes; and
- support staff to consider how safeguarding, welfare and educational outcomes are linked, including to inform the provision of academic and pastoral support

Understanding the views of children

- Encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, and in any measures the setting may put in place to protect them
- Understand the difficulties that children may have in approaching staff about their circumstances and consider how to build trusted relationships which facilitate communication

Holding and sharing information

- Understand the importance of information sharing, both within the setting and with other settings on transfer including in-year, and with the safeguarding partners, other agencies, organisations and practitioners.
- Understand relevant data protection legislation and regulations, especially the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
- Be able to keep detailed, accurate, secure written records of concerns and referrals and understand the purpose of this record-keeping.

Deputy Designated Safeguarding Lead/s

Any deputies should be trained to the same standard as the DSL and the role should be explicit in their job description. Whilst the activities of the DSL can be delegated to appropriately trained deputies, the ultimate lead responsibility for Child Protection, as set out above, remains with the DSL, this lead responsibility should not be delegated.

Safeguarding and Child Protection procedures

At Rainbow Corner Windlesham if a member of staff suspects abuse, spots signs or indicators of abuse and neglect, or they have a disclosure of abuse made to them they must:

- Listen positively and try to reassure the child
- Only use open questions to clarify information eg. Tell, Explain, Describe (TED)
- Not promise confidentiality
- Explain that they need to pass information to the DSL/other professionals to help keep the child and/or other children safe.

(Additional consideration needs to be given to children with communication difficulties and for those whose preferred language is not English. It is important to communicate with children in a way that is appropriate to their age, understanding and preference.)

1. Make an initial record of the information related to the concern.
2. Report it to the DSL immediately.
3. The DSL will consider if there is a requirement for immediate medical intervention, however urgent medical attention should not be delayed if the DSL is not immediately available.
4. Make an accurate record (which may be used in any subsequent court proceedings) as soon as possible and within 24 hours of the occurrence, of all that has happened, including details of:
 - Dates and times of their observations
 - Dates and times of any discussions in which they were involved
 - Any injuries
 - Explanations given by the child / adult
 - Rationale for decision making and action taken
 - Any actual words or phrases used by the child
5. The records must be signed and dated by the author or / equivalent on electronic based records
6. In the absence of the DSL or their Deputy, staff must be prepared to refer directly to C-SPA (and the Police if appropriate) if there is the potential for significant harm

In all cases, if staff are unsure, they will always speak to the DSL (or deputy).

Following a report of concerns the DSL must:

[Use the SSCP Effective Family Resilience Dec 2020 Document](#), to decide the relevant actions to be taken.

If we suspect a child is suffering, or is likely to suffer, harm or abuse the DSL must contact the C-SPA. By sending a [Request for Support Form](#) by secure email to: cspa@surreycc.gov.uk.

If a child is in immediate danger and urgent protective action is required, the Police (dial 999) must be called. The DSL must also notify the C-SPA of the occurrence and what action has been taken made to the C-SPA and the Police if it is appropriate. If there is not a risk of significant harm, the DSL will either actively monitor the situation or consider offering Early Help.

The DSL may seek advice or guidance from the C-SPA consultation line before deciding next steps.

When a child needs urgent medical attention and there is suspicion of abuse the DSL or their Deputy should take the child to the accident and emergency unit at the nearest hospital, having first notified the C-SPA. The DSL should seek advice about what action the C-SPA will take and about informing the parents, remembering that parents should normally be informed that a child requires urgent hospital attention.

The exception to this process will be in those cases of known FGM where there is a mandatory requirement for the teacher to report directly to the Police. The DSL should also be made aware.

At Rainbow Corner Windlesham we will make all attempts to discuss any concerns about a child's welfare with the family and where possible to seek their agreement before making a referral to the C-SPA. Where there are doubts or reservations the DSL should clarify with the C-SPA or the Police as to whether the parents should be told about the referral and, if so, when and by whom.

However, if it is suspected that by informing the parents will place increased risk to the child or impede a Police investigation, advice will be sought from the C-SPA and or the Police about next steps.

What happens next?

It is important that concerns are followed up and it is everyone's responsibility to ensure that they are. The member of staff should be informed by the DSL what has happened following a report being made. If they do not receive this information, they should seek it out.

If we have concerns that the disclosure has not been acted upon appropriately, we will follow Surrey's [Inter-Agency Escalation Policy and Procedure](#).

Record Keeping

At Rainbow Corner Windlesham we maintain records and obtain and share information (with parents and carers, other professionals working with the child, the

Police, social services and Ofsted, as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

At Rainbow Corner Windlesham we record any concerns about a child's welfare or safety on a safeguarding concerns/ record form. This record will include the child's words and factual information. A body map will be completed if injuries are observed.

The record will always be signed and dated by the person making the report and will be shared immediately with the DSL. If there is an immediate concern the member of staff will discuss the concern with the DSL first to ensure the safety of the child and then will complete the report after.

The DSL will record any discussions, decisions, and reasons for those decisions on the child's Safeguarding and Child Protection file. These are kept in the locked cupboard and then archived after the child leaves the setting for 21years.

Information sharing and managing the Child Protection file

At Rainbow Corner Windlesham we ensure:

Safeguarding and Child Protection files are kept up to date. Information will be kept confidential and stored securely. Safeguarding and Child Protection concerns, and referrals will be kept in a separate Child Protection file for each child.

The file is only accessed by trained staff who need to see it and where the file or content within it is shared, in line with information sharing advice.

Where children leave the setting (including in year transfers) the DSL will ensure their Safeguarding and Child Protection file is transferred to the new setting or school as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving settings and schools should ensure key staff such as DSLs and SENCOs are aware as required.

If the setting is unable to locate the new setting/school the file will be kept until the child is 25 (this is seven years after they reach the school leaving age) (Information and Records Management Society (IRMS), 2019).

Confidentiality and Information Sharing

At Rainbow Corner Windlesham all matters relating to Child Protection will be treated as confidential and only shared as per the ['Information Sharing Advice for Practitioners' \(DfE 2018\) guidance](#).

All staff must be aware that they have a professional responsibility to share information with other agencies in order to safeguard children and that the Data

Protection Act 1998 and GDPR are not a barrier to sharing information where a failure to do so would place a child at risk of harm. There is a lawful basis for Child Protection concerns to be shared with agencies who have a statutory duty for Child Protection.

Information will be shared with staff within the setting who 'need to know'.

Relevant staff have due regard to GDPR principles which allow them to share (and withhold) information.

All staff must be aware that they cannot promise a child to keep secrets which might compromise the child's safety or wellbeing.

All staff will always undertake to gain parent/carers consent to refer a child to Social Care unless to do so could put the child at greater risk of harm or impede a criminal investigation.

Rainbow Corner Windlesham's trained Data Protection Officer's (DPO) are Emma Fowles and Lucy Whitehead. It is a requirement by the General Data Protection Regulations (GDPR) to ensure that our setting is compliant with all matters relating to confidentiality and information sharing.

Allegations against/concerns raised in relation to a member of staff, agency staff, volunteers, and contractors

Rainbow Corner Windlesham will follow [Surrey Safeguarding Children's Partnerships procedure for allegations against adults who work with Children.](#)

This procedure should be used in all cases which may meet the harms threshold in which it is alleged a member of staff, including agency staff, volunteer, or another adult who works with children 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; or*
- *behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children*
- *behaved or may have behaved in a way that indicates they may not be suitable to work with children.*

The last bullet point above includes behaviour that may have happened outside of setting, that might make an individual unsuitable to work with children, this is known as transferable risk.

Allegations against a member of staff who is no longer at the setting should be referred to the Police. Historical allegations of abuse should also be referred to the Police.

Where settings identify a child has been harmed, that there may be an immediate risk of harm to a child or if the situation is an emergency, they should contact children's social care and as appropriate the Police immediately.

In dealing with allegations or concerns against an adult, staff must:

- Report any concerns about the conduct of any member of staff, volunteer or other adult to Hayley Smith immediately.
- If an allegation is made against the Manager/Proprietor, the concerns need to be raised with Emma Fowles as soon as possible. If not available, then the LADO should be contacted directly.
- Once an allegation has been received by the Manager/Proprietor they will contact the LADO (as part of their mandatory duty) on 0300123 1650 option 3 LADO or Email: LADO@surreycc.gov.uk immediately and before taking any action or investigation.
- Following consultation with the LADO inform the parents of the allegation unless there is a good reason not to.

In liaison with the LADO, the setting will determine how to proceed and if necessary, the LADO will refer the matter to Children's Social Care and/or the Police.

Rainbow Corner Windlesham have a duty to inform Ofsted 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). We must also notify Ofsted of the action taken in respect of the allegations. Notifications will be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. We understand that if we fail to comply with this requirement, we will commit an offence.

If the matter is investigated internally, the LADO will advise the setting of who is able to provide support within the local authority, in line with the SSCP procedures.

Low level concerns that do not meet the allegation/harm threshold

At Rainbow Corner Windlesham we have a policy and process in place to deal with low level concerns (including allegations) which do not meet the allegation/harm threshold set out above.

Concerns may arise in several ways and from several sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

Whistle blowing

Please refer to our whistle Blowing Policy.

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

All staff, should be aware of their duty to raise concerns, where they exist, about the management of Safeguarding and Child Protection, which may include the attitude or actions of colleagues, poor or unsafe practice and potential failures in setting's safeguarding arrangements.

Staff are encouraged to use an external, independent and confidential service provided by Navex Global, who can be contacted on their freephone helpline number 0800 069 8180 and through the [Navex Global web pages](#).

The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding Child Protection failures internally or have concerns about a way a concern is being handled by their setting. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.

Peer on Peer/Child on Child abuse

At Rainbow Corner Windlesham staff are aware that children can abuse other children and that it can happen both inside and outside of Rainbow Corner Windlesham.

Peer on peer/child on child abuse is not tolerated within Rainbow Corner Windlesham and our staff are able to recognise the signs and indicators and respond appropriately.

At Rainbow Corner Windlesham we recognise that peer on peer/child on child abuse is most likely to include, but may not be limited to:

- Bullying (including cyberbullying, prejudice-based and discriminatory bullying)
- Physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates, threatens and/or encourages physical abuse)
- Sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence)
- Sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse
- Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.

- Consensual and non-consensual sharing of nudes and semi-nudes images and or videos (also known as sexting or youth produced sexual imagery)
- Upskirting, which typically involves taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm; and
- Initiation/hazing type violence and rituals (this could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element)

Rainbow Corner Windlesham recognises that it is vital that professionals agree on how behaviours should be categorised regardless of culture, faith, beliefs, and their own experiences or values. Additionally staff recognise that that some peer on peer/child on child abuse issues may be affected by sexual identity, age, ability and culture of those involved, however, all peer on peer/child on child abuse is unacceptable and all reports will be taken seriously.

All allegations of peer on peer/child on child abuse will be recorded, investigated, and dealt with in line with associated setting policies, including Child Protection, anti-bullying and behaviour.

Sexual Violence and Sexual Harassment

Sexual violence and sexual harassment can occur between children of any age and sex. It can occur through a single child or a group of children sexually assaulting or sexually harassing a single child or group of children.

Children who are victims of sexual violence and sexual harassment will find the experience stressful and distressing. This will, in all likelihood, adversely affect their education attainment as well as their emotional well-being. Sexual violence and sexual harassment exist on a continuum and may overlap; they can occur online and offline (both physically and verbally) and are never acceptable. It is important that all victims are taken seriously and offered appropriate support.

Reports of sexual violence and sexual harassment are extremely complex to manage. It is essential that victims are protected, offered appropriate support and every effort is made to ensure their education is not disrupted. It is also important that other children, adults, and staff are supported and protected as appropriate.

We recognise that children are capable of abusing other children and their peers and this will be dealt with under our Child Protection policy and in line with KCSiE (2021) and following recommendations from the [Sexual Violence and Sexual Harassment between Children in Schools and Colleges guidance \(DfE 2021\)](#).

We are clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up.

We will minimise the risk of peer on peer/child on child abuse by taking a whole setting approach to Safeguarding and Child Protection and providing staff with appropriate training. We will provide a clear set of values and standards, underpinned by the setting's behaviour policy and pastoral support. We will engage with specialist support and interventions

Responding

Children making any report of sexual violence or sexual harassment including "upskirting" ([The Voyeurism Offences Act 2019](#)) will be taken seriously, kept safe and be well supported.

If the report includes an online element staff will be mindful of the [Searching, Screening and Confiscation: advice for schools 2018](#) guidance.

If a member of staff becomes aware of an incident, they will follow the Child Protection procedures and refer to the DSL immediately.

If a child is at risk of harm, is in immediate danger, or has been harmed, a Request for Support will be made to the C-SPA.

Risk Assessment

Following a report, the DSL will make an immediate risk and needs assessment on a case-by-case basis.

The risk assessment will consider;

- The victim, especially their protection and support.
- The alleged perpetrator, their support needs and any discipline action.
- All other children at the setting.
- The victim and the alleged perpetrator sharing classes and space at the setting
- The risk assessment will be recorded and kept under review.

Where there has been other professional intervention and/or other specialist risk assessments, these professional assessments will be used to inform the setting's approach to supporting and protecting children.

Support regarding risk assessments can be accessed from the [Education Safeguarding Team](#) – education.safeguarding@surreycc.gov.uk

Action: The DSL will consider

- The wishes of the victim.
- The nature of the incident including whether a crime has been committed and the harm caused.
- Ages of the children involved.
- Developmental stages of the children.
- Any power imbalance between the children.
- Any previous incidents.
- Ongoing risks.
- Other related issues or wider context.

Options:

- Manage internally
- Early Help intervention
- Request for support to the C-SPA
- Report to the Police (generally in parallel with a request for support to the C-SPA)

Ongoing Response:

The DSL will manage each case individually and will ensure the risk assessment is reviewed regularly with relevant partner agencies, for example the Police and Children's Social Care.

Where there is a criminal investigation into a rape, assault by penetration or sexual assault, the alleged perpetrator should be removed from any classes they share with the victim.

The DSL will consider how best to keep the victim and perpetrator a reasonable distance apart on the setting's premises and on transport where appropriate.

Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the setting will take suitable action. In all but the most exceptional of circumstances, the rape or assault is likely to constitute a serious breach of discipline and may lead to the view that allowing the perpetrator to remain in the same setting would seriously harm the education or welfare of the victim (and potentially themselves and other children).

Where a criminal investigation into sexual assault leads to a conviction or caution, the setting will, if it has not already, consider any suitable sanctions in light of their behaviour policy, which may include consideration of permanent exclusion. Where the perpetrator is going to remain at the setting, the Manager should continue keeping the victim and perpetrator in separate classes and continue to consider the

most appropriate way to manage potential contact on the premises and transport. The nature of the conviction or caution and wishes of the victim will be especially important in determining how to proceed in such cases.

The victim, alleged perpetrator and any other children & adults affected will receive appropriate support and safeguards on a case-by-case basis.

The setting will take any disciplinary action against the alleged perpetrator in accordance with the behaviour policy.

The setting recognises that taking disciplinary action and providing appropriate support are not mutually exclusive actions and will occur at the same time if necessary.

Physical Abuse

While a clear focus of peer on peer/child on child abuse is around sexual abuse and harassment, physical assaults and initiation violence and rituals from children to children can also be abusive.

These are equally not tolerated and if it is believed that a crime has been committed, will be reported to the Police.

The principles from the anti-bullying policy will be applied in these cases, with recognition that any Police investigation will need to take priority.

Mental Health

At Rainbow Corner Windlesham staff are aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

Staff are aware of how children's experiences, can impact on their mental health, behaviour, and education.

Safeguarding Children with Additional Needs and Disabilities

At Rainbow Corner Windlesham we acknowledge that children with additional needs or disabilities can face additional safeguarding challenges. These can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's condition without further exploration

- These children being more prone to peer group isolation or bullying (including prejudice-based bullying) than other children
- The potential for children with additional needs and disabilities or certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in managing or reporting these challenges.

The DSL will work closely with the SENCO/SENDCO Hayley Smith to plan support as required.

Please refer to our Special Education Needs Policy

Online Safety

At Rainbow Corner Windlesham we have an online safety policy (Acceptable Internet Use Policy) which explains how we try to keep children safe in our setting and how we respond to online safety incidents.

We understand that children increasingly use electronic equipment daily to access the internet.

Some adults and other children use these technologies to harm children. The harm might range from sending hurtful or abusive texts or emails, to grooming and enticing children to engage in extremist or sexual behaviour involving webcam photography or face-to-face meetings.

Children may also be distressed or harmed by accessing inappropriate material such as pornographic websites or those which promote extremist behaviour, criminal activity, suicide or eating disorders.

Children are taught about online safety and all staff receive online safety training which is regularly updated.

We ensure that appropriate filtering and monitoring systems are in place.

Private Fostering Arrangements

A private fostering arrangement occurs when someone other than a parent or close relative cares for a child for a period of 28 days or more, with the agreement of the child's parents. It applies to children under the age of 16 years old or 18 years old if the child is disabled.

Looked After Children by the local authority or those who are placed in residential school/colleges, children's homes or hospitals are not considered to be privately fostered.

Private fostering occurs in all cultures and children may be privately fostered at any age.

Rainbow Corner Windlesham recognises that most privately fostered children remain safe and well but are aware that safeguarding concerns have been raised in some cases. Therefore, all staff are alert to possible safeguarding issues, including the possibility that the child has been trafficked into the country.

By law, a parent, private foster carer or other persons involved in making a private fostering arrangement must notify Children's Social Care immediately. However, where a member of staff becomes aware that a child may be in a private fostering arrangement, they will raise this with the DSL and the DSL will notify the C-SPA immediately.

Looked After Children

The most common reason for children becoming looked after is because of abuse and neglect.

Rainbow Corner Windlesham will ensure that staff have the necessary skills and understanding to keep looked after children safe. Appropriate staff have information about a child's looked after legal status and care arrangements, including the level of authority delegated to the carer by the authority looking after the child and contact arrangements with birth parents or those with parental responsibility.

The Designated Teacher is Emma Fowles and they will have the appropriate level of training to equip them with the knowledge and skills to undertake their role.

The Designated Teacher for looked after children and the DSL have details of the child's social worker and the name and contact details of [Surrey County Council's Head of Virtual School](#).

Female Genital Mutilation (FGM)

Female Genital Mutilation (FGM) is illegal in England and Wales under the FGM Act (2003). It is a form of child abuse and violence against women. [A mandatory reporting duty requires teachers to report 'known' cases of FGM in under 18s](#), which are identified in the course of their professional work, to the Police.

The duty applies to all persons in Rainbow Corner Windlesham who are employed or engaged to carry out 'teaching work', whether or not they have qualified teacher status.

The duty applies to the individual who becomes aware of the case to make a report. It should not be transferred to the DSL; however, the DSL should be informed.

If a teacher is informed by a girl under 18 that an act of FGM has been carried out on her or a teacher observes physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and they have no reason to believe the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth, the teacher should personally make a report to the Police force in which the girl resides by calling 101. The report should be made immediately.

Staff at Rainbow Corner Windlesham are trained to be aware of risk indicators of FGM.

Concerns about FGM outside of the mandatory reporting duty should be reported using the setting's Child Protection procedures. Staff should be particularly alert to suspicions or concerns expressed by female children about going on a long holiday during the summer holiday.

There should also be consideration of potential risk to other girls in the family and the wider community. Where there is a risk to life or likelihood of serious immediate harm the teacher should report the case immediately to the Police, including dialling 999 if appropriate.

There are no circumstances in which a teacher or other member of staff should examine a girl.

N.B - Definition of teacher is this includes qualified teachers or persons who are employed or engaged to carry out teaching work in schools and other institutions (Pg. 25 [HM Government - Multi-agency statutory guidance on Female Genital Mutilation \(publishing.service.gov.uk\)](#))

Forced Marriage

A forced marriage is a marriage in which one or both people do not (or in cases of people with learning disabilities cannot) consent to the marriage but are coerced into it. Coercion may include physical, psychological, financial, sexual and emotional pressure. It may also involve physical or sexual violence and abuse.

Forced marriage is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights. Since June 2014 forcing someone to marry has become a criminal offence in England and Wales under the [Anti-Social Behaviour, Crime and Policing Act 2014](#).

A forced marriage is not the same as an arranged marriage which is common in many cultures. The families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Following [Forced marriage guidance](#) staff should never attempt to intervene directly or through a third party. Contact should be made with the C-SPA and/or the Forced Marriage Unit 200 7008 0151

Honour-based abuse

Honour based abuse (HBA) can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

Honour based abuse might be committed against people who:

- become involved with a boyfriend or girlfriend from a different culture or religion.
- want to get out of an arranged marriage; become involved with a boyfriend or girlfriend from a different culture or religion.
- want to get out of an arranged marriage.
- want to get out of a forced marriage
- wear clothes or take part in activities that might not be considered traditional within a particular culture

It is considered a violation of human rights and may be a form of domestic and/or sexual abuse

Prevent

[The Prevent Duty for England and Wales \(2015\)](#) under section 26 of the [Counter Terrorism and Security Act 2015](#) places a duty on education and other children's services to have due regard to the need to prevent people from being drawn into terrorism.

Staff at Rainbow Corner Windlesham are clear that exploitation of vulnerable children and radicalisation should be viewed as a safeguarding concern.

Staff receive [training](#) to help identify early signs of radicalisation and extremism.

Opportunities are provided in the curriculum to enable children to discuss issues of religion, ethnicity and culture. The setting promotes and embeds the fundamental British value in the setting through activities and within policies.

The Manager and the DSL will assess the level of risk within the setting and put actions in place to reduce that risk. Risk assessment may include, [due diligence checks for external speakers and private hire of facilities](#), anti-bullying policy and other issues specific to the setting's profile, community and philosophy.

When any member of staff has concerns that a child may be at risk of radicalisation or involvement in terrorism, they should speak with the DSL in the first instance. They should then follow the safeguarding procedures and refer cases by e-mail to preventreferrals@surrey.pnn.police.uk following the [Prevent referral form](#). If the matter is urgent then Police must be contacted by dialling 999.

In cases where further advice from the Police is sought dial 101 or 01483 632982 and ask to speak to the Prevent Supervisor for Surrey.

Sharing Nude and Semi Nude images and/or videos

The practice of children sharing images and videos via text message, email, social media or mobile messaging apps has become commonplace. However, this online technology has also given children the opportunity to produce and distribute sexual imagery in the form of photos and videos. Such imagery involving anyone under the age of 18 is unlawful.

Sharing Nudes/Semi-Nudes refers to both images and videos where:

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18.
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult.
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

All incidents of this nature should be treated as a safeguarding concern and in line with the UKCCIS guidance [Sharing nudes and semi-nudes: advice for education settings working with children and young people](#)

Cases where sexual imagery of people under 18 has been shared by adults and where sexual imagery of a person of any age has been shared by an adult to a child is child sexual abuse and should be responded to.

If a member of staff becomes aware of an incident involving making or sharing nudes/semi-nudes, they should follow the Child Protection procedures and refer to the DSL immediately.

The member of staff should confiscate the device involved and set it to flight mode or, if this is not possible, turn it off. Staff must not view, copy, or print the images.

The DSL should hold an initial review meeting with appropriate staff and subsequent interviews with the children involved (if appropriate).

Parents should be informed at an early stage and involved in the process unless there is reason to believe that involving parents would put the child at risk of harm.

At any point in the process if there is concern a child has been harmed or is at risk of harm a request for support should be made to the C-SPA and/or the Police as appropriate.

Immediate request for support at the initial review stage should be made to Children's Social Care/Police if:

- The incident involves an adult.
- There is good reason to believe that a young person has been coerced, blackmailed or groomed or if there are concerns about their capacity to consent (for example, owing to SEND).
- What you know about the imagery suggests the content depicts sexual acts which are unusual for the child's development stage or are violent.
- The imagery involves sexual acts.
- The imagery involves anyone aged 12 or under.
- There is reason to believe a child is at immediate risk of harm owing to the sharing of the imagery, for example the child is presenting as suicidal or self-harming.

If none of the above apply then the DSL will use their professional judgement to assess the risk to children involved and may decide, with input from the Manager to respond to the incident without referral to the C-SPA or the Police.

During the decision making the DSL will consider if:

- There is a significant age difference between the sender/receiver.
- There is any coercion or encouragement beyond the sender/receiver.
- The imagery was shared and received with the knowledge of the child in the imagery.
- The child is vulnerable, for example subject to Child in Need, Child Protection or Early Help plans, Looked After, SEND.
- There is a significant impact on the children involved.
- The image is of a severe or extreme nature.
- The child involved understands consent.
- The situation is isolated or if the image been more widely distributed.
- There other circumstances relating to either the sender or recipient that may add cause for concern.
- The children have been involved in incidents relating to youth produced sexual imagery previously.

If any of these circumstances are present the situation will be referred according to our Child Protection procedures, including referral to the C-SPA or the Police.

The DSL will record all incidents of making, sharing and sending nudes and semi-nudes including the actions taken, rationale for actions and the outcome.

Appendix one: What is child abuse?

The following definitions are taken from Working Together to Safeguard Children HM Government (2018). In addition to these definitions, it should be understood that children can also be abused by being sexually exploited, honour-based violence, forced marriage or female genital mutilation. To support the local context, all staff have access to the [Surrey Safeguarding Children Partnership Levels of Need Threshold Document](#).

What is abuse and neglect?

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children.

Physical abuse

Physical abuse 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.

Emotional abuse

The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development.

It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. 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 cyber 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 in isolation.

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 online).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect

Neglect is 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 health or development.

Neglect may occur during pregnancy as a result of maternal substance abuse.

At Rainbow Corner Windlesham we have a trained member of staff Hayley Smith who is trained in the Graded Care Profile 2 Neglect tool. We use the [Graded Care Profile 2](#) tool to support better identification and intervention in cases of neglect. The [Neglect Risk Assessment Tool](#) is used to support with the initial identification of neglect.

Appendix Two: Signs and Indicators of abuse and neglect

[Bullying and cyberbullying](#)

[Child sexual exploitation](#)

[Child trafficking](#)

[Criminal exploitation and gangs](#)

[Domestic abuse](#)

[Emotional abuse](#)

[Grooming](#)

[Neglect](#)

[Non-recent abuse](#)

[Online abuse](#)

[Physical abuse](#)

Additional Resources

- [Surrey County Council Education Safeguarding Team webpages](#)
- [NSPCC webpages](#)
- [Childline webpages](#)
- [CEOP ThinkuKnow webpages](#)
- [Anti Bullying Alliance webpages](#)
- [Childnet International](#)
- [Safer Internet Centre webpages](#)
- [Contextual Safeguarding Network webpages](#)
- [Surrey Safeguarding Children Partnership webpages](#)
- [Lucy Faithfull Foundation webpages](#)
- [Graded Care Profile 2](#)