



## Child Protection Policy

- This policy will be kept readily available for all to read.
- This policy will be displayed on the pre-school group's notice board.
- All staff, paid and unpaid, and committee members will have a working knowledge of the group's Child Protection Guidelines and Policy.
- This policy and guidelines will be given or explained to every parent who uses the organisation. Parents will be asked to sign a statement confirming that they have read and understood this document.
- In collecting, holding and processing personal data the group complies with current Data Protection rules and guidance.
- The Protecting of Vulnerable Groups (PVG) Scheme will be used to ensure the organisation does not offer regulated work with children to a barred person.
- This policy is supported by other organisational policies on, for example, safe recruitment, health and safety, discipline, parental involvement, as well as operational and management practices, for example, SSSC codes of practice, regular supervision, risk assessments, in order to create environments which, keep children safe and free from harm.

We intend to create in our pre-school an environment in which children are safe from abuse and in which any suspicion of abuse is promptly and appropriately responded to. In order to achieve this, we will:

### 1. Exclude known abusers

It will be made clear to applicants for posts which involve regulated work<sup>1</sup> with children that the position is exempt from the provisions of the Rehabilitation of Offenders Act 1974. We will only employ individuals (paid and unpaid) who are members of the Protecting of Vulnerable Groups Scheme **to** undertake regulated work with children. The organisation will always seek a Scheme Record Update when appointing new staff members to work with the children and, where it is deemed appropriate, will seek a full Scheme Record if the need arises. Individuals who are not members of the Scheme will be asked to join and will not be eligible to take up employment until a Scheme Record has been issued.

The Chairperson and two Office Bearers of the organisation will be PVG Scheme members. (NB: if your group has charitable status, the trustees of the charity are deemed to be doing regulated work with children and are required to become a PVG Scheme member.)

Retrospective checking will be undertaken for staff members who currently hold an Enhanced Disclosure under the Protection of Children (Scotland) Act 2003 (now repealed) within 4 years of the PVG Scheme implementation.

The organisation will remove a person from regulated work if Disclosure Scotland provides information that they have become barred from working with children.

As a holder of PVG information the organisation will have the following policy in place in addition to this Child Protection Policy.

- Policy on secure handling, use and storage and retention of PVG information. A model policy may be downloaded from the CRBS website.

The organisation will notify the CRBS/Disclosure Scotland of any workers leaving their organisation.

The organisation acknowledges that the PVG scheme offers just one element in safeguarding children and recognises that this policy is supported by other policies, for example, on safe recruitment, health and safety, discipline and management practices that create environments which ensure children are kept safe from harm.

## **2. Ensure recruitment and selection procedures are robust**

All applicants for work within the pre-school, whether voluntary or paid, will be interviewed before an appointment is made and will be asked to provide at least two written references, one of which will be personal, and the other work related. If an applicant has been absent from employment for a considerable time a reference will be requested from a professional person.

All such references will be checked by speaking to the referees. Checks will also be implemented with the applicant's previous employer. In the case of applicants with unexplained gaps in their employment history or who have moved rapidly from one job to another, explanations will be sought.

All new appointments to regulated work with children in the organisation will be members of the PVG Scheme. If the individual is not a member of the PVG Scheme, their appointment will be subject to them joining the Scheme. New appointments to a post will not be allowed to start work until their PVG disclosure information has been received from Disclosure Scotland or the CRBS.

All appointments, both paid and unpaid, will be subject to a probationary period and will not be confirmed unless the pre-school group is confident that the applicant can be safely entrusted with children. During the probationary period the prospective early years worker will go through a period of induction and support and supervision to enable them to fully comprehend their new position. They will be given time to develop their knowledge of the child protection guidance and the policy and procedures they should follow. Training needs will be identified in the individual's personal learning and development plan.

Risk management procedures will be used for parents who become involved in helping out in the play session. Committees will be asked to work through the Regulated Work Self Assessment Tool which can be found on the CRBS website to ascertain whether volunteers need PVG Membership.

## **3. Seek and supply training**

The organisation will ensure that all staff and volunteers have knowledge of and access to EARLY YEARS SCOTLAND's Child Protection Guidelines and Policy for Early Years Workers. Staff and parents will be asked to sign a statement confirming that they have read and understood the document.

The organisation will seek out training opportunities for all early year's workers involved in the pre-school group to ensure that they recognise the symptoms of possible physical abuse, neglect, emotional abuse and sexual abuse and are aware of child protection procedures. The committee/employers will keep documentary evidence of courses attended and of their comprehension by staff and volunteers and will ensure that staff have knowledge and understanding of the group's child protection policy and procedures.

## **4. Prevent abuse by means of good practice**

The organisation (where there is a requirement) will be registered with the Care Inspectorate. It will produce evidence, for inspection purposes, to demonstrate that robust workplace practice and procedures are followed to prevent unsuitable people from working with children and to detect those who become unsuitable while in the workplace.

Staff will be provided with a copy of the Scottish Social Services Council (SSSC) Code of Practice and will be expected to adhere to the standards of conduct as defined in the Code. All staff will be registered with the SSSC and this registration will require them to be members of the PVG Scheme.

Staff will be made aware of the requirement to notify their employer as to any occurrence which may affect their PVG Scheme membership status. Failure to do so will lead to disciplinary action and could lead to dismissal.

The organisation will meet its duty to pass on information; that is, it will **make a referral** to Disclosure Scotland, if they consider that an individual may be unsuitable to do regulated work, so that it can be properly evaluated, and appropriate action taken. It will use the criteria specified under the PVG Act 2007 for making a referral; these are:

- an individual doing regulated work has done something to harm a child (or protected adult)
- and**
- the impact is so serious that the organisation has (or would) permanently remove the individual from regulated work.

The organisation understands that after a referral is made, Disclosure Scotland may place the individual under consideration for listing on either or both lists, irrespective of how the referral grounds are met.

The organisation understands that harmful or inappropriate behavior does not have to have taken place in the workplace or be connected with that person's work in any way, for the grounds for the referral to be met if the person is doing regulated work.

Other adults who are involved in the group, for example, parents, who have not been vetted through Disclosure Scotland and through careful selection procedures will **not** take children, other than their own children, unaccompanied to the toilet, or be left in sole charge of children.

Children will be supervised at all times by a responsible adult who is a member of the PVG Scheme, including when taking part in the pre-school group's external activities, e.g. walks, visits and other outings.

Early years workers will not be left alone for long periods with individual children or with small groups. A worker who needs to take a child aside for any reason will alert another member of staff and they will monitor the length of absence. Adult: child ratios as outlined in the National Care Standards will be adhered to at all times.

Children will not be left alone with visitors to the group. Visitors will always be asked to provide proof of identity. Staff will supervise children when visiting specialists are on the premises. Regular visitors will be required to be members of the PVG Scheme if the work they undertake with the children is specified as regulated work.

Children will only be collected from the group by adults who are authorised by parents or carers to do so. This authorisation should be provided in writing, wherever possible. If in the opinion of the staff on duty the parent/carer is incapable of looking after the child safely through being under the influence of drugs or alcohol, delaying tactics will be employed in order to find the child's emergency contact person or other family member to look after the child in the meantime.

Early years workers turning up for duty under the influence of drugs or alcohol will be instructed to go home. Breaches of conduct such as these will lead to disciplinary action being taken and could lead to summary dismissal.

If an early year's worker faces disciplinary action it will be reported to the Care Inspectorate and if appropriate to the SSSC and Disclosure Scotland.

There are **no circumstances** in which children will be punished by smacking, slapping, or shaking by anyone in the group. Parents should be requested not to smack their own children too. Neither will humiliating nor frightening methods of punishment be used - for example, ridicule or exclusion.

Children will be respected, listened to and encouraged to develop a sense of autonomy and independence, through adult support, in making choices and in finding names for their own feelings, and acceptable ways to express them. This will enable children to have the self-confidence and the vocabulary to resist inappropriate approaches.

Children will be encouraged to be confident in dealing with personal hygiene needs. "Accidents" will be dealt with in a sensitive manner.

The layout of the playroom(s) will permit constant supervision of all children.

Risk assessments of the group's child protection procedures will be undertaken and reviewed annually.

In addition to staff and volunteer training, the organisation will encourage participation in general discussion in child protection matters and to keep abreast of current legislation.

## **5. Respond appropriately to suspicions of abuse**

Changes in children's behaviour or appearance will be monitored, recorded and acted upon. To prevent any investigation into allegations being compromised, advice will be sought from an appropriate source before considering informing the child's parents or carers of their suspicions. Suspicions will be referred to the Social Work Department or Police. All such suspicions will be kept confidential and shared only with those who need to know. Suspicions will also be reported to the pre-school group's chairperson or head of establishment providing their child is not directly involved.<sup>5</sup>

Where there are suspicions of a child being abused **while in the group's care** (e.g. by a staff member or parent/carer) the relevant authorities will be notified,

## **6. Keep records**

Whenever worrying changes are observed in a child's behaviour, physical condition or appearance, a specific and confidential record will be set up, quite separate from the usual ongoing records of the child's progress and development. The record will include;

- the name, address and age of the child;
- timed and dated observations describing objectively the child's behaviour and appearance, without comment or interpretation; where possible, the exact words spoken by the child;
- the date, name and signature of the recorder.

Such records will be kept in a separate locked file and will not be accessible to people in the pre-school group other than to specified personnel as appropriate.

The pre-school group will specify clearly at the end of this policy the person/s identified as having access to information and to the secure files. These names will be reviewed, annually at least, and any changes recorded appropriately.

## **7. Liaise with other bodies**

The pre-school group operates in accordance with the Care Inspectorate and local authority guidelines. Confidential records, kept on children about whom the pre-school group is anxious, will be shared with the Social Work Department if the pre-school group feels that adequate explanations for changes in the child's condition have not been provided.

If a report on a child is to be made to the authorities, the child's parents will be informed at the same time as the report is made, unless there are suspicions that the parents are implicated.

Once reported, the pre-school group will maintain ongoing contact with the local authority, and will have a record of the names, addresses and telephone numbers of individual social workers, to ensure that it is easy, in any emergency, for the pre-school group and the Social Work Department to work well together. The pre-school group will ensure that it is up to date with reporting procedures.

Contact details will also be kept of the local Social Work Department and other agencies and individuals as appropriate <sup>6</sup>.

## **8. Support families**

The pre-school will take every step in its power to build up trusting and supportive relationships between families and staff and volunteers in the group.

Where abuse at home is suspected, the pre-school will continue to welcome the child and family while investigations proceed.

With the proviso that the care and safety of the child must always be paramount, the pre-school will do all in its power to support and work with the child's family.

## **Background Information Notes**

### **1. Regulated work with children: What is regulated work?**

Regulated work is defined by three basic principles

1. It has to be work (i.e. not personal relationships)
2. It has to be with either children or protected adults
3. The work has to include:
  - a. A particular type of activity such as caring for or teaching a child or protected adult;
  - b. Work in a particular establishment, such as a school or care home, which involves contact with children or protected adults
  - c. Holding one of the specified positions, such as member of a children's panel.

**2.** The Rehabilitation of Offenders Act provides the current framework on the use of prior convictions. In general terms, it provides for convictions to become spent after a specified period related to the length of sentence. For instance, a conviction becoming spent means that it does not require to be declared, for example, for the purpose of a job application. However, there are some areas of activity that are exempt from these provisions, in particular those involving substantial access to children. The exceptions are set out in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended. For those applying to work in these areas, which include staff in pre-school groups, all convictions, no matter how old, require to be declared.

**3.** The Protection of Vulnerable Groups (Scotland) Act 2007 aims to further improve safeguards for children by preventing unsuitable people from working with them. The Act provides for Disclosure Scotland to maintain a list of persons who are unsuitable to work in a childcare position as either paid employees or unpaid volunteers. The list is known as the Disqualified from Working with Children List. The Act has also established a Disqualified from Working with Protected Adults List.

The Act places a duty on employers to refer people to the List if they have harmed children or put children at risk of harm **and** have been dismissed or moved away from contact with children as a consequence. It will be an offence to knowingly employ anyone on the List to work with children. Those on the List (other than provisionally) will commit a criminal offence if they apply to work with children. The fact that someone is on the List will be released as part of a disclosure check under the PVG Scheme.

This Act has significantly enhanced the protection of children, but it is important to stress that it complements rather than replaces other child protection measures. All organisations entrusted with the care of children need to practice the full range of pre-employment checks. This includes interviews, the full investigation of the applicant's employment history and the taking up of references. Supervision within any probationary period is also recommended.

**4.** Sample policies can be downloaded from the Disclosure Scotland website on [www.disclosurecotland.co.uk](http://www.disclosurecotland.co.uk) and the CRBS website [www.crbs.org.uk](http://www.crbs.org.uk) can be adopted by the committee.

**5.** Agencies making a child protection referral should ask to speak to the Senior Social Worker or if contacting the Police, an officer of the Female and Child Unit. If the Senior Social Worker is unavailable, then the Duty Social Worker is the alternative point of contact. You may also contact the national Child Protection Line on 0800 022 3222. They will then refer you onto local support in your area.

**6.** Social Work Department contact telephone number: 01467 625567 or out of hours 0845 840070  
Police contact telephone number: 101  
Care Inspectorate contact telephone number: 01224 793870

**7.** For information regarding data protection call 0131 301 5071 or 01625 545745.