



SAFEGUARDING AND CHILD POLICY

This policy will be reviewed annually or in response to changes in legislation		
Created	August 2023	Designated Safeguarding Lead, Head of Compliance and Health & Safety
Reviewed	September 2025	Designated Safeguarding Lead, Head of Compliance
Approved	September 2025	Proprietor (Board)

Contents

Key Kindergarten contacts	3
Key external contacts	4
Aims	6
Scope and application	7
Regulatory framework	7
Publication and availability	9
Definitions	9
Responsibility statement and allocation of tasks: the Kindergarten's approach to safeguarding leadership	10
Specific safeguarding duties in relation to children	13
Reporting obligations of staff	14
Managing support for pupils internally	16
Early help assessment	16
Making a referral	18
Allegations against pupils - child-on-child abuse	19
Extra-familial harm	23
Risk assessment	23
What to do if staff have a safeguarding concern about someone else's welfare	24
Allegations made and or / concerns raised about staff and others in School	24
Informing parents	28
Additional reporting	29
Safer recruitment and supervision of staff	29
Use of mobile technology	30
Training	30
Monitoring and review	32
Record keeping	33
Appendix	
Appendix 1 Forms of abuse and neglect and specific safeguarding risks	36
Appendix 2 Concerns about a child - guidance for staff	44
Appendix 3 Dealing with allegations of child-on-child abuse	46
Appendix 4 Local arrangements	51
Appendix 5 Kindergarten arrangements	52

Key Kindergarten contacts

Safeguarding Team

Email: kingsafeguarding@thomas-s.co.uk

Telephone number: 020 7738 0400

Designated Safeguarding Lead (DSL)

(including EYFS provision)

Lucy Lee

(Head)

Email: llee@thomas-s.co.uk

Telephone number: 020 7738 0400

Deputy Designated Safeguarding Lead (DDSL)

(including EYFS provision)

Angela Isidoro

Email: aisidoro@thomas-s.co.uk

Telephone number: 020 7738 0400

Contact details of the Senior Leadership Team

Lucy Lee (Head)

Email: llee@thomas-s.co.uk

Telephone number: 020 7738 0400

Proprietor

Ben Thomas (Principal, OFSTED Nominated Individual)

Email: bthomas@thomas-s.co.uk

Telephone number: 020 7978 0900

Nominated Safeguarding Governor

Sophie Rees

Email: srees@thomas-s.co.uk

Telephone number: 07989 347 736

Key external contacts

Local Authority Designated Officer(s) (LADO)

Anita Gibbons

Telephone number: 07974 586 461

Email: LADO@wandsworth.gov.uk

Website (incl. LADO referral form):
<https://thrive.wandsworth.gov.uk/kb5/wandsworth/fsd/service.page?id=OHSVp48k7SI>

Early Year Designated Safeguarding Service Lead

Matt Hutt

matt.hutt@richmondandwandsworth.gov.uk

Wandsworth Safeguarding Children Partnership

Website: <http://www.wscp.org.uk/>

Early Years:
<https://earlyyears.wandsworth.gov.uk/Page/30957>

Telephone number: 020 8871 7401

Email: wscp@wandsworth.gov.uk

Wandsworth Multi-agency Safeguarding Hub (MASH)

Address: 2nd Floor Town Hall
Extension, Wandsworth High Street,
London, SW18 2PU

Telephone: 020 8871 6622

Email: mash@wandsworth.gov.uk

Outside of normal office hours (after
5pm weekdays or on weekends): 020
8871 6000

Professionals making a referral, must
complete the [Multi-agency Referral
Form](#) (MARF).

Head of MASH and Referral and Assessment Services

Iain Low

iain.low@richmondandwandsworth.gov.uk

FGM reporting - non-emergency police contact number

101

Project Azure Partnership Team: 020
7161 2888

Prevent partners and advice about extremism

Hate Crime and Prevent Coordinator

Naheem Bashir

Email:
Naheem.Bashir@richmondandwandsworth.gov.uk

Non-emergency DfE advice

020 7340 7264

counter-extremism@education.gsi.gov.uk

UK Safer Internet Centre

0344 381 4772

helpline@saferinternet.org.uk

NSPCC whistleblowing helpline

Weston House
42 Curtain Road
London
EC2A 3NH

Telephone: 0800 028 0285

Email: help@nspcc.org.uk

<https://www.nspcc.org.uk/what-is-child-abuse/types-of-abuse/>

Report Abuse in Education helpline

A dedicated helpline for children and young people who have experienced abuse at school, and for worried adults and professionals that need support and guidance, including for non-recent abuse.

0800 136 663 or email
help@nspcc.org.uk

1 AIMS

- 1.1 This is the Safeguarding and child protection policy and procedures of Thomas's Kindergarten (the **Kindergarten**).
- 1.2 The aims of this policy are as follows:
 - 1.2.1 to actively promote the well-being of pupils;
 - 1.2.2 to safeguard and promote the welfare of children, staff and others who come into contact with the Kindergarten and to protect them from harm;
 - 1.2.3 to have clear procedures in place for dealing with and referring concerns about the welfare of any individual and / or allegations of abuse, neglect and / or exploitation;
 - 1.2.4 to raise awareness about how to report concerns and how they will be investigated, whether they are current or historic in nature;
 - 1.2.5 to raise staff awareness about the Kindergarten's safeguarding expectations;
 - 1.2.6 to ensure staff are competent to carry out their safeguarding responsibilities and feel supported in this role;
 - 1.2.7 to ensure consistent good safeguarding practice throughout the Kindergarten, to include the promotion of a zero tolerance approach to child-on-child sexual violence and harassment in which pupils are confident to report it and staff are confident to identify and respond to it; and
 - 1.2.8 to promote a whole Kindergarten culture of safety, equity and protection.
- 1.3 Every pupil should feel safe and protected from any form of abuse and neglect and exploitation.
- 1.4 All staff should understand the indicators of abuse and neglect and specific safeguarding risks so that they can identify them and report any concerns about children. The indicators and key safeguarding risks for the Kindergarten community are set out in Appendix 1.
- 1.5 Members of the Kindergarten community (including alumni) should also feel able to raise any safeguarding concerns, whether current or non-recent, safe in the knowledge that they will be supported, the matter will be handled sensitively and appropriate action taken.
- 1.6 Anyone about whom a concern is raised should feel confident that they will be supported and the matter will be handled sensitively and that appropriate action will be taken.
- 1.7 This policy forms part of the Kindergarten approach to promoting child safeguarding and wellbeing, which seeks to involve everyone at the Kindergarten to ensure that the best interests of pupils underpins and is at the heart of all decisions, systems, processes and policies.

- 1.8 Although this policy is necessarily detailed, it is important to the Kindergarten that our safeguarding policies and procedures are transparent, clear and easy to understand for staff, pupils, parents and carers. The Kindergarten welcomes feedback on how we can continue to improve our policies.

2 SCOPE AND APPLICATION

- 2.1 This policy applies to the whole Kindergarten.
- 2.2 This policy applies at all times including where pupils or staff are away from the Kindergarten, whether they are in Kindergarten- arranged activities or otherwise, and whether or not the Kindergarten is open. It will therefore apply out of Kindergarten hours and in the holidays.
- 2.3 This policy applies to core Kindergarten activities and to out of hours and commercial activities.
- 2.4 This policy is designed to address the specific statutory obligations on the Kindergarten to safeguard and promote the welfare of children.

3 REGULATORY FRAMEWORK

- 3.1 This policy has been prepared to meet the Kindergarten's responsibilities under the following legislation:
- 3.1.1 Keeping children safe in education (KCSIE) 2025 (in force from 1 September 2025).
 - 3.1.2 Statutory framework for the Early Years Foundation Stage (EYFS) — group and school-based providers (from 1 September 2025).
 - 3.1.3 Working Together to Safeguard Children (2023).
 - 3.1.4 Prevent duty: guidance for schools and childcare providers (England) – revised 2023.
 - 3.1.5 Channel Duty Guidance (2021).
 - 3.1.6 Information sharing: advice for safeguarding practitioners (May 2024).
 - 3.1.7 Police and Criminal Evidence Act 1984 (PACE) – Code C (2023).
 - 3.1.8 Data protection: UK GDPR and the Data Protection Act 2018.
 - 3.1.9 Children and Families Act 2014 (including Part 3 – SEND).
 - 3.1.10 Children Act 1989 and Children Act 2004.
 - 3.1.11 Education Act 2002 (including safeguarding duties on proprietors/governing bodies).

3.2 This policy has regard to the following guidance and advice:

3.2.1 Statutory guidance:

- (a) [Keeping children safe in education](#) (DfE, September 2025) (KCSIE);
- (b) [Early Years Foundation Stage Framework](#) (DfE, July 2025)
- (c) [Working together to safeguard children 2023](#) (HM Government) (**WTSC**);
- (d) [Disqualification under the Childcare Act 2006](#) (DfE, August 2018);
- (e) [Prevent duty guidance: England and Wales](#) (HM Government, 2023);
- (f) [Multi-agency statutory guidance on female genital mutilation](#) (HM Government, July 2020);
- (g) [Relationships education, relationships and sex education and health education guidance](#) (DfE, September 2021);
- (h) [Channel duty guidance: protecting vulnerable people from being drawn into terrorism](#) (HM Government, February 2021); and
- (i) [PACE Code C 2019](#).

3.2.2 Non-statutory advice:

- (a) [What to do if you're worried a child is being abused: advice for practitioners](#) (HM Government, March 2015);
- (b) [Information sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers](#) (DfE, May 2024);
- (c) [Keeping children safe in out-of-kindergarten settings: code of practice](#) (DfE, April 2022)
- (d) [Child sexual exploitation: definition and a guide for practitioners local leaders and decision makers working to protect children from child sexual exploitation](#) (DfE, February 2017);
- (e) [Safeguarding children and protecting professionals in early years settings: online safety considerations](#) (UK Council for Internet Safety, February 2019);
- (f) [Educate Against Hate](#) (HM Government 2018); and
- (g) [Equality Act 2010: advice for schools](#) (DfE, June 2018).

3.2.3 [Wandsworth Safeguarding Children Partnership's referral / threshold procedures / guidance](#).

3.3 The following Kindergarten policies, procedures and resource materials are relevant to this policy:

- 3.3.1 Staff Code of Conduct;
- 3.3.2 Staff ICT Acceptable Use Policy;
- 3.3.3 Whistleblowing Policy;
- 3.3.4 Safer Recruitment Policy;
- 3.3.5 Online Safety Policy;
- 3.3.6 Behaviour Policy;
- 3.3.7 Security Policy;
- 3.3.8 Non-Collection Policy;
- 3.3.9 Special Educational Needs and Disabilities (SEND) Policy;
- 3.3.10 Health and Safety Policy;

- 3.3.11 Medical Care Policy; and
- 3.3.12 Parental Involvement Policy

4 PUBLICATION AND AVAILABILITY

- 4.1 This policy is published on the Kindergarten website.
- 4.2 This policy is available in hard copy on request.
- 4.3 A copy of the policy is available for inspection from the Kindergarten during the Kindergarten day.
- 4.4 This policy can be made available in large print or other accessible format if required.
- 4.5 This policy and all policies referred to in it are also available to staff on the Kindergarten's website.

5 DEFINITIONS

- 5.1 Where the following words or phrases are used in this policy:
 - 5.1.1 References to the **Proprietor** are references to Thomas's London Day Schools (TLDS). TLDS is governed on behalf of the Shareholders by the Board;
 - 5.1.2 References to **working days** mean Monday to Friday, even if the Kindergarten is open on Saturdays, when the Kindergarten is open during term time. The dates of terms are published on the Kindergarten's website. If referrals to an external agency are required outside term time, references to **working days** are to the days on which the relevant external agency is working;
 - 5.1.3 **Safeguarding** is the protection of people from harm.
 - 5.1.4 **Safeguarding and promoting the welfare of children** is defined in WTSC and KCSIE as:
 - (a) Providing help and support to meet the needs of children as soon as problems emerge;
 - (b) protecting children from maltreatment, whether that is within or outside the home, including online;
 - (c) preventing impairment of children's mental and physical health or development;
 - (d) ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
 - (e) promoting the upbringing of children with their birth parents, or otherwise their family network through a kinship care arrangement, whenever possible and where this is in the best interests of the children; and

- (f) taking action to enable all children to have the best outcomes in line with the outcomes set out in the Children's Social Care National Framework.
- 5.1.5 **CSC** means Children's Social Care and includes, depending on the context, the team based in the local authority where the Kindergarten is located and, where appropriate, the team based in the local authority where the child is resident.
- 5.1.6 **DSL** means the Kindergarten's Designated Safeguarding Lead. References to the DSL include the Deputy DSL (**DDSL**) where the DSL is unavailable.
- 5.1.7 **Designated Officer** means designated officer at the local authority (often referred to as the LADO). The designated officer(s) has overall responsibility for oversight of the procedures for dealing with allegations, for resolving any inter-agency issues, and for liaison with the three safeguarding partners
- 5.1.8 **Local Safeguarding Partners** means the three safeguarding partners (local authority, Integrated Care Systems' (ICSs) and the chief officer of police for an area any part of which falls within the local authority area) who make arrangements to work together with appropriate relevant agencies to safeguard and promote the welfare of local children, including identifying and responding to their needs. The local arrangements relevant to the Kindergarten can be found in Appendix 5.
- 5.1.9 References to **harmful sexual behaviour** in this policy refer to problematic, abusive and violent sexual behaviours expressed by children and young people under the age of 18 years old that are developmentally inappropriate and may cause developmental damage, may be harmful towards self or others, or abusive towards another child, young person or adult. Further information about the Kindergarten's response to allegations of child-on-child abuse are provided in Appendix 3.
- 5.1.10 Reference to **staff** includes all those who work for or on behalf of the Kindergarten, regardless of their employment status, including contractors, supply staff, volunteers, Proprietors and nominated Governors unless otherwise indicated.
- 5.1.11 Senior Leadership Team (**SLT**) comprises the Head and Deputy Head.
- 5.1.12 Reference to the Board includes the three Directors, nominated Safeguarding Governor and any individuals appointed in an advisory capacity.

6 RESPONSIBILITY STATEMENT AND ALLOCATION OF TASKS: THE KINDERGARTEN'S APPROACH TO SAFEGUARDING LEADERSHIP

- 6.1 The Proprietor has overall responsibility for all matters which are the subject of this policy, including:
 - 6.1.1 legal responsibility to ensure that arrangements are made to safeguard and promote the welfare of pupils at the Kindergarten, having regard to relevant guidance issued by the Secretary of State;

- 6.1.2 strategic leadership responsibility for the Kindergarten's safeguarding arrangements; and
 - 6.1.3 specific responsibilities to facilitate a whole Kindergarten approach to safeguarding, set out in more detail in Part 2 of KCSIE.
 - 6.1.4 establishing appropriate delegation arrangements at Kindergarten level, led by the Head and DSL, to enable the Kindergarten to discharge its safeguarding duties effectively
- 6.2 The Proprietor:
- 6.2.1 appoints a Nominated Safeguarding Governor to lead on safeguarding matters, whose contact details are set out in the Kindergarten contacts list at the front of this policy;
 - 6.2.2 ensures that all members of the Board receive appropriate safeguarding and child protection (including online safety) training, both on induction and thereafter regularly updated. Training should be consistent with KCSIE and Local Safeguarding Partner guidance;
 - 6.2.3 ensures it discharges its legal responsibilities under the Human Rights Act 1998 and the Equality Act 2010, having regard for the implications for safeguarding that such responsibilities can have;
 - 6.2.4 ensures that appropriate arrangements are in place for the whole Board to discharge their function, including appropriate consideration of safeguarding matters at Board meetings and a holistic annual review of safeguarding; and
 - 6.2.5 establishes appropriate delegation arrangements at Kindergarten level, led by the Head and DSL, to enable the Kindergarten to discharge its safeguarding duties effectively. This includes attendance by the DSL at twice-termly TLDS Safeguarding Committee meetings.
- 6.3 To ensure the efficient discharge of its responsibilities under this policy, the Proprietor has allocated the following tasks:

Task	Allocated to	When / frequency of review
Keeping the policy up to date and compliant with the law and best practice	Head of Compliance	As required, and at least annually
Monitoring the implementation of the policy, relevant risk assessments and any action taken in response and evaluating effectiveness	DSL	As required, and at least termly

Task	Allocated to	When / frequency of review
Seeking input from interested groups (such as pupils, staff, parents) to consider improvements to the Kindergarten's processes under the policy	DSL	As required, and at least annually
Formal annual review of the Kindergarten's safeguarding policies and procedures and review of their implementation.	Proprietor (Board)	At least annually
Assessing the adequacy of safeguarding arrangements for those who use or hire premises	Proprietor (Board)	Before commencement of arrangement and thereafter at least annually

6.4 **HEAD**

- 6.4.1 The Head is responsible for the overall management of the Kindergarten and for the management of concerns and allegations about staff.
- 6.4.2 The Head ensures that the Kindergarten's policies and procedures, adopted by the Proprietor (particularly those concerning referrals of cases of suspected abuse and neglect and exploitation) are understood, and followed by all staff.¹

6.5 **DESIGNATED SAFEGUARDING LEAD (DSL)**

- 6.5.1 As Head, the DSL is a senior member of staff of the Kindergarten's leadership team² with the necessary status and authority to take lead responsibility for all aspects of safeguarding and child protection (including online safety) throughout the Kindergarten.
- 6.5.2 The DSL has the appropriate status and authority within the Kindergarten to carry out the duties of the post, and the time, funding, training, resources and support to enable them to provide advice and support to other staff on child welfare and child protection matters, 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. The name and contact details of the DSL are set out in the Kindergarten contacts list

¹ Paragraph 78 KCSIE 2023.

² Paragraph 103 KCSIE 2023 states it is not appropriate for the Proprietor to be the DSL.

at the front of this policy. The main responsibilities of the DSL are set out in Annex C of KCSIE.

- 6.5.3 As Head, the DSL will be aware of issues relating to any police investigations and the statutory requirements for children to have an appropriate adult. The role of the appropriate adult is to safeguard the rights, entitlements and welfare of juveniles to whom the provisions of [PACE Code C](#) and any other code of practice apply.
- 6.5.4 The DSL will take lead responsibility for pupils who are looked after children.
- 6.5.5 The DSL will also take lead responsibility for online safety and understanding the filtering and monitoring systems and processes the Kindergarten has in place;
- 6.5.6 The DSL will also undertake the role of senior mental health lead and is responsible for developing a holistic approach to promoting and supporting the mental wellbeing of pupils and staff. Refer to the Pupil Wellbeing Policy for further details
- 6.5.7 If the DSL is unavailable the activities of the DSL will be carried out by a Deputy DSL. The Deputy DSLs' details are also set out in the Kindergarten contacts list at the front of this policy.

7 SPECIFIC SAFEGUARDING DUTIES IN RELATION TO CHILDREN

- 7.1 Safeguarding and promoting the welfare of children is **everyone's** responsibility. 'Children' includes everyone under the age of 18.
- 7.2 The Kindergarten is committed to acting in the best interests of the child so as to safeguard and promote the welfare of children and young people. The Kindergarten requires everyone who comes into contact with children and their families to share this commitment.
 - 7.2.1 The Kindergarten will:
 - (a) understand its role in the safeguarding partner arrangements [Wandsworth Safeguarding Children Partnership](#) and operate safeguarding procedures in line with locally agreed multi-agency safeguarding arrangements put in place by the Wandsworth Safeguarding Children Partnership the key details of which are contained in Appendix 5.
 - (b) be alert to signs of abuse whether in Kindergarten, within the child's family or from outside, and take steps to protect individuals from any form of abuse, or neglect whether from an adult or another child;
 - (c) include opportunities within the curriculum for children to develop the skills they need to recognise, and stay safe from abuse;
 - (d) promote the systems in place for children to confidentially report abuse, ensuring they know their concerns will be treated seriously, they can safely express their views and give feedback;

- (e) allow staff to determine how best to build trusted relationships with pupils which facilitate communication within the parameters of the staff code of conduct;
- (f) deal appropriately with every suspicion or complaint of abuse and support children who have been abused in accordance with appropriate education, child protection and / or welfare plans;
- (g) design and operate procedures which, so far as possible, ensure that staff pupils and others who are innocent are not prejudiced by malicious, false, unsubstantiated or unfounded allegations;
- (h) prepare staff to identify children who may benefit from early help and encourage them to be particularly alert to the potential need for early help for children with the indicators listed in KCSIE or WTSC;
- (i) be alert to children who are at potentially greater risk of harm including children who need a social worker and children requiring mental health support;
- (j) be alert to the needs of pupils with physical or mental health conditions, special educational needs or disabilities, which could be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation, and where additional barriers can exist when detecting abuse or neglect or exploitation;
- (k) encourage a culture of listening to pupils and victims of abuse and taking account of their wishes and feelings in any measure put in place and actions taken by the Kindergarten to protect them;
- (l) operate robust and sensible health and safety procedures and operate clear and supportive policies on drugs, alcohol and substance misuse;
- (m) consider and develop procedures to deal with any other safeguarding issues which may be specific to individual pupils in the Kindergarten or in the local area. See Appendix 5 for more details.

7.3 Staff may follow the Thomas's Whistleblowing policy to raise concerns about poor or unsafe safeguarding practices at the Kindergarten or potential failures by the Kindergarten or its staff to properly fulfil its safeguarding responsibilities. Such concerns will be taken seriously. The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns about child protection failures internally (see the front of this policy for the relevant contact details). Staff may also report concerns direct to the Kindergarten's Local Authority if they consider that the Kindergarten has failed to deal with concerns appropriately.

8 REPORTING OBLIGATIONS OF STAFF

8.1 Reporting obligations generally

- 8.1.1 Staff members should maintain an attitude of **"it could happen here"** where safeguarding is concerned. When concerned about the welfare of a pupil, staff members should always act in the **best** interests of the pupil.
- 8.1.2 Staff should be aware that pupils may not know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful. Exercising professional curiosity

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

8.1.3 All staff have a duty to:

- (a) report any concerns they may have about the safety and / or well-being of pupils;
- (b) report any concerns they may have about the safety and / or well-being of other persons associated with the Kindergarten;
- (c) report any safeguarding concerns about staff or anyone else associated with the Kindergarten; and
- (d) follow up on any such reports to ensure that appropriate action is or has been taken.

8.1.4 The procedures for doing so are set out below. If staff are unsure about the appropriate process to use, they should not hesitate to exercise professional curiosity and speak to the DSL, any member of the SLT or directly to children's social care (whether the Kindergarten's local authority or that local to the child's home address) or police in their absence for guidance.

8.2 *What to do if staff have a concern about a pupil's welfare*

8.2.1 If staff have **any concern about a pupil's welfare**, they should follow the procedures in this policy and report their concern to the DSL (or the DDSL in the DSL's absence) **immediately**.

- (a) The contact details of the DSL and DDSL are set out in the contacts list at the front of this policy;
- (b) See Appendix 2 for guidance about what to do when receiving a disclosure and section 23 below relating to recording a concern.

8.2.2 A concern about a child is not defined and should be interpreted broadly. It may relate to a recognition that a child would benefit from extra support, to an emerging problem or to a potentially unmet need, or may reflect a concern that a child may be deemed to be "in need" or at "immediate risk of harm" as defined by the Children Act 1989.

8.2.3 Teachers must report known cases of female genital mutilation (**FGM**) to the police. See Appendix 1 for further information about FGM and this reporting duty. All other staff should refer FGM concerns to the DSL.

8.2.4 If the concern involves an **allegation or concern raised about a member of staff**, supply staff, contractors or volunteers this must be reported in accordance with the procedures set out below and parts 1 and 4 of KCSIE.

8.2.5 *What if the DSL is unavailable?*

- (a) The DSL or the DDSLs should always be available to discuss safeguarding concerns and may be contacted on the email address at the front of the policy in relation to any safeguarding concerns out of Kindergarten hours.
- (b) If in exceptional circumstances the DSL and DDSL are unavailable, staff must not delay taking action. Staff should speak to their line

manager or a member of the SLT and / or advice should be taken from children's social care. Their contact details are set out at the front of this policy.

- (c) Where a child is suffering, or is likely to suffer from harm, a referral to children's social care and / or police should be made immediately. Staff should be aware of the process for making referrals direct to children's social care and / or the police in these circumstances. See section 11 below for further details on making a referral.
- (d) Any action taken by a member of staff pursuant to this requirement should then be shared with the DSL or DDSL, or a member of the SLT, as soon as is practically possible.

8.3 Action by the DSL

8.3.1 On receipt of a report of a concern, the DSL will consider the appropriate course of action in accordance with the appropriate Local Safeguarding Partners procedures and referral threshold document. Such action may include:

- (a) managing any support for the pupil internally via the Kindergarten's own pastoral support processes, seeking advice from children's social care where required (see 7 below);
- (b) undertaking an early help assessment (which generally requires parental consent) (see 8 below); or
- (c) making a referral for statutory services (see 9 below).

8.3.2 The views of the child will be taken into account when considering the appropriate course of action, but will not be determinative.

8.3.3 If it is decided that a referral is not required, the DSL will keep the matter under review and give ongoing consideration to a referral if the pupil's situation does not appear to be improving.

9 MANAGING SUPPORT FOR PUPILS INTERNALLY

9.1 The Kindergarten has a framework for the identification, assessment, management and review of risk to pupil welfare, so that appropriate action can be taken to reduce the risks identified. See section 14.

9.2 The Kindergarten will ensure that appropriate advice and consultation is sought about the management of safeguarding issues, including advice from CSC where necessary.

10 CONTEXTUAL SAFEGUARDING

10.1 Safeguarding incidents and/or behaviours can be associated with factors outside the Kindergarten and can occur between children outside School. All staff, but especially the DSL (and DDSLs), should consider the context within which such incidents and/or behaviours occur.

10.2 The Kindergarten will, as part of the wider assessment of children, consider whether environmental factors are present in a child's life that are a threat to their safety and/or welfare.

- 11** The Kindergarten will share as much information as possible as part of the referral process to enable consideration of all the available evidence and the full context of any abuse.

12 *EARLY HELP ASSESSMENT*

- 12.1 Early help, also known as early intervention, is support given to a family when a problem first emerges. It can be provided at any stage of a child or young person's life to parents, children or whole families, and is generally supported by CSC in consultation with the family.

- 12.2 The Kindergarten understands that providing early help is more effective in promoting the welfare of children than reacting later.

- 12.3 The Kindergarten's safeguarding training includes guidance about early help processes and prepares all staff to identify children who may benefit from early help. Staff are mindful of specific safeguarding issues and those pupils who may face additional safeguarding challenges. Staff should be particularly alert to the potential need for early help for a child who:

12.3.1 is disabled or has certain health conditions and has specific additional needs;

12.3.2 has special educational needs (whether or not they have a statutory education, health and care plan);

12.3.3 has a mental health need;

12.3.4 is a young carer;

12.3.5 is showing signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;

12.3.6 is frequently missing / goes missing from care or from home;

12.3.7 has experienced multiple suspensions, is at risk of being permanently excluded from schools, college and in alternative provision or a pupil referral unit;

12.3.8 is at risk of modern slavery, trafficking sexual or criminal exploitation;

12.3.9 is susceptible of being radicalised or exploited;

12.3.10 has a parent or carer in custody, or is affected by parental offending;

12.3.11 is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse;

12.3.12 is misusing alcohol or other drugs themselves;

12.3.13 is looked after or has returned home to their family from care;

12.3.14 is at risk of "honour-based" abuse such as Female Genital Mutilation or Forced Marriage;

12.3.15 is a privately fostered child; and

12.3.16 is absent from education, particularly on repeated occasions and/or prolonged periods including persistent absences for part of the Kindergarten day.

- 12.4 A member of staff who considers that a pupil may benefit from early help should keep a written record of their concerns and in the first instance discuss this with the DSL (see paragraph 15 below and Appendix 2 for further guidance). The DSL will consider the appropriate action to take in accordance with the child's Local Safeguarding Children Partnership menu of early help services and their referral threshold document and will support staff in liaising with parents and other agencies and setting up an inter-agency assessment as appropriate.
- 12.5 If early help is appropriate, staff may be required to support other agencies and professionals in an early help assessment and will be supported by the DSL in carrying out this role. In some cases Kindergarten staff may be required to take a lead role.
- 12.6 Further guidance on effective assessment of the need for early help can be found in Working Together to Safeguard Children.
- 12.7 The matter will be kept under review and consideration given to a referral to children's social care for assessment for statutory services if the pupil's situation appears to be getting worse, or does not appear to be improving.

13 MAKING A REFERRAL

- 13.1 **Where a child is suffering, or is likely to suffer from harm, a referral to children's social care (and if appropriate the police) should be made immediately.**
- 13.2 "Harm" is the "ill treatment or impairment of the health or development of a child".³ Seeing or hearing the ill-treatment of another person is also a form of harm. It can be determined "significant" by "comparing a child's health and development with what might be reasonably expected of a similar child."
- 13.3 The contact details for the Kindergarten's CSC team are set out at the front of this policy. Referrals should be made to the local authority where the child resides.
- 13.4 Anyone can make contact with CSC to discuss concerns before a referral is made. This includes professionals as well as a child themselves, family members and members of the public. The child's local safeguarding partners will have a threshold of need framework and guidance which will provide more information which can support decision making in relation to contacting CSC.
- 13.5 *Statutory assessments*
 - 13.5.1 Children's social care may undertake a statutory assessment under the *Children Act 1989* into the needs of the child. It is likely that the person making the referral will be asked to contribute to this process. Statutory assessments include:
 - (a) Children in need: A child in need is a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose

³ Section 31 Children Act 1989

health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Children in need may be assessed under section 17 of the Children Act 1989.

- (b) Children suffering or likely to suffer significant harm: Local authorities with the help of other organisations as appropriate, have a duty to make enquiries under section 47 of the Children Act 1989 if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

- 13.6 Anybody can make a referral. Staff required to make a direct referral may find helpful the flowchart set out on page 22 of KCSIE and the flowcharts set out in Chapter 1 of WTSC for information about the likely actions and decisions required.
- 13.7 Parental consent is not required for referrals to statutory agencies but staff will need to have access to certain information about the child and the safeguarding concern in order to make the referral. In general terms, this information will comprise:
 - 13.7.1 personal details of the child including the child's developmental needs;
 - 13.7.2 detailed information about the concern;
 - 13.7.3 information about the child's family and siblings including the capacity of the child's parents or carers to meet the child's developmental needs and any external factors that may be undermining their capacity to parent.
- 13.8 If the referral is made by telephone, this should be followed up in writing.
- 13.9 If the referral is made by someone other than the DSL, the DSL should be informed of the referral as soon as possible.
- 13.10 Confirmation of the referral and details of the decision as to what course of action will be taken should be received from the local authority within one working day. If this is not received, the DSL (or the person that made the referral) should contact children's social care again.
- 13.11 Following a referral, if the child's situation does not appear to be improving, the local escalation procedures should be followed to ensure that the concerns have been addressed and that the child's situation improves.

14 ALLEGATIONS AGAINST PUPILS - CHILD-ON-CHILD ABUSE

- 14.1 Allegations against pupils should be reported in accordance with the procedures set out in this policy in Appendix 3. If harmful sexual behaviour is alleged to have occurred, the DSL will have regard to Part 5 of KCSIE and take into account the local response of the police and children's social care to these issues. The views of the alleged victim will be taken into account but will not be determinative.
- 14.2 All those involved in such allegations will be treated as being at risk and in need of support and the safeguarding procedures in accordance with this policy will be followed. Appropriate support will be provided to all pupils involved, including support from external services as necessary.

15 EXTRA-FAMILIAL HARM

- 15.1 Safeguarding incidents and / or behaviours can be associated with factors outside the Kindergarten and / or can occur between children outside the Kindergarten, inside and outside of home and online.
- 15.2 All staff, including the DSL, should consider the context within which such incidents and / or behaviours occur, for example where wider environmental factors are present in a child's life that may be a threat to their safety and / or welfare, and should record these appropriately.
- 15.3 Children's social care should be informed of all such information to allow any assessment process to consider all available evidence and the full context of any abuse.
- 15.4 Extra-familial harm: all staff, but especially the DSL (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual abuse (including harassment and exploitation)..

16 RISK ASSESSMENT

- 16.1 Where a concern about a pupil's welfare is identified, the risks to that pupil's welfare will be assessed and appropriate action will be taken to reduce the risks identified.
- 16.2 The format of risk assessment may vary and may be included as part of the Kindergarten's overall response to a welfare issue, including the use of individual pupil welfare plans (such as behaviour, healthcare and education plans, as appropriate). Regardless of the form used, the Kindergarten's approach to promoting pupil welfare will be systematic and pupil focused.
- 16.3 The Head has overall responsibility for ensuring that matters which affect pupil welfare are adequately risk assessed and for ensuring that the relevant findings are implemented, monitored and evaluated.
- 16.4 Day to day responsibility to carry out risk assessments under this policy will be delegated to the DSL who has been properly trained in, and tasked with, carrying out the particular assessment.

17 WHAT TO DO IF STAFF HAVE A SAFEGUARDING CONCERN ABOUT SOMEONE ELSE'S WELFARE

- 17.1 Staff who have safeguarding concerns about the welfare of others or any other safeguarding issue not expressly covered by this policy, should report them.
- 17.2 In the absence of an express procedure about reporting, they should report such concerns to their line manager or the DSL in the first instance.

18 ALLEGATIONS MADE AND OR / CONCERNS RAISED ABOUT STAFF AND OTHERS IN KINDERGARTEN

- 18.1 The Kindergarten has a policy and procedures for managing allegations made and / or concerns raised about any adult working for, or on behalf of, the

Kindergarten, whether paid or unpaid, or any Other Adult which may affect the safety and welfare of children.

- 18.2 The procedures in this policy apply to staff who pose a risk of harm to children or may behave in a way that indicates that they may be unsuitable to work with children. They also apply to low level concerns that do not meet the harms threshold. The procedures aim to strike a balance between the need to protect children from abuse and the need to protect staff from malicious, unfounded, false, or unsubstantiated allegations. The policy and procedures are set out below and follow the guidance in Parts 1 and 4 of KCSIE.
- 18.3 The Kindergarten will follow its employment procedures for dealing with any other safeguarding concern raised about staff, involving external agencies as appropriate.
- 18.4 Detailed guidance is provided to staff to ensure that all staff are clear on the rules of conduct and the expectations of the Kindergarten in relation to contact with pupils, parents, colleagues and any other person who comes into contact with the Kindergarten. This guidance is contained in the Staff Code of Conduct and includes details of additional safeguarding arrangements where staff engage in one-to-one teaching and meetings with pupils.

Concerns about adults and low level concerns

1 Key contact information

- 1.1 Below is the key contact information you may need to raise an allegation or low level concern under this policy.

Head and Designated Safeguarding Lead (DSL)	Lucy Lee llee@thomas-s.co.uk
Proprietor (Principal)	Thomas's London Day School Mr Ben Thomas 020 7978 0900 bthomas@thomas-s.co.uk
Nominated Safeguarding Governor	Sophie Rees 07989 347 736 srees@thomas-s.co.uk
LADO	LADO@wandsworth.gov.uk

2 Purpose and application

- 2.1 Purpose: the Kindergarten takes safeguarding extremely seriously. It is of paramount importance that we maintain an open and transparent culture in which all concerns about adults are shared promptly, responsibly and with the right person. We recognise the importance of ensuring adults who work with, or otherwise come into contact with children, do so in a way that is consistent with our values, culture and expected standards of behaviour. We also recognise that concerns may

arise in several ways and from a number of sources. The purpose of this policy is to provide a framework for all concerns to be raised, recorded and dealt with effectively by the Kindergarten.

- 2.2 Application: the Policy applies to all adults working in or on behalf of the Kindergarten (whether on a paid or unpaid basis), including the Proprietor, supply staff, volunteers and contractors (Staff).
- 2.3 Other adults: although this policy directly relates to those who work for the Kindergarten, the Kindergarten recognises that its safeguarding role extends to the protection of everyone associated with it. Should concerns be raised about people who are not Staff or pupils, then they should be reported to the Head or DSL who will take appropriate action and co-operate with the relevant agencies as appropriate.
- 2.4 Statutory guidance: this policy has regard to the following statutory guidance:
 - 2.4.1 Keeping children safe in education (September 2023) (KCSIE). Part Four of KCSIE deals with allegations made and concerns raised about staff, supply staff, volunteers and contractors (Staff), who are all adults working for, or on behalf of, the Kindergarten. It distinguishes between two categories of concerns / allegations that can be raised about Staff. These are:
 - (a) concerns that do not meet the harm threshold, otherwise known as "low level concerns"; and
 - (b) allegations that may meet the harm threshold.
 - 2.4.2 Working together to safeguard children (July 2018, updated July 2022) (WTSC), which requires policies to be put in place setting out the process, including timescales for investigation and what support and advice will be available to individuals against whom allegations have been made. WTSC requires settings to have regard to KCSIE in order to fulfil their duties in respect of safeguarding and promoting the welfare of children.

3 Key Staff duties

- 3.1 **Staff behaviour:** all Staff must comply with the Staff Code of Conduct which sets out appropriate and expected standards of behaviour.
- 3.2 **Duty to report:** as a member of Staff, you must immediately follow this policy to report **any** concerns you have about the conduct of a member of Staff or any other adult. This includes any concern however it arises, for example behaviour you have witnessed, a concern raised with you by a colleague, pupil, parent or another adult, or as result of checks or information brought to your attention.
- 3.3 **Duty to self-refer:** you must refer yourself to the Head where, for example, you have found yourself in a situation which could be misinterpreted, which might appear compromising to others, and / or on reflection if you believe you have behaved in such a way that may fall below the standards expected of you.
- 3.4 **A culture of sharing:** All Staff have a positive obligation to support the Kindergarten's culture of openness and sharing without fear of reprisal.

4 What needs to be reported?

- 4.1 **Reporting all concerns:** all concerns must be raised whether they are considered to be "low level" concerns or conduct which may meet the harm threshold.
- 4.2 **Low level concerns:** a low level concern is any concern, no matter how small, and even if no more than a sense of unease or a "nagging doubt", that a member of Staff may have acted in a way that is inconsistent with expected professional standards and / or the staff Code of Conduct, whether inside or outside work. No concern is too small or minor to raise under this policy.
- 4.2.1 Examples of such behaviour could include, but are not limited to:
- being over friendly with children;
 - having favourites;
 - taking photographs of children on their mobile phone/other device;
 - engaging with a child on a 1:1 basis in a secluded area or behind a closed door;
 - using inappropriate sexualised, intimidating or offensive language, email, messaging, use of social media sites or other communication between adults and pupils outside agreed protocols;
 - Any incident where a member of staff feels that his/her actions or behaviour towards a pupil or that of another adult, may have been misinterpreted or may have given rise to a risk or misinterpretation.
- 4.3 **Concerns that meet the harm threshold:** allegations that may meet the harm threshold are those that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children, for example where the individual has:
- 4.3.1 behaved in a way that has harmed a child, or may have harmed a child; and / or
- 4.3.2 possibly committed a criminal offence against or related to a child; and / or
- 4.3.3 behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children; and / or
- 4.3.4 behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes behaviour that may have happened outside the Kindergarten which creates a transferable risk.
- 4.4 **Definition of Harm:** it is important to understand the types of conduct that may be harmful to children, and to recognise that harm may not be limited to the most obvious types of physical abuse. There is no single legal definition of harm but to assist your understanding of what may amount to "harm" you should consider the following:
- 4.4.1 the Safeguarding Vulnerable Groups Act 2006 which does not give a definition of harm, encouraging people to apply a "normal, everyday meaning";
- 4.4.2 the Children Act 1989 defines:

- (a) "harm" as "ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill treatment of another";
- (b) "ill-treatment" as including "sexual abuse and forms of ill treatment which are not physical";
- (c) "health" as "physical or mental health".

5 How to raise concerns and allegations

- 5.1 **Raising low level concerns:** Where you have a low level concern in respect of any member of Staff, you must report the matter immediately. You can raise this with the Head or DSL via the [Low Level Concern form](#) or by speaking to them directly.
- 5.2 **Duty of the DSL to refer concerns to the Head:** The Head remains the ultimate decision-maker in respect of all low level concerns. Save for in cases involving the Head, the DSL must therefore promptly report any concern raised with them to the Head. Wherever possible the DSL must speak to the Head in person about the concern as soon as possible after the concern is raised, and always on the same day the concern is raised. If it is not possible to speak to the Head in person about the concern, the DSL must email the Head with a summary of the concern on the same day the concern is raised.
- 5.3 **Concerns about Staff that meet the harm threshold:** Where you have a concern about the conduct of a member of Staff (other than the Head) that may meet the harm threshold (see point 4.3 above) you must raise this immediately with the Head. Wherever possible you must speak to the Head in person about the concern as soon as possible and always on the same day. You may then be asked to provide a written report. If it is not possible to speak to the Head in person about the concern, you must email the Head with a summary of the concern on the same day.
- 5.4 **Concerns involving the Head and conflicts of interest:** Due to the family connection between the Head and Proprietor, where you identify a concern about the Head, you must report the matter immediately to the Local Authority Designated Officer (**LADO**), without first notifying the Head or Proprietor. Contact details of the LADO can be found at the front of this policy.
- 5.5 **Concerns involving the Nominated Safeguarding Governor:** Where you identify a concern about the Nominated Safeguarding Governor, you must report the matter to the Proprietor
- 5.6 **Concerns involving Proprietors or Board members:** Where you identify a concern about a Proprietor or Board member, you must report the matter immediately to the LADO.
- 5.7 **Concerns involving organisations or individuals using Kindergarten premises (including after-kindergartenclub providers):** Where you identify a concern about an organisation or individual using Kindergarten premises, you must report the matter immediately to the DSL.

6 The Kindergarten's response to concerns and allegations

- 6.1 **Appropriate action:** the Kindergarten will ensure that appropriate action is taken to address concerns that are raised under this policy.
- 6.2 **Assessing concerns:** The Head (or, if the concern relates to the Head, the Proprietor/LADO) will determine whether the concerns raised are low level or potentially meet the harm threshold. The DSL, the Head, the Proprietor and the Nominated Safeguarding Governor have all been trained to assess concerns, and to record and address them appropriately.
- 6.3 **Low level concerns:** If the Kindergarten determines the concern is a low level concern, then the Kindergarten will address the concern as appropriate. This will usually involve making the individual aware of the concern against them, undertaking any investigation that may be required and may include giving management guidance and advice or invoking the Kindergarten's capability or disciplinary procedures.
- 6.4 **Borderline cases:** the Head (or, if the concern relates to the Head, the Proprietor) may take advice from the LADO in borderline cases in order to establish whether the concern is a low level concern or an allegation that potentially meets the harm threshold. This may include conducting an initial "no names" conversation with the LADO about whether the harm threshold is met.
- 6.5 **Referral:** where the Head (or, if the concern relates to the Head, the Proprietor) considers the concerns raised potentially meet the harm threshold, the Head (or, if the concern relates to the Head, the Proprietor) will make a report to the LADO before further action is taken. The Head (or, if the concern relates to the Head, the Proprietor) may also seek advice from the LADO as appropriate. Where a LADO referral is appropriate, this will be made within one working day of the allegation being reported in accordance with this policy. Contact details for the LADO are at the start of the document.
- 6.6 **Responding to an allegation that may meet the harm threshold:** where an allegation is made that may meet the harm threshold, the Kindergarten will take advice from and co-operate with the LADO, the police, and any other external body that may be involved in the response to the allegation. The Kindergarten will follow its internal procedures in order to investigate and respond to the allegation when it is appropriate to do so, and will keep the LADO informed of the action it is taking.
- 6.7 **Case Manager:** where an investigation is deemed necessary into an allegation of conduct that may meet the harm threshold, a "Case Manager" will be appointed by the Kindergarten to lead the investigation. The Case Manager will be either the Head or a person with appropriate authority appointed by the Head. Where the Head is the subject of an allegation, the Case Manager will usually be either the Nominated Safeguarding Governor or Proprietor.

7 Disclosure of information about concerns and allegations

- 7.1 **Informing the individual of a concern:** the Kindergarten will in most cases inform the individual concerned about any low level concern that is raised about them.

- 7.2 **Informing the individual of an allegation where appropriate:** the Case Manager will consult with the LADO in order to agree if and when it is appropriate to inform the individual of the allegation.
- 7.3 **Communication and support for the individual subject to an allegation:** if and when it is appropriate to inform the individual of the allegation against them, the Case Manager will also offer appropriate pastoral support and will keep the individual informed of the timescales for the investigation under this procedure and the factors which may affect it. In all cases, the investigation will be concluded as soon as reasonably practicable.
- 7.4 **Informing the child's parents / carers where appropriate:** the Case Manager will agree with the LADO when and how the parents or carers of the child / children involved will be informed of the allegation if they do not already know of it. The Case Manager will also agree with the LADO what information shall be shared with the parents / carers of the child / children as the case progresses. The timing and extent of disclosures, and the terms on which they are made, will be dependent upon and subject to the laws on confidence and data protection and the advice of external agencies.
- 7.5 **Reporting restrictions:** the Kindergarten is mindful of and will comply with the reporting restrictions under section 141 Education Act 2002 which prevent the identification of a teacher who is the subject of such an allegation in certain circumstances.
- 7.6 **Involvement of external agencies:** where the LADO(s) advises that a strategy discussion is needed, or the police or children's social care need to be involved, the Case Manager will not inform the individual subject to the allegation, or the parents or carers until these agencies have been consulted and it has been agreed what information can be disclosed.
- 7.7 **Concerns about supply staff and contractors:** where a concern / allegation has been made in respect of a member of supply staff or a contractor, the concern / allegation may be notified to their employer. Where a Case Manager has been appointed to investigate an allegation, the Case Manager will consult with the LADO before sharing any information with the individual's employer.
- 7.8 **Concerns about organisations or individuals using Kindergarten premises:** where a concern / allegation has been made in respect to an organisation or individual using Kindergarten premises for the purposes of running activities for children and/or vulnerable adults, the Kindergarten will follow these procedures including informing the LADO.
- 8 Referrals to the Disclosure and Barring Service (DBS) and Teaching Regulation Agency**
- 8.1 **Report to the DBS:** the Kindergarten is under a legal duty to make a referral to the DBS where a member of Staff is removed by the Kindergarten from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child. The DBS will then consider whether to impose sanctions which may restrict or prevent that person from working with children in future.

- 8.2 **Report to the Teaching Regulation Agency:** if a teacher is dismissed because they are found to have committed serious misconduct, or their conduct has breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the Kindergarten will also make a referral to the Teaching Regulation Agency. The Teaching Regulation Agency will consider whether to impose a prohibition order on that person which prevents them from undertaking teaching work in future.
- 8.3 **Report to Ofsted:** The Kindergarten will inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children on the premises of the EYFS provision (whether that allegation relates to harm or abuse committed on the premises or elsewhere), and will provide details of the action taken in respect of those allegations.
- 8.4 **Timescale for Ofsted report:** these notifications will be made as soon as reasonably practicable, but in any event within 14 days of the allegations being made. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence.

9 Record keeping

- 9.1 **Records of low level concerns:** low level concerns will be recorded in writing. The record of the concern will be retained so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and addressed. Records of low level concerns that have been addressed with an individual will usually be kept on the individual's personnel file. In addition all low level concerns, including those that have not been addressed formally under the Kindergarten's procedures, will also be stored securely in a central file (Concerns and Allegations Record).
- 9.2 **Recording low level concerns:** the Concerns and Allegations Record will set out the name of the individual involved (if an individual is named), a brief description of the concern and the context in which it arose, any investigation that has been carried out, and the outcome / result of the investigation into the concern. The name of the individual who has raised the concern should also be noted. Where that individual wishes to remain anonymous the Kindergarten will try to accommodate this as far as reasonably possible, but cannot guarantee anonymity in all circumstances.
- 9.3 **Records of allegations that may meet the harm threshold:** details of allegations that may meet the harm threshold will be recorded both on the individual's personnel file and the Concerns and Allegations Record. The individual's personnel file and the Concerns and Allegations Record will include a summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken in response to the allegation.
- 9.4 **Storage and security of Concerns and Allegations Record:** the Concerns and Allegations Record will be stored electronically by the Head and will be accessible by the Head and the Nominated Safeguarding Governor only.
- 9.5 **Malicious or false low level concerns and allegations:** details of low level concerns and allegations found to be malicious or false will be

removed from personnel records and the Concerns and Allegations Record.

- 9.6 **Retention of records:** in line with the information and records retention policy, all records should be retained until the accused has reached pension age, or a period of 10 years from the date of allegation, whichever is longer. Records should be reviewed at the end of the retention period in case it is necessary to keep it for longer.

10 References

- 10.1 **Low level concerns:** low level concerns will not be disclosed in a reference unless they were addressed formally and resulted in a sanction under the Kindergarten's disciplinary or capability policies and procedures and it is otherwise appropriate to disclose them.
- 10.2 **Allegations that meet the harm threshold:** allegations that meet the harm threshold will be disclosed in a reference if the allegation was found to be substantiated (including any cases in which any disciplinary sanction has expired). The Kindergarten will not disclose information about allegations that were found to be false, unfounded, unsubstantiated, or malicious.

11 Questions

- 11.1 **Contact:** please contact the Head or DSL if you have any questions about this policy.

19 INFORMING PARENTS

- 19.1 Parents will normally be kept informed, as appropriate, of any action to be taken under these procedures. However, there may be circumstances when the DSL will need to consult the Head, the Designated Officer(s), children's social care, the police and / or the pupil before discussing details with parents.
- 19.2 In all cases, the DSL will be guided by the Wandsworth Safeguarding Children Partnership referral threshold document.
- 19.3 See also Section 14 for details about the disclosure of information where an allegation has been made against a member of staff.

20 ADDITIONAL REPORTING

- 20.1 In addition to the reporting requirements explained above, the Kindergarten will consider whether it is required to report safeguarding incidents to any other regulatory body or organisation, including but not limited to:

20.1.1 Health and Safety Executive

- (a) The Kindergarten is legally required under RIDDOR to report certain incidents to the Health and Safety Executive. Please see the Health and Safety Policy and First Aid Policy for further details about this.

20.1.2 **Ofsted**

- (a) The Kindergarten must inform Ofsted of a significant event affecting their childcare within 14 days

20.1.3 **Disclosure and Barring Service (DBS)**

- (a) A referral to the DBS will be made promptly if the criteria are met. See Section 14 for further details.

20.1.4 **Teaching Regulation Agency (TRA)**

- (a) Separate consideration will be given as to whether a referral to the TRA should be made where a teacher has been dismissed, or would have been dismissed if he / she had not resigned. See Section 14 for more details.

20.1.5 **Insurers**

- (a) The Kindergarten will consider whether it is necessary to report a safeguarding incident to the relevant insurers and / or brokers. It may be necessary to report to a number of insurers as there may be concurrent cover under existing and historic policies.
- (b) Care should be taken to ensure this is done before renewal to ensure that the Kindergarten complies with its duties under the Insurance Act 2015. If the Kindergarten is in any doubt with regard to the correct insurer and / or policy and / or if it is unable to locate the relevant insurer, professional advice should be sought.

21 SAFER RECRUITMENT AND SUPERVISION OF STAFF

- 21.1 The Kindergarten is committed to practising safer recruitment in checking the suitability of staff (including staff employed by another organisation). See the separate Safer Recruitment Policy.
- 21.2 The Kindergarten maintains a single central register of appointments for all staff.
- 21.3 All Staff are under an ongoing duty to inform the Kindergarten if their circumstances change which would mean they meet any of the criteria for disqualification under the Childcare Act 2006. Staff should refer to the Safer Recruitment Policy for further information about this duty and to their contract of employment in respect of their ongoing duty to update the Kindergarten.

22 USE OF MOBILE TECHNOLOGY

- 22.1 The Kindergarten's policy on the use of mobile technology, including phones and cameras, in the Kindergarten, is as follows:
 - 22.1.1 all staff should use mobile devices and cameras in accordance with the guidance set out in the staff ICT Acceptable Use Policy;
 - 22.1.2 parents must not use mobile phones for any purpose whilst on Kindergarten premises.
 - 22.1.3 for limited events and when clearing notified, parents are permitted to take photographs. Parents should be reminded that the publication of any

images (including on personal social networking sites even where access to the image may be limited) may be unlawful.

- 22.2 If the behaviour of an adult capturing images seems unusual or the child appears to be worried by someone taking photographs of them, staff will act to challenge the adult (where they feel safe and confident to do so) and report the matter to the DSL as soon as possible, and in as much detail as possible, to allow the concern to be followed up. The police will be informed in cases of serious concern.
- 22.3 The Kindergarten allows access to the internet onsite. Appropriate internet safety measures are taken to manage associated risks, including use of filters and monitoring of usage.
- 22.4 The Kindergarten's approach to online safety is set out in the Online Safety Policy and Staff ICT Acceptable Use Policy.

23 TRAINING

- 23.1 The Kindergarten ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.
- 23.2 The level and frequency of training depends on the role of the individual member of staff.
- 23.3 The Kindergarten maintains written records of all staff training.
- 23.4 All training will be carried out in accordance with Wandsworth Safeguarding Children Partnership procedures where possible.
- 23.5 Induction
 - 23.5.1 All staff, including temporary staff and volunteers, will be provided with induction training that includes (and where relevant includes the provision of copies of):
 - (a) this policy;
 - (b) the role, identity and contact details of the DSL and their Deputies;
 - (c) the Behaviour Policy;
 - (d) the Staff Code of Conduct including social media, reporting low level concerns and staff/pupil relationships; the Whistleblowing Policy and ICT Acceptable Use Policy;
 - (e) the safeguarding response to children who are inexplicably absent particularly on repeat occasions and/or prolonged periods;
 - (f) the Thomas's approach to online safety, including an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring;
 - (g) safeguarding training in accordance with Wandsworth Safeguarding Children Partnership's procedures including guidance on managing a report of child-on-child harmful sexual behaviour;

- (h) a copy of Part 1 and Annex B of KCSIE for kindergarten leaders and staff who work directly with children (or, for staff who do not work directly with children, Annex A); and
- (i) appropriate Prevent duty training.

23.6 Safeguarding training

- 23.6.1 Kindergarten leaders and all staff will receive a copy of this policy and Part 1 and where appropriate, Annex B of KCSIE, and will be required to confirm that they have read and understand these.
- 23.6.2 Members of the SLT (including the Head) and the Nominated Safeguarding Governor will receive a copy of this policy and be expected to read all of KCSIE.
- 23.6.3 The Head and all staff members will undertake appropriate safeguarding training which will be updated at least annually and following consultation with the Wandsworth Safeguarding Children Partnership. In addition, all staff members will receive informal safeguarding and child protection updates including online safety (including the expectations, applicable roles and responsibilities in relation to filtering and monitoring) via email and staff meetings on a regular basis and at least annually.
- 23.6.4 Staff development training will also include training on online safety, and Prevent duty training assessed as appropriate for them by the Kindergarten.
- 23.6.5 Additionally, the Kindergarten will make an assessment of the appropriate level and focus for staff training and responsiveness to specific safeguarding concerns such as positive handling, radicalisation, child-on-child abuse, harmful sexual behaviour, child sexual exploitation, female genital mutilation, prejudiced-based and discriminatory bullying and mental health and to ensure that staff have the skills, knowledge and understanding to keep looked after children safe.
- 23.6.6 Members of the Board receive safeguarding training (including online safety which, amongst other things includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) on induction. This training will equip them with the knowledge to provide strategic challenges to test and assure themselves that the Kindergarten's safeguarding policies in place are effective and support a robust whole Kindergarten approach to safeguarding. This training will be regularly updated. All members of the Board will be expected to read Part 2 of KCSIE
- 23.6.7 The Nominated Safeguarding Governor will receive additional appropriate training to enable them to fulfil their safeguarding responsibilities. As part of that training the Nominated Safeguarding Governor will be expected to read the entirety of KCSIE.
- 23.6.8 The Kindergarten has mechanisms in place to assist staff to understand and discharge their role and responsibilities and to ensure that they have the relevant knowledge, skills and experience to safeguard children effectively, including questionnaires, staff meetings and professional development reviews. This includes information on how staff can report

concerns occurring out of hours / out of term time and should, where appropriate, refer to the Kindergarten's out of hours /out of term safeguarding arrangements.

23.6.9 Designated Safeguarding Lead (DSL)

- (a) The DSL and Deputy DSL will undertake training to provide them with the knowledge and skills required to carry out the role. This training includes inter-agency working and Prevent awareness training and will be updated at least every two years.
- (b) In addition, their knowledge and skills will be refreshed at regular intervals, at least annually, to allow them to understand and keep up with any developments relevant to their role. For further details about the training of the DSL, see Annex C of KCSIE.
- (c) Prevent duty training will be consistent with the Government's Prevent training for schools. See [Educate Against Hate](#) (HM Government, 2018) for further details..

24 MONITORING AND REVIEW

- 24.1 The DSL will ensure that the procedures set out in this policy and the implementation of these procedures are updated and reviewed regularly, working with the Head of Compliance and Health & Safety as necessary and seeking contributions from staff. The DSL will update the Senior Leadership Team regularly on the operation of the Kindergarten's safeguarding arrangements.
- 24.2 Any safeguarding incidents at the Kindergarten will be followed by a review of these procedures by the DSL and a report made to the Head, Nominated Safeguarding Governor, who will report to the Board. Where an incident involves a member of staff, the Designated Officer(s) will be asked to assist in this review to determine whether any improvements can be made to the Kindergarten's procedures. Any deficiencies or weaknesses with regards to safeguarding arrangements at any time will be remedied without delay.
- 24.3 This policy will be updated whenever needed to ensure that it remains up to date with safeguarding issues as they emerge and evolve, including in relation to lessons learnt.
- 24.4 The Proprietor will also undertake an annual review of this policy and the Kindergarten's safeguarding procedures, including an update and review of the effectiveness of procedures and their implementation and the effectiveness of inter-agency working. It will also undertake an annual review of its approach to online safety, supported by an annual risk assessment that considers and reflects the risks its pupils face.
- 24.5 The DSL will work with the Nominated Safeguarding Governor to prepare an annual written report commissioned by the Proprietor. The written report should address how the Kindergarten ensures that this policy is kept up to date; staff training on safeguarding; referral information; issues and themes which may have emerged in the Kindergarten and how these have been handled, including lessons learned; and the contribution the Kindergarten is making to multi-agency working in individual cases or local discussions on safeguarding

matters. The Proprietor should also consider independent corroboration, such as:

24.5.1 inspection of records or feedback from external agencies including the Designated Officer(s);

24.5.2 reports of Ofsted inspections;

24.5.3 the outcome of any relevant complaints, claims or related proceedings; and

24.5.4 press reports.

24.6 The Proprietor will review the report, this policy and the implementation of its procedures and consider the proposed amendments to the policy before giving the revised policy its final approval. Detailed minutes recording the review by the Proprietor will be made.

25 RECORD KEEPING

25.1 All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. This will also help if/when responding to any complaints about the way a case has been handled by the Kindergarten. Information should be kept confidential and stored securely in separate pupil profiles in CPOMs. These should include:

25.1.1 a clear and comprehensive summary of the concern;

25.1.2 details of how the concern was followed up and resolved; and

25.1.3 a note of any action taken, decisions reached and the outcome.

25.2 The information created in connection with this policy may contain personal data. The Kindergarten's use of this personal data will be in accordance with data protection law. The Kindergarten has published on its website privacy notices which explain how the Kindergarten will use personal data.

25.3 All records created in accordance with this policy are managed in accordance with the Kindergarten's policies that apply to the retention and destruction of records.

25.4 Insofar as pupil records are concerned:

25.4.1 Staff must record all concerns about a pupil on CPOMs. Guidance on record keeping is set out in Appendix 2.

25.4.2 The DSL will create a record in CPOMs following a report to them of a child protection concern about a pupil. The DSL will record all discussions with both colleagues and external agencies, decisions made and the reasons for them and detail of the action taken. This should include instances where referrals were or were not made to another agency such as LA children's social care or the Prevent program etc.

26 Information sharing and multi-agency working

- 26.1 The Kindergarten will treat all safeguarding information with an appropriate level of confidentiality, only involving others where appropriate. The Kindergarten will always act in order to safeguard and promote the welfare of others.
- 26.2 The Kindergarten understands that information sharing is essential for effective safeguarding and promoting the welfare of children and young people, including their educational outcomes. Fears about sharing information will not stand in the way of the need to promote the welfare, and protect the safety, of pupils, which is always the Kindergarten's paramount concern. Early Years settings have clear powers to share, hold and use information for these purposes and the UK GDPR and Data Protection Act 2018 provide a framework to ensure that personal information is shared appropriately.
- 26.3 When the Kindergarten receives a request for safeguarding information (e.g. a subject access request from a parent or a request from the police), the Kindergarten will carefully consider its response to make sure that any disclosure is in accordance with its obligations under the UK GDPR and Data Protection Act 2018. The Kindergarten will also have regard to its data protection policies. The Head of Compliance and Health & Safety will work with the DSL as appropriate to determine what should be disclosed.
- 26.4 The Kindergarten will co-operate with children's social care, and where appropriate the police, to ensure that all relevant information is shared for the purposes of early help assessments, and assessments and child protection investigations under the Children Act 1989.
- 26.5 Where allegations have been made against staff, the Kindergarten will consult with the Designated Officer(s) and, where appropriate, the police and children's social care to agree the information that should be disclosed and to whom.
- 26.6 While the Kindergarten will share information with those involved where and when it is appropriate to do so, they may be unable to for reasons of data protection and confidentiality, for example because to do so may pose a risk of harm to others or because it has been prohibited by external agencies.
- 26.7 Where a child leaves the Kindergarten, including for in-year transfers, the DSL will also ensure their child protection file is transferred to the new setting/kindergarten (separately from the main pupil file) 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. The DSL will ensure secure transit and obtain confirmation of receipt.
- 26.8 In addition to the child protection file, the DSL should also consider if it would be appropriate to share any additional information with the new setting/kindergarten in advance of a child leaving to help them put in place the right support to safeguard this child and to help the child thrive in the school.

Appendix 1 Forms of abuse and neglect and specific safeguarding risks

1 Abuse and neglect

- 1.1 Staff should be aware that abuse, neglect and safeguarding issues are rarely standalone events that can be covered by one definition or label and in most cases, multiple issues will overlap with one another, therefore staff should always be vigilant and always raise any concerns with the DSL (or deputy).
- 1.2 Children can also abuse their peers online, this can take the form of abusive, harassing, and misogynistic messages, the non-consensual sharing of indecent images, especially around chat groups, and the sharing of abusive images and pornography, to those who do not want to receive such content.

2 Definitions of abuse and neglect

- 2.1 **Abuse:** a form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Harm can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others. This can be particularly relevant, for example, in relation to the impact on children of all forms of domestic abuse. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults or by another child or children.
- 2.2 **Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.
- 2.3 **Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may 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 from participating in normal social interaction. It may involve seeing or hearing the ill treatment of another. It may involve serious bullying (including cyberbullying and prejudiced-based or discriminatory bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

- 2.4 **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. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as child-on-child abuse) in education and all staff should be aware of it. The policy and procedures can be found in Appendix 3.
- 2.5 **Neglect:** the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

3 Signs of abuse

- 3.1 Possible signs of abuse include, but are not limited to:
- 3.1.1 the pupil says he / she has been abused or asks a question or makes a comment which gives rise to that inference;
 - 3.1.2 there is no reasonable or consistent explanation for a pupil's injury, the injury is unusual in kind or location or there have been a number of injuries and there is a pattern to the injuries;
 - 3.1.3 the pupil's behaviour stands out from the group as either being extreme model behaviour or extremely challenging behaviour, or there is a sudden or significant change in the pupil's behaviour;
 - 3.1.4 the pupil asks to drop subjects with a particular teacher and seems reluctant to discuss the reasons;
 - 3.1.5 the pupil's development is delayed, the pupil loses or gains weight or there is deterioration in the pupil's general well-being;
 - 3.1.6 the pupil appears neglected, e.g. dirty, hungry, inadequately clothed;
 - 3.1.7 the pupil is reluctant to go home, or has been openly rejected by his / her parents or carers; and

- 3.1.8 inappropriate behaviour displayed by other members of staff or any other person working with children, for example inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role or responsibilities; or inappropriate sharing of images.
- 3.2 Mental health problems can also be a sign of abuse, neglect or exploitation.
- 3.3 The Wandsworth Safeguarding Children Partnership can provide advice on the signs of abuse and the DfE advice [What to do if you're worried a child is being abused](#) (March 2015) provides advice in identifying child abuse. The [NSPCC website](#) is also a good source of information and advice.

4 Specific safeguarding issues

- 4.1 Statutory guidance acknowledges the following as specific safeguarding issues:
 - 4.1.1 child abduction and community safety incidents;
 - 4.1.2 children and the court system;
 - 4.1.3 children being absent, repeatedly and/or prolonged periods, children missing from education;
 - 4.1.4 children with family members in prison;
 - 4.1.5 child criminal exploitation and child sexual exploitation (see below);
 - 4.1.6 county lines (see below);
 - 4.1.7 modern slavery and the national referral mechanism;
 - 4.1.8 cybercrime; (see below)
 - 4.1.9 domestic abuse (see below);
 - 4.1.10 homelessness;
 - 4.1.11 so-called "honour-based" abuse (including Female Genital Mutilation and Forced marriage) (see below);
 - 4.1.12 preventing radicalisation (see below);
 - 4.1.13 child-on-child abuse (see Appendix 3);
 - 4.1.14 sexual violence and sexual harassment between children in schools and colleges (see Appendix 3);
 - 4.1.15 upskirting (see below).
- 4.2 Further advice and links to guidance on these specific safeguarding issues can be found in Annex A of KCSIE. Staff should be particularly aware of the safeguarding issues set out below.

5 Child Sexual Exploitation (CSE) and Child criminal exploitation (CCE)

- 5.1 Both CSE and CCE are forms of abuse where an individual or group (adult or another child) takes advantage of an imbalance of power to coerce, manipulate or deceive a child into taking part in sexual or criminal activity:
 - 5.1.1 in exchange for something the victim needs or wants e.g. money, gifts or affection; and / or
 - 5.1.2 for the financial advantage or increased status of the perpetrator or facilitator; and / or
 - 5.1.3 through violence or threat of violence to victims (and their families).
- 5.2 Children can be exploited by individual adults or groups. They may also be exploited by other children, who themselves may be experiencing exploitation - where this is the case, it is important that the child perpetrator is also recognised as a victim.
- 5.3 CSE and CCE can affect children of any sex and can include children who have been moved (commonly referred to as trafficking) for the purpose of exploitation.
- 5.4 The victim may have been exploited even if the activity appears consensual.
- 5.5 CCE can include children being coerced into moving drugs or money across the country (county lines), forced to shoplift or pickpocket, or to threaten other young people.
- 5.6 Some of the following can be indicators of both CSE and CCE, including children who:
 - 5.6.1 appear with unexplained gifts, money or new possessions;
 - 5.6.2 associate with other young people involved in exploitation;
 - 5.6.3 suffer from changes in emotional well-being;
 - 5.6.4 misuse drugs and alcohol;
 - 5.6.5 go missing for periods of time or regularly come home late; or
 - 5.6.6 regularly miss kindergarten or education or do not take part in education.
- 5.7 Children who have been exploited will need additional support to help maintain them in education.
- 5.8 CSE can be a one-off occurrence or a series of incidents over time and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.
- 5.9 The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can include both contact

(penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media). The above CCE indicators can also be indicators of CSE, as can children who:

5.9.1 have older boyfriends or girlfriends; or

5.9.2 suffer from sexually transmitted infections or become pregnant.

6 Domestic abuse

- 6.1 Domestic abuse can encompass a wide range of behaviours and may be a single incident or pattern of incidents. That abuse can be, but is not limited to, psychological, physical, sexual, financial or emotional.
- 6.2 Children can be victims of domestic abuse. They may see, hear or experience the effects of abuse at home and/or suffer domestic abuse in their own intimate relationships (teenage relationship abuse). All of this can have a detrimental and long-term impact on their health, well-being, development and ability to learn.
- 6.3 All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and / or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.
- 6.4 Further advice on identifying children who are affected by domestic abuse and how they can be helped can be found in Annex B of KCSIE. This includes details about Operation Encompass which operates in all police forces across England, helping schools and police work together to provide emotional and practical help to children.

7 So-called "honour-based" abuse

- 7.1 All forms of so-called "honour-based" abuse are abuse (regardless of motivation) and should be handled and escalated as such. Abuse committed in the context of preserving "honour" often involves additional risk factors such as a wider network of family or community pressure and the possibility of multiple perpetrators which should be taken into account when deciding what safeguarding action to take. Staff should speak to the DSL if they have any doubts.
- 7.2 If appropriate, the DSL will activate local safeguarding procedures, using existing national and local protocols for multi-agency liaison with police and children's social care.

8 Female genital mutilation (FGM)

- 8.1 FGM is a form of so-called "honour-based" abuse. It comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and a form of child abuse with long lasting harmful consequences.

- 8.2 There is a range of potential indicators that a child or young person may be at risk of FGM. Guidance on the warning signs that FGM may be about to take place, or may have already taken place, can be found on pages 38-43 of the [Multi-agency statutory guidance on FGM](#) (HM Government, July 2020) (pages 61-63 focus on the role of schools).
- 8.3 All staff must be aware of the requirement for teachers to report to the police where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. The report should be made orally by calling 101, the single non-emergency number. Those failing to report such cases will face disciplinary sanctions. It will be rare for teachers to see visual evidence, and they should not be examining pupils. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the DSL and involve children's social care as appropriate.
- 8.4 If the teacher is unsure whether this reporting duty applies, they must refer the matter to the DSL in accordance with this policy. See the Home Office guidance [Mandatory reporting of female genital mutilation - procedural information](#) (January 2020) for further details about the duty.
- 8.5 Guidance published by the [Department for Health](#) also provides useful information and support for health professionals which will be taken into account by the Kindergarten's medical staff. The National FGM Centre has also produced FGM guidance to help schools understand their role in safeguarding girls, engaging parents and teaching about FGM.

9 *Special educational needs and disabilities or certain health conditions*

- 9.1 The Kindergarten welcomes pupils with special educational needs and disabilities (SEND) and will do all that is reasonable to ensure that the Kindergarten's curriculum, ethos, culture, policies, procedures and premises are made accessible to everyone. See the Kindergarten's policy on special educational needs and learning difficulties and EDI Policy.
- 9.2 Additional barriers can exist when detecting the abuse or neglect of pupils with SEND or certain medical or physical health conditions that can create additional safeguarding challenges for those involved in safeguarding and promoting the welfare of this group of children. The Kindergarten is mindful in particular that:
- 9.2.1 assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the pupil's condition without further exploration;
 - 9.2.2 pupils with SEND or certain health conditions may be more prone to peer group and isolation and can be disproportionately impacted by bullying (including prejudice-based and discriminatory bullying) without outwardly showing any signs;
 - 9.2.3 some pupils may be unable to understand the difference between fact and fiction in online content and can repeat the content/behaviour in kindergarten without understanding the consequences; and

- 9.2.4 there may be communication barriers which are difficult to overcome to identify whether action under this policy is required;
- 9.3 The Kindergarten should consider providing extra pastoral support and attention for these pupils, along with ensuring any appropriate support for communication is in place.

10 Looked after children and previously looked after children

- 10.1 The Proprietor ensures that staff have the skills, knowledge and understanding to keep looked after children safe and the information they need in relation to a child's looked after legal status, for example:
- 10.1.1 whether they are looked after under voluntary arrangements with consent of parents or on an interim or full care order;
 - 10.1.2 contact arrangements with birth parents or those with parental responsibility;
 - 10.1.3 information about a child's care arrangements and the levels of authority delegated to the carer by the authority looking after him / her.
- 10.2 The DSL maintains these details, including contact details of the child's social worker. See paragraph 4.5.4 in the policy for the DSL's role in relation to pupils who are looked after children.

11 Children who are lesbian, gay, bi, or trans (LGBT)

- 11.1 A child or young person being lesbian, gay or bisexual is not in itself an inherent risk factor for harm, however, they can sometimes be targeted by other children. In some cases, a pupil who is perceived by their peers to be lesbian, gay or bisexual (whether they are or not) can be just as vulnerable as children who are.
- 11.2 When supporting a gender questioning child, the Kindergarten will take a cautious approach and consider the broad range of the pupils individual needs, in partnership with the parents, including any clinical advice that is available and how to address wider vulnerabilities such as the risk of bullying. The Kindergarten will adopt (to the extent that it is reflected in KCSIE), the draft DfE guidance for schools and colleges in relation to Gender Questioning Children, when deciding how to proceed.
- 11.3 Risks can be compounded where children lack trusted adults with whom they can be open. The Kindergarten endeavours to reduce the additional barriers faced and create a culture where they can speak out or share their concerns with members of staff.

Appendix 2 Concerns about a child - guidance for staff

1 **Receiving a disclosure**

- 1.1 Listen carefully and keep an open mind. Do not take a decision as to whether or not the abuse has taken place.
- 1.2 Do not ask leading questions, i.e. a question which suggests its own answer. Use "tell me, explain to me, describe to me" (**TED**) questioning. It is particularly important not to continue questioning a pupil if they disclose something which suggests that a criminal offence may have been committed – the Police will need to take the lead on investigating and your questioning might compromise possible criminal proceedings.
- 1.3 Take the pupil to the First Aid Lead if there is a medical need and do not examine the injury yourself.
- 1.4 Reassure the pupil they are being taken seriously and they will be supported and kept safe so that no victim will be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment and no victim ever be made to feel ashamed for making a report.
- 1.5 Do not give a guarantee of absolute confidentiality. Explain the need to pass on the information in accordance with this policy so that the correct action can be taken.
- 1.6 Keep a sufficient written record of the conversation (see 2 below). All other evidence, for example, scribbled notes, mobile phones containing text messages, clothing, computers, must be kept securely with the written record.
- 1.7 Pass on the record when reporting the concern in accordance with this policy.

2 **Recording a concern**

- 2.1 Staff must record all concerns in CPOMs.
- 2.2 Records should be factual and should include:
 - 2.2.1 the pupil's details: name; date of birth; address and family details;
 - 2.2.2 date and time of the event / concern / conversation;
 - 2.2.3 a clear and comprehensive summary of the event/concern / conversation;
 - 2.2.4 details of how the concern was followed up and resolved,
 - 2.2.5 a note of any action taken and by whom, decisions reached and the outcome;
 - 2.2.6 the name and position of the person making the record.

- 2.3 Staff complete a form in CPOMs which should be submitted when reporting the matter in accordance with this policy. The form can be completed after an initial discussion with the DSL and completed with the DSL where appropriate.

3 Use of reasonable force

- 3.1 There are circumstances when it would be appropriate for staff to use reasonable force to safeguard pupils. "Reasonable" in these circumstances means using no more force than is needed.
- 3.2 Staff should refer to Appendix 4 of this policy, the Behaviour policy and the Staff code of conduct for more detailed guidance about the use of reasonable force.

Appendix 3 Dealing with allegations of child-on-child abuse

1 *Child-on-child abuse*

- 1.1 Children of any age can abuse other children (often referred to as child-on-child abuse) and this can happen inside and / or outside kindergarten and / or online. This includes, but is not limited to:
 - 1.1.1 bullying (including cyber-bullying and prejudice-based and discriminatory bullying);
 - 1.1.2 abuse within intimate personal relationships between peers (teenage relationship abuse);
 - 1.1.3 physical abuse such as hitting, kicking, biting, hair pulling, or otherwise causing physical harm (this may include an online element which facilitates and / or encourages physical abuse);
 - 1.1.4 sexual violence, such as rape, assault by penetration and sexual assault (including grabbing bottoms, breasts and genitalia under or over clothes, flicking bras, unwanted kisses or embraces) possibly with an online element which encourages sexual violence;
 - 1.1.5 sexual harassment, such as sexual comments, remarks, jokes and online sexual harassment, which may be standalone or part of a broader pattern of abuse;
 - 1.1.6 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;
 - 1.1.7 consensual and non-consensual sharing of nude and semi-nude images (also known as "sexting" or "youth produced sexual imagery") means the taking and sending or posting of nude or semi-nude images, videos or live streams by young people under the age of 18 online. This could be via social media, gaming platforms, chat apps or forums. It can also involve sharing between devices offline, for example via Apple's AirDrop;
 - 1.1.8 upskirting, typically involving taking a picture under a person's clothing without their permission, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm;
 - 1.1.9 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 include an online element);

2 *The Kindergarten's approach to child-on-child abuse*

- 2.1 Staff understand that, even if there are no reports of child-on-child abuse at the School, it does not mean it is not happening; it may be

the case that it is just not being reported. Staff understand the importance of reporting any concerns regarding child-on-child abuse to the DSL (or the DDSL in the DSL's absence).

- 2.2 Such behaviour is never accepted and should be considered as both a safeguarding issue and potentially a disciplinary one. The Kindergarten will adopt a zero-tolerance approach to abuse. Downplaying certain behaviours (by, for example, dismissing sexual harassment as "banter", "having a laugh" or "part of growing up" can lead to a culture of unacceptable behaviours, an unsafe environment for children and its worst to a culture that normalises abuse.
- 2.3 All staff should challenge inappropriate behaviour between pupils and anyone who suffers, witnesses or hears of abuse of any form between pupils is asked to report it in accordance with this policy and / or the Kindergarten's behaviour and anti-bullying policies, so that appropriate action can be taken.
- 2.4 Appropriate action will involve supporting all members of the Kindergarten community who may be involved as a priority. This may require investigation by the Kindergarten or other agencies. Until investigations have been undertaken and findings made, the Kindergarten will work on the basis that the allegations may or may not be true and undertake careful risk assessment of the welfare of those involved to determine how best to manage the situation. This should be undertaken whether or not the incident is alleged to have occurred at school, or when the pupil involved was under the school's care and whether or not the pupil is under 18, as an issue which may impact pupil welfare. Disciplinary action will follow separately, if appropriate.

3 Harmful Sexual Behaviour (HSB)

- 3.1 Where the misconduct may constitute **sexual violence**⁴ (rape, assault by penetration, sexual assault⁵ or causing someone to engage in sexual activity without consent) or **sexual harassment** (unwanted conduct of a sexual nature), it should be reported to the DSL and will be managed in accordance with this policy. Sexual violence and/or sexual harassment (SVSH) is never acceptable.
- 3.2 Whilst any report of sexual violence or sexual harassment should be taken seriously, staff are aware that it is more likely that girls will be the victims of SVSH and more likely it will be perpetrated by boys.
- 3.3 HSB can occur between two or more children of any age or sex from primary to secondary stage. It can also occur online. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. SVSH exists on a continuum and may overlap. Addressing inappropriate behaviour (even where it seems to be relatively innocuous) can be an important intervention which helps to prevent problematic or

⁴ When referring to sexual violence, the statutory guidance refers to sexual offences under the Sexual Offences Act 2003 as described above.

⁵ Sexual assault covers a very wide range of behaviour so a single act of kissing someone without consent or touching someone's bottom / breasts / genitalia without consent, can still constitute sexual assault).

abusive behaviour in the future by setting and enforcing clear expectations of behaviour, supporting victims and encouraging them and others to speak out and facilitating targeted support for those demonstrating harmful sexual behaviour.

- 3.4 The 2021 Ofsted report concluded that whether or not schools are aware of reported instances of SVSH in their community, it is likely to be occurring. The Kindergarten acknowledges this and that children are likely to report such matters, if at all, to people they trust. All staff are therefore trained to identify signs of abuse and on how to respond to a report.

4 Management of allegations of child on child SVSH

4.1 The initial report

- 4.1.1 The Kindergarten recognises that it is not easy for children to tell staff about abuse. Staff are trained in signs of abuse and required to look out for them and act upon them; and to respond to all reports of abuse, however they are reported and whether they are made by victims directly or third parties.
- 4.1.2 The Kindergarten acknowledges that the initial response is incredibly important and may impact not just the management of that issue, but others of SVSH. Staff are also trained in how to receive a report. Where possible they should be accompanied by the DSL or other member of staff.
- 4.1.3 They should:
- (a) listen carefully and respectfully, reassuring the person making the report that they are being taken seriously and offer support without promising confidentiality or making a judgement about its veracity;
 - (b) where possible they should ask open questions about whether pupil(s) have been harmed, the nature of the harm or if they may be at risk of harm;
 - (c) where there is an online element, considering the searching, screening and / or confiscation of devices and the UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people. The key consideration is for staff not to view or forward illegal images of a child;⁶
 - (d) explain the next steps and how the report will be progressed;
 - (e) make a written record of the report (recording the facts as the child has presented them);

⁶ Kindergarten staff can search pupils with their co-operation for any item. If a pupil refuses to co-operate staff may use reasonable force to search pupils if they have reasonable grounds for suspecting a pupil is in possession of a prohibited item or is likely to be used to commit an offence or cause personal injury or damage to property. The decision to use reasonable force should be made on a case by case basis. See <https://www.gov.uk/government/publications/searching-screening-and-confiscation> for further information.

- (f) inform the DSL (or deputy) as soon as practically possible, if they are not involved in the initial report and then only share the report with those necessary in order to progress it.

4.2 DSL's considerations

- 4.2.1 Reports of SVSH are often complex and require difficult professional decisions to be made. Further disclosures may follow and the facts may be difficult to establish. These decisions are made on a case by case basis taking all of the circumstances into account, in the best interest of the pupils involved. The Kindergarten's response is led by the DSL who will always have regard to Part 5 of KCSIE in the management of the issue.

4.3 Kindergarten's considerations

- 4.3.1 The Kindergarten will consider:
 - (a) the victim's wishes in terms of how they want to proceed. Victims should be given as much control as is reasonably possible over decisions made about investigation and support, but their wishes will not always be determinative as the kindergarten may have to take action to protect other children;
 - (b) the nature of the alleged incident (including whether it was a one-off or sustained pattern), whether a crime may have been committed and whether harmful sexual behaviour ⁷ has been displayed;
 - (c) the ages and developmental stages of the children involved and any imbalance between them;
 - (d) if there is an intimate personal relationship between the children;
 - (e) whether there are any ongoing risks to those involved;
 - (f) the time and location of any incident, and any action required to make the location safer;
 - (g) the wider context.
- 4.3.2 Before deciding how best to support and protect those involved, the Kindergarten will undertake immediate risk and needs assessments. These will be undertaken in cases of sexual violence and considered otherwise. Where appropriate, they will be discussed with those involved and their parents. This may involve suspension pending investigation. Risk and needs assessments will be recorded and kept under review in the knowledge that police

⁷ Hackett's sexual behaviours across a continuum table - which helps to identify whether sexual behaviours are normal, inappropriate, problematic, abusive or violent - may be helpful here.

investigation and criminal proceedings can take several months to conclude.

4.3.3 The Kindergarten will make a proportionate response to these matters in light of the circumstances and the factors identified above. And decide, if any, further action is appropriate.

4.3.4 The Kindergarten will do all it reasonably can to protect the anonymity of children involved in sexual violence or sexual harassment. Amongst other things, this will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be put in place for the children involved.

5 Investigations and findings

5.1 The Kindergarten will record the findings of investigations undertaken by the police and / or the CPS, and if the police decide not to take any further action, will consider whether investigation should be undertaken or commissioned by the Kindergarten to enable it to determine, whether or not it is likely that the allegations are substantiated, unsubstantiated, unfounded, false or malicious. There may be circumstances whether this is not appropriate, as it may prejudice a possible future investigation, for example if a victim does not currently wish to make a victim statement. In those circumstances the Kindergarten should consider whether a limited investigation is appropriate. The concerns, discussions, decisions and reasons for these should be recorded.

5.2 The Kindergarten should continue to support those involved, with reference to the range of support options set out in Part 5 of KCSIE and should also consider whether further referral and / or disciplinary action may be appropriate against either the perpetrator where concerns are substantiated and/ or harmful sexual behaviours identified or the victim where concerns were found to be deliberately invented or malicious.

Appendix 4 Local arrangements

1 Early help resources

- 1.1 The [Wandsworth Early Help Hub](#) provides resources for practitioners working with children and families to find services to help support these families. Services are categorised by age groups (0-5 years, 5-11 years, 11-18 years and 18+ years)
- 1.2 Detailed guidance on the framework, processes and policies is available in the [Guide to Early help Processes](#)

2 Local thresholds

- 2.1 The [Thresholds for intervention guidance](#) underpins the local vision to provide the right support for children and their families at the earliest opportunity - right through to specialist and statutory interventions, when needed to ensure the welfare and safety of vulnerable children and young people.
- 2.2 It aims to offer a clear framework and promote a common understanding of thresholds of need for all practitioners within all agencies.

3 Referral forms

- 3.1 Referrals to MASH should be made via the [Multi-Agency Referral Form](#)
- 3.2 Referrals to the LADO should be made via the [LADO referral form](#).

4 Escalation procedures

- 4.1 Where concerns or disagreement arise over another professional's action, lack of action or decisions in relation to safeguarding a child, refer to the [Inter-Agency Escalation Policy](#).

Appendix 5 Kindergarten arrangements

Access by St. Mary's Church staff, volunteers and visitors

- St Mary's Church provides confirmation to the HR department that appropriate checks have been completed on all staff and volunteers.
- Staff and volunteers of the church are not permitted to access the Crypt or designated outside play area when the Kindergarten is in session.
- Where a church visitor requires access to the accessible lift, the church will inform the Head in advance and appropriate arrangements put in place, for example the children playing outside when access is required.

Safety at the Kindergarten

- Entry to the Kindergarten premises is controlled by secure doors and constant staff supervision.
- Members of staff wear name badges.
- The identity of agency and supply staff is checked to ensure that the person presenting at the Kindergarten is the same person on whom the agency has confirmed checks for
- Authorised visitors are logged in and out of the premises and asked to wear visitor badges. Unidentified visitors will be challenged by staff and reported to the Head.
- The presence of intruders and suspicious strangers loitering near the Kindergarten will be reported to the Police and the LA so that other early years providers or schools can be alerted.
- Internal doors within the space used by the Kindergarten will not be locked while children are present.
- Members of staff who work with children on a one to one basis are made particularly aware of policies and procedures with regard to safeguarding as the nature of their work means they are more vulnerable to allegations made against them or a pupil may see their individual lesson time as a private opportunity to make a disclosure.